

7/12/16

**WORK SESSION**

**7:00 P.M.**

**July 19, 2016**

1. NJ Downtown Manager's Association  
(Mayor Cosgrove)  
(10 minutes)
2. Proposed Bond Sale  
(CFO Palermo/Auditor Wielkottz)  
(10 minutes)
3. Corrective Action Plan  
(Manager Van Kruijningen)  
(5 minutes)
4. Amendment to Fire Department Ordinance  
(Manager Van Kruijningen)  
(5 minutes)
5. Fair Lawn Avenue Corridor Vision Plan  
(Council Carryover)  
(5 minutes)
6. Proposal from Matrix New World Engineering for Affordable  
Housing Status Report  
(Council Carryover)  
(5 minutes)
7. Dogs in the Park  
(Council Carryover)  
(5 minutes)
8. Banning the Sale of Dogs and Cats from Pet Shops  
(Councilmember Peluso)  
(5 minutes)
9. Miscellaneous Public Comments

**Closed Session**

1. Personnel – Police Department
  - Fire Prevention
  - Tax Collection
  - Recreation

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**

**8:00 P.M.**

**JULY 19, 2016**

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

**ORDINANCE NO. 2392-2016  
(RESOLUTION NO. 253-2016)**

**AN ORDINANCE FIXING THE SALARIES OF SUPERVISORS  
ASSOCIATION OF FAIR LAWN EMPLOYEES OF THE BOROUGH OF  
FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

- 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. 2393-2016  
(RESOLUTION NO. 254-2016)**

**AN ORDINANCE FIXING THE SALARIES OF FULL TIME BLUE AND  
WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR  
LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

- Mayor asks for a motion to 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. 2394-2016  
(RESOLUTION NO. 255-2016)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES  
OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY  
AS AMENDED (PBA/SOA)**

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

**ORDINANCE NO. 2395-2016  
(RESOLUTION NO. 256-2016)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES  
OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY  
AS AMENDED (STIPENDS)**

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

**ORDINANCE NO. 2396-2016  
(RESOLUTION NO. 257-2016)**

**AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE  
BOROUGH OF FAIR LAWN 2000, ENTITLED, "POLICE DEPARTMENT"  
TO ADD ARTICLE XV ENTITLED, "SPECIAL LAW ENFORCEMENT  
OFFICER – CLASS ONE"**

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

**ORDINANCE NO. 2397-2016  
(RESOLUTION NO. 258-2016)**

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE  
BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION,  
DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO  
AMEND ARTICLE XIII ENTITLED, "DEPARTMENT OF EMERGENCY  
SERVICES"**

- 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. 2398-2016  
(RESOLUTION NO. 259-2016)**

**AN ORDINANCE TO AMEND CHAPTER 24 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "LENGTH OF SERVICE AWARDS PROGRAM" TO AMEND SUBSECTION 24-24-3 ENTITLED, "CRITERIA FOR ELIGIBILITY"**

- 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. 2399-2016  
(RESOLUTION NO. 260-2016)**

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

- Mayor asks for a motion to 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. 2400-2016  
(RESOLUTION NO. 261-2016)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 125 "ZONING" AND CHAPTER 49 "AFFORDABLE HOUSING" PERTAINING TO INCLUDING THE NEWLY ESTABLISHED OVERLAY DISTRICT ENTITLED, "R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WITHIN CODE SECTION 125-9, "ZONES ESTABLISHED," DEPICTING THIS NEWLY ESTABLISHED OVERLAY**

**DISTRICT ON THE BOROUGH'S ZONING MAP, WHICH IS INCORPORATED BY REFERENCE THROUGH CODE SECTION 125-10 "OFFICIAL ZONING MAP," AND INCLUDING A NEW SECTION IN CHAPTER 49 ENTITLED "49-14.1 R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WHICH INCORPORATES THE ASSOCIATED REDEVELOPMENT PLAN INTO THE CODE BY REFERENCE.**

- 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.

**8. ORDINANCES ON SECOND READING:**

**ORDINANCE NO. 2391-2016  
(RESOLUTION NO. 262-2016)**

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW MINIATURE GOLF COURSE IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$550,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$488,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

- 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.

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

- Mayor calls for a motion to open time for public comments on Consent Agenda items only. Mayor asks for a Mover, 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.

**10. RESOLUTIONS BY CONSENT #10-2016**

- Municipal Clerk reads Resolutions by Consent.
- a. Resol. #263-2016 - Authorizing Purchases with CarQuest Auto Parts through U.S. Communities Government Purchasing Alliance
- b. Resol. #264-2016 - Refund of Overpayment of Taxes
- c. Resol. #265-2016 - Confirmation of Fire Board Actions
- d. Resol. #266-2016 - Award of Bid: Fire Department Uniforms
- e. Resol. #267-2016 - Approval of Minutes:  
Regular Meeting 6/21/16
- f. Resol. #268-2016 - Extension of Contract: Ductile Iron Pipes, Fittings & Valves
- g. Resol. #269-2016 - Extension of Contract: Hydrants and Hydrant Parts
- h. Resol. #270-2016 - Traffic Regulations - Politt Drive and Pollitt Drive Extension
- i. Resol. #271-2016 - Honoring the Bergen Volunteer Center on Its 50th Anniversary
- j. Resol. #272-2016 - Professional Services – Conflict Attorney (CGL Claims): Matthew R. Petracca
- k. Resol. #273-2016 - Interlocal Agreement for Nursing Case Management for Childhood Lead Poisoning
- l. Resol. #274-2016 - Audit Report
- m. Resol. #275-2016 - Corrective Action Report
- n. Resol. #276-2016 – Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29
- o. Resol. #277-2016 – Authorizing Contracts with Certain Approved County Cooperative Contract Vendors Pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7 and Contracts for Certain Approved National Cooperative Contract Vendors Pursuant to N.J.S.A. 52:34-6.2 and P.L. 2011, c. 139
- p. Resol. #278-2016 - Licensing Agreement – 8-71 Cedar Street
- q. Resol. #279-2016 - Authorizing Purchases with Foley Inc. through National Joint Powers Alliance
- r. Resol. #280-2016 – Renewal of Liquor License 2016-2017
- s. Resol. #281-2016 – Authorizing Awarding of Contract with Foley Inc. (Compressor)

- t. Resol. #282-2016 - Professional Services – Architectural Services  
Naugle House Phase 1 Construction Phase: HMR  
Architects
- u. Resol. #283-2016 - Award of Bid: Project #2259 2016 Roadway  
Improvements Contract II
- v. Resol. #284-2016 – Tax Refund – 2-22 Saddle River Road
- w. Resol. #285-2016 – Tax Appeal Settlement: Pollitt Drive Ventures -  
16-00 Pollitt Drive
- x. Resol. #286-2016 – Tax Appeal Settlement: 2000 Avik & V Corp. –  
20-00 Fair Lawn Avenue
- y. Resol. #287-2016 – Tax Appeal Settlement: 12-15 Broadway  
Professional, LLC – 12-15 Broadway
- z. Resol. #288-2016 – Tax Appeal Settlement: Santomenno – 0-46 Fair  
Lawn Parkway

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

**11. RESOLUTION NO. 289-2016 - APPROVAL OF MINUTES:**

**Work Session 6/14/16**

**Special Meeting 6/14/16**

**Closed Session 6/14/16**

- Municipal Clerk reads the resolution. Mayor calls for Mover, Secunder, Roll Call.

**12. RESOLUTION NO. 290-2016 - LIQUOR LICENSE PERSON TO PERSON TRANSFER  
- B&B LIQUORS TO ONG STRATEGIC BUSINESS OBJECTIVES LLC**

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

**13. PUBLIC COMMENTS**

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

**14. ADJOURNMENT:**

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

**ORDINANCE NO. 2392-2016**

**AN ORDINANCE FIXING THE SALARIES OF SUPERVISORS  
ASSOCIATION OF FAIR LAWN EMPLOYEES OF THE BOROUGH  
OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

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

**SECTION 1.** That there is hereby established a change in title for the classification of certain employee's attached herein.

**SECTION 2.** That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

**SECTION 3.** Annual salaries shall be paid in accordance with the executed contract for the Supervisors Association of Fair Lawn Employees dated December 31, 2015.

**SECTION 4.** This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

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

Introduced: July 19, 2016

Adopted:

# BOROUGH OF FAIR LAWN SALARY ORDINANCE

Supervisors Civil Service Title	2016 Salary Range		2017 Salary Range		2018 Salary Range	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Assistant Superintendent of Public Works	67,519	86,228	67,519	86,228	67,519	86,228
Assistant Superintendent of Recreation	75,002	94,099	75,002	94,099	75,002	94,099
Chief Water Treatment Plant Operator	70,019	88,728	70,019	88,728	70,019	88,728
Fire Official	52,238	86,228	52,238	86,228	52,238	86,228
Maintenance Supervisor Grounds	67,519	86,228	67,519	86,228	67,519	86,228
Municipal Court Administrator	55,973	86,564	55,973	86,564	55,973	86,564
Municipal Recycling Coordinator	67,519	86,228	67,519	86,228	67,519	86,228
Recreation Supervisor	55,737	80,728	55,737	80,728	55,737	80,728
Supervising Maintenance Repairer	67,519	86,228	67,519	86,228	67,519	86,228
Supervising Mechanic	67,519	86,228	67,519	86,228	67,519	86,228
Supervising Parks	67,519	86,228	67,519	86,228	67,519	86,228
Supervising Water Treatment Plant Oper	67,519	86,228	67,519	86,228	67,519	86,228
Supervisor Public Works	67,519	86,228	67,519	86,228	67,519	86,228
Supervisor Repairer & Maintenance	67,519	86,228	67,519	86,228	67,519	86,228
Supervisor Water Distribution	67,519	86,228	67,519	86,228	67,519	86,228
Tree Maintenance Supervisor	67,519	86,228	67,519	86,228	67,519	86,228

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 253-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2392-2016 entitled:

**AN ORDINANCE FIXING THE SALARIES OF SUPERVISORS ASSOCIATION  
OF FAIR LAWN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN  
COUNTY, NEW JERSEY AS AMENDED**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 254-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2393-2016 entitled:

**AN ORDINANCE FIXING THE SALARIES OF FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2393-2016**

**AN ORDINANCE FIXING THE SALARIES OF FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

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

**SECTION 1.** That there is hereby established a change in title for the classification of certain employee's attached herein.

**SECTION 2.** That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

**SECTION 3.** Annual salaries shall be paid in accordance with the executed contract for the Full Time Blue and White Bargaining Unit dated December 31, 2015.

**SECTION 4.** This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

---

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

---

John Cosgrove  
Mayor

Introduced: July 19, 2016

Adopted:

**BOROUGH OF FAIR LAWN  
SALARY ORDINANCE**

Blue and White Collar Bargaining Unit	2016 Salary Range		2017 Salary Range		2018 Salary Range	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Accounting Clerk	45,500	65,500	45,500	65,500	45,500	65,500
Keyboarding 1/Planning Board Secretary/M	46,994	71,778	46,994	71,778	46,994	71,778
Keyboarding 2/Planning Board Secretary/M	55,739	79,109	55,739	79,109	55,739	79,109
Keyboarding 3/Planning Board Secretary/M	60,521	85,319	60,521	85,319	60,521	85,319
Administrative Secretary/Planning Board Se	73,958	100,513	73,958	100,513	73,958	100,513
Assistant Tax Assessor	56,824	81,132	56,824	81,132	56,824	81,132
Assistant Construction Official	52,309	85,266	52,309	85,266	52,309	85,266
Assistant Civil Engineer	61,956	93,459	61,956	93,459	61,956	93,459
Assistant Municipal Tax Collector	56,825	81,131	56,825	81,131	56,825	81,131
Assistant Recreation Coordinator	47,309	66,783	47,309	66,783	47,309	66,783
Assistant Recreation Leader	47,309	66,783	47,309	66,783	47,309	66,783
Assistant Supervising Maint Repairer	63,376	82,351	63,376	82,351	63,376	82,351
Assistant Supervising Mechanic	63,376	82,351	63,376	82,351	63,376	82,351
Assistant Supervising Parks	63,376	82,351	63,376	82,351	63,376	82,351
Assistant Supervisor Public Works	63,376	82,351	63,376	82,351	63,376	82,351
Assistant Supervisor Senior Citizens Activitie	47,309	66,783	47,309	66,783	47,309	66,783
Assistant Supervisor Sanitation	63,376	82,351	63,376	82,351	63,376	82,351
Assistant Supervisor Repairer & Maintenance	63,376	82,351	63,376	82,351	63,376	82,351
Assistant Water Treatment Plant Operator	28,431	43,009	28,431	43,009	28,431	43,009
Assistant Zoning Officer	50,113	70,078	50,113	70,078	50,113	70,078
Assistant Municipal Clerk	57,129	82,812	57,129	82,812	57,129	82,812
Cashier	45,892	65,793	45,892	65,793	45,892	65,793
Civil Engineer Trainee	55,761	84,114	55,761	84,114	55,761	84,114
Keyboard 1/Assistant Purchasing Agent	43,158	69,164	43,158	69,164	43,158	69,164
Keyboard 2/Assistant Purchasing Agent	56,685	82,705	56,685	82,705	56,685	82,705
Keyboard 3/Assistant Purchasing Agent	57,230	83,391	57,230	83,391	57,230	83,391
Clerk Stenographer 3/Assistant Purchasing	57,230	83,391	57,230	83,391	57,230	83,391
Code Enforcement Officer	62,649	79,099	62,649	79,099	62,649	79,099
Deputy Court Administrator	55,973	67,000	55,973	67,000	55,973	67,000
Electrician	69,000	82,352	69,000	82,352	69,000	82,352
Keyboarding Clerk 1	34,956	55,850	34,956	55,850	34,956	55,850
Keyboarding Clerk 1/Board of Adjustment	40,724	65,350	40,724	65,350	40,724	65,350

**BOROUGH OF FAIR LAWN  
SALARY ORDINANCE**

Blue and White Collar Bargaining Unit	2016 Salary Range		2017 Salary Range		2018 Salary Range	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Keyboarding Clerk 1/Payroll/Finance	59,262	81,546	59,262	81,546	59,262	81,546
Keyboarding Clerk 2	43,701	63,181	43,701	63,181	43,701	63,181
Keyboarding Clerk 2/Bilingual English/Spanish	44,201	63,681	44,201	63,681	44,201	63,681
Keyboarding Clerk 2/Board of Adjustment	49,469	72,681	49,469	72,681	49,469	72,681
Keyboarding Clerk 2/Chief of Staff	74,983	86,519	74,983	86,519	74,983	86,519
Keyboarding Clerk 2/Payroll/Finance	69,000	88,877	69,000	88,877	69,000	88,877
Keyboarding Clerk 3	48,483	69,391	48,483	69,391	48,483	69,391
Keyboarding Clerk 3/Board of Adjustment	54,251	78,891	54,251	78,891	54,251	78,891
Keyboarding Clerk 3/Chief of Staff, Veterans Affairs	88,589	98,729	88,589	98,729	88,589	98,729
Keyboarding Clerk 3/Cultural Planner	62,759	84,584	62,759	84,584	62,759	84,584
Keyboarding Clerk 3/Payroll/Finance	90,947	95,087	90,947	95,087	90,947	95,087
Laborer 1	31,589	47,787	31,589	47,787	31,589	47,787
Maintenance Repairer	49,098	66,709	49,098	66,709	49,098	66,709
Maintenance Worker 1 Grounds	47,309	66,783	47,309	66,783	47,309	66,783
Maintenance Worker 2 Grounds	55,457	73,793	55,457	73,793	55,457	73,793
Maintenance Worker 3 Grounds	63,378	82,352	63,378	82,352	63,378	82,352
Mechanic	58,856	75,771	58,856	75,771	58,856	75,771
Motor Broom Driver	54,903	73,793	54,903	73,793	54,903	73,793
Plumbing Subcode Official	47,309	80,266	47,309	80,266	47,309	80,266
Principal Acct Clerk	49,613	75,410	49,613	75,410	49,613	75,410
Principal Acct Clerk/Finance	49,648	82,230	49,648	82,230	49,648	82,230
Principal Engineering Aide	61,788	82,816	61,788	82,816	61,788	82,816
Public Safety Telecommunicator	44,851	56,607	44,851	56,607	44,851	56,607
Public Works Repairer	47,309	66,783	47,309	66,783	47,309	66,783
Records Support Technician 1	43,769	63,185	43,769	63,185	43,769	63,185
Records Support Technician 2	44,612	70,592	44,612	70,592	44,612	70,592
Records Support Technician 3	45,455	75,771	45,455	75,771	45,455	75,771
Recreation Leader	44,011	71,976	44,011	71,976	44,011	71,976
Recreation Coordinator	44,011	71,976	44,011	71,976	44,011	71,976
Registered Environmental Health Specialist	46,013	67,981	46,013	67,981	46,013	67,981
Sanitation Driver	54,902	73,793	54,902	73,793	54,902	73,793
Senior Cashier	47,284	67,109	47,284	67,109	47,284	67,109
Senior Maintenance Repairer	54,902	73,793	54,902	73,793	54,902	73,793

**BOROUGH OF FAIR LAWN  
SALARY ORDINANCE**

Blue and White Collar Bargaining Unit	2016 Salary Range		2017 Salary Range		2018 Salary Range	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Senior Public Works Repairer	54,902	73,793	54,902	73,793	54,902	73,793
Senior Traffic Maintenance Worker	54,902	73,793	54,902	73,793	54,902	73,793
Senior Water Treatment Plant Operator	63,378	82,351	63,378	82,351	63,378	82,351
Supervisor Senior Citizen Activities	44,011	71,976	44,011	71,976	44,011	71,976
Tree Maintenance Worker 1	31,589	47,995	31,589	47,995	31,589	47,995
Tree Maintenance Worker 2	54,902	73,793	54,902	73,793	54,902	73,793
Tree Maintenance Worker 3	58,089	77,015	58,089	77,015	58,089	77,015
Water Treatment Plant Operator	47,309	66,783	47,309	66,783	47,309	66,783

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 255-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2394-2016 entitled:

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE  
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS  
AMENDED (PBA/SOA)**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2394-2016**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE  
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED  
(PBA/SOA)**

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

**SECTION 1.** That there is hereby established a change in title for the classification of certain employee's attached herein.

**SECTION 2.** That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

**SECTION 3.** Annual salaries shall be paid in semi-monthly installments and weekly and hourly shall be paid for such periods.

**SECTION 4.** Any employee working less than the normal work week of the department will be paid on a prorated basis according to the salary range.

**SECTION 5A.** Police Officers hired prior to January 1, 2015, with the exception of Academy Step and Field Training Step, those new Police Officers hired on or before July 1<sup>st</sup> shall receive their annual step increment on the following January 1<sup>st</sup>. New Police Officers hired after July 1<sup>st</sup> shall wait until the next succeeding January 1<sup>st</sup> for their initial increment. All subsequent increments for Police Officers shall be effective January 1<sup>st</sup> of the succeeding year. In no event shall a Police Officers wait more than nine and one-half (9 ½) years before reaching top pay. It is the intent of the parties that only a Police Officer who is hired after July 1<sup>st</sup> of each year may take up to nine and a half years (9 ½) before reaching top pay. Police Officers hired prior to July 1<sup>st</sup> of each year will not take more than nine (9) years to reach top pay. The "annual step increments" mentioned above for Police Officers shall follow the base pay upon appointment. The present practice for step increments shall continue.

**SECTION 5B.** Police Officers hired on or after January 1, 2015, with the exception of the Academy Step and Field Training Step, new Police Officers hired on or before July 1<sup>st</sup> shall receive their annual step increment on the following January 1<sup>st</sup>. New Police Officers hired after July 1<sup>st</sup> shall wait until the next succeeding January 1<sup>st</sup> for their initial increment. All subsequent increments for Police Officers shall be effective January 1<sup>st</sup> of the succeeding year. In no event shall a Police Officers wait more than eleven and one-half (11 ½) years before reaching top pay. It is the intent of the parties that only a Police Officer who is hired after July 1<sup>st</sup> of each year may take up to eleven and a half years (11½) before reaching top pay. Police Officers hired prior to July 1<sup>st</sup> of each year will not take more than eleven (11) years to reach top pay. The "annual step increments" mentioned above for Police Officers shall follow the base pay upon appointment. The present practice for step increments shall continue.

**SECTION 6A.** Each Police Officer hired prior to January 1, 2015 will receive longevity pay for one (1%) percent of each three (3) years of service and two (2%) percent for each five (5) years of service with a maximum longevity pay not to exceed twelve (12%) percent. Employees at the signing of this contract collecting more than twelve (12%) percent longevity credit shall be grandfathered and are not subject to the twelve (12%) percent maximum longevity credit. Longevity will be computed for the first full calendar year thereafter. The said payments for longevity shall be paid on a bi-weekly basis to the Employees entitled to same.

**SECTION 6B.** Each Police Officer hired on or after January 1, 2015 shall receive the following longevity pay:

- a. After completion of four (4) years of service – 1%
- b. After completion of eight (8) years of service – 2%
- c. After completion of twelve (12) years of service – 3%
- d. After completion of sixteen (16) years of service – 4%
- e. After completion of twenty (20) years of service – 5% maximum

The said payments for longevity shall be paid on a semi-monthly basis to the Employees entitled to same.

**SECTION 6C.** Any Police Officer hired on or after January 1, 2019 shall not receive any longevity pay.

**SECTION 7.** The salary ranges and longevity credit herein provided for members of the Police Department shall be increased by the sum of Seventeen Dollars (\$17.00) for each credit hour completed in a recognized institution of higher education offering a program leading to a degree in Police Science. Such additional compensation shall not exceed, however, the sum of Two Thousand Two Hundred Fifty Dollars (\$2,250.00) for any calendar year and shall be payable upon presentation to the Borough Manager of proper certification from an institution attended by said member setting forth the number of credit hours completed on the conferring of an Associates or Baccalaureate Degree in Police Science.

**SECTION 8.** This Ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

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

Introduced: July 19, 2016  
Adopted:

ORDINANCE NO. 2394-2016  
 BOROUGH OF FAIR LAWN  
 SALARY ORDINANCE

<b>POLICE PBA CONTRACT 2019-2021</b>				
PBA Before 1/1/2015				
		<u>2019</u>	<u>2020</u>	<u>2021</u>
Academy Step		43,493	44,319	45,206
Field Training		47,275	48,173	49,137
Step	1	56,696	57,773	58,928
Step	2	65,899	67,151	68,494
Step	3	82,011	83,569	85,241
Step	4	90,742	92,466	94,316
Step	5	99,470	101,360	103,388
Step	6	108,202	110,257	112,463
Step	7	116,931	119,152	121,535
Step	8	125,663	128,051	130,612

<b>PBA After 1/1/2015</b>				
		<u>2019</u>	<u>2020</u>	<u>2021</u>
Academy Step		43,493	44,319	45,206
Field Training		47,275	48,173	49,137
Step	1	55,113	56,160	57,283
Step	2	62,951	64,147	65,430
Step	3	70,790	72,135	73,578
Step	4	78,628	80,122	81,724
Step	5	86,466	88,109	89,871
Step	6	94,305	96,097	98,019
Step	7	102,144	104,085	106,166
Step	8	109,982	112,071	114,313
Step	9	117,820	120,059	122,460
Step	10	125,663	128,051	130,612

ORDINANCE NO. 2394-2016  
 BOROUGH OF FAIR LAWN  
 SALARY ORDINANCE

POLICE SOA CONTRACT 2019-2021		2019	2020	2021
Sergeant	Min	110,384	112,482	114,731
Sergeant	Max	138,724	141,360	144,187
Lieutenant	Min	120,597	122,888	125,346
Lieutenant	Max	152,287	155,180	158,284
Captain	Min	130,198	132,672	135,325
Captain	Max	166,637	169,804	173,200

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 256-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2395-2016 entitled:

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE  
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS  
AMENDED (STIPEND)**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2395-2016**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED (STIPENDS)**

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

**SECTION 1.** That there is hereby established a change in title for the classification of certain employee's attached herein.

**SECTION 2.** That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

**SECTION 3.** This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

---

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

---

John Cosgrove  
Mayor

Introduced: July 19, 2016

Adopted:

# BOROUGH OF FAIR LAWN SALARY ORDINANCE

STIPENDS	2016 Salary Range		2017 Salary Range		2018 Salary Range	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Council	2,500	2,500	2,500	2,500	2,500	2,500
Deputy Municipal Manager	20,808	31,212	20,808	31,212	20,808	31,212
Fire Prevention Administrator	5,000	5,000	5,000	5,000	5,000	5,000
Fixed Asset Clerk	2,917	2,917	2,917	2,917	2,917	2,917
Judge of Municipal Court	27,000	27,000	27,000	27,000	27,000	27,000
Municipal Emergency Management Coordinator	26,010	26,010	26,010	26,010	26,010	26,010
Nursing Supervisor	2,423	2,423				
Prosecutor	19,900	19,900	19,900	19,900	19,900	19,900
Public Defender	5,200	5,200	5,200	5,200	5,200	5,200
Supervising Public Safety Telecommunicator	5,000	5,000	5,000	5,000	5,000	5,000

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 257-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2396-2016 entitled:

**AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "POLICE DEPARTMENT" TO ADD ARTICLE XV ENTITLED, "SPECIAL LAW ENFORCEMENT OFFICER – CLASS ONE"**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2396-2016**

**AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "POLICE DEPARTMENT" TO ADD ARTICLE XV ENTITLED, "SPECIAL LAW ENFORCEMENT OFFICER – CLASS ONE"**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn that:

**SECTION 1:** **CHAPTER 33 POLICE DEPARTMENT** is hereby amended as follows:

Add:

**ARTICLE XV**  
**Special Law Enforcement Officer – Class One**

**§ 33-40. Special Law Enforcement Officer – Class One**

In accordance with the provisions of P.L. 1986, c.2, of the New Jersey Statutes, N.J.S.A. 40A:14-146.8 et seq., there is hereby created the position of Special Law Enforcement Officer Class One for the Borough of Fair Lawn, Bergen County, New Jersey.

**§ 33-41. Qualifications.**

In order to be eligible for appointment to the position of a Special Law Enforcement Officer Class One, each applicant must:

- A. Be a citizen of the United States;
- B. Be not less than 18 at the time of appointment;
- C. Be a high school graduate or possess a high school equivalency certificate recognized by the Department of Education of the State of New Jersey;
- D. Be in good general health and physical condition as set up for examination of candidates for Special Law Enforcement Officers by the Borough's contracted physician, and be psychologically fit;
- E. Possess a valid New Jersey driver's license; and
- F. Applicants must reside within the Borough of Fair Lawn or a bordering municipality within the County of Bergen.

**§ 33-42. Disqualifications.**

No applicant shall be considered for appointment to the Borough Police Department as Special Law Enforcement Officer Class One who:

- A. Lacks the established qualification requirements for the position for which he/she has applied or been tested;
- B. Is physically, mentally or emotionally unfit to perform effectively the duties of the position in which he/she seeks employment;
- C. Is addicted to the habitual use of drugs or intoxicating liquors;
- D. Has been convicted of any indictable offense or has been convicted of any crime or offense involving moral turpitude;
- E. as been dismissed from any prior employment for justifiable cause; or
- F. Has made false statements of a material fact or practiced or attempted to practice any deception or fraud in his/her application, in his/her test or in securing his/her eligibility or appointment.

**§ 33-43. Oath of Office.**

Every Special Law Enforcement Officer of the Police Department shall, before entering upon the performance of his/her duties, take and subscribe to an oath or affirmation to bear true faith and allegiance to the government established in this state, under the authority of the people, to support the Constitution of the State of New Jersey and to enforce and obey all local ordinances and regulations of the Police Department and to faithfully, impartially and justly discharge and perform all the duties of his/her office, which oath or affirmation shall be filed with the Municipal Clerk, and a copy thereof maintained in the Police Department personnel files. The oath or affirmation shall conform to the wording of the State Statutes, as the same may be changed from time to time.

**§ 33-44. Classification; Powers and Duties.**

The classification of the Special Law Enforcement Officers shall be based upon the duties to be performed by said Officers and are established as follows:

- A. Special Class One Officers are authorized to perform routine traffic detail, spectator control and similar duties as may be assigned by the Chief of Police or, in the absence of the Chief, another law enforcement officer in a supervisory capacity designated by the Chief to act in his/her stead. Under N.J.S.A. 40A:14-146.11(4a(1)), Class One officers are also authorized to issue summonses for disorderly persons and petty disorderly persons

offenses, violations of municipal ordinances and violations of Title 39 of the New Jersey Statutes Annotated at the discretion of the Chief of Police. The use of firearms by said Class One Officers is strictly prohibited, and no Class One Officer shall be assigned any duties which may require the carrying or use of a firearm.

**§ 33-45. Appointment; Terms.**

Special Law Enforcement Officers shall be appointed by the Borough Council for a term not to exceed one year, which appointments shall be made at the annual reorganization meeting or at such other times as the Borough Council deems it necessary to make such appointments.

**§ 33-46. Compliance with Legislation of the Police Department.**

All duly appointed Special Law Enforcement Officers shall be subject to the rules and regulations governing the Police Department of the Borough of Fair Lawn as adopted by previous ordinances, including, by description but not limitation, the Standard Operating Procedures Police Manual of the Borough of Fair Lawn.

**§ 33-47. Supervision and Direction.**

- A. Special Law Enforcement Officer shall be under the supervision and direction of the Chief of Police or, in the absence of the Chief, another superior officer designated by the Chief of Police and shall perform his/her duties only in the Borough of Fair Lawn, unless in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey Statutes.
- B. The Special Law Enforcement Officer shall comply with the rules and regulations applicable to the conduct and decorum of the permanent, regularly appointed police officers of the Police Department, as well as any rules and regulations applicable to the conduct and decorum of special officers.

**§ 33-48. Compensation.**

Special Law Enforcement Class One Officers shall not receive a salary from the Borough of Fair Lawn for the performance of their duties but are entitled an annual clothing allowance for volunteer emergency service personnel.

**§ 33-49. Training.**

No Special Law Enforcement Officer shall commence his/her duties until he/she has completed the training as required under N.J.S.A. 40A:14-146.11, as amended from time to time.

**§ 33-50. Uniforms.**

The uniform of Special Law Enforcement Officers shall be determined by the Chief of Police and shall be in compliance with N.J.S.A. 40A:14-146.12.

**§ 33-51. Hours of Duty.**

Except as provided in subsection 3 of this section, no Special Law Enforcement Officer may be utilized for more than 20 hours per week by the local unit except that Special Law Enforcement Officers may be employed by the local unit for those hours as the governing body may determine necessary in accordance with the limits prescribed below:

- A. In all municipalities or counties without limitation as to hours during periods of emergency.
- B. Notwithstanding any provision of this act to the contrary, Special Law Enforcement Officers may be employed only to assist the local law enforcement unit but may not be employed to replace or substitute for full-time, regular police officers or in any way diminish the number of full-time officers employed by the local unit.
- C. The Chief of Police may designate one Special Law Enforcement Officer to whom the limitations on hours employed set forth in this section shall not be applicable.

**SECTION 2:** All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

**SECTION 3:** 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 July 19, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 258-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2397-2016 entitled:

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO AMEND ARTICLE XIII A ENTITLED, "DEPARTMENT OF EMERGENCY SERVICES"**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2397-2016**

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO AMEND ARTICLE XIII A ENTITLED, "DEPARTMENT OF EMERGENCY SERVICES"**

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn that:

**SECTION I.: CHAPTER 2 ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES** is hereby amended as follows:

Delete the entire Article XII A. Department of Emergency Services and replace it with the following:

**ARTICLE XIII A  
Office of Emergency Management**

**§ 2-81.1. Department generally.**

There shall be an Office of Emergency Management, the head of which shall be the Municipal Emergency Management Coordinator. Within emergency management, there may be divisions as prescribed by this section.

**§ 2-81.2. Coordinator.**

The Municipal Emergency Management Coordinator shall be appointed by the Borough Manager pursuant to law. The Municipal Emergency Management Coordinator shall:

- A. Maintain the Borough of Fair Lawn Emergency Operations Plan.
- B. Supervise and/or maintain departmental records, prepare budget requests and oversee the day-to-day operation of Emergency Management divisions.
- C. Assess the damage to municipal property, file insurance reimbursements with the Joint Insurance Fund as well as FEMA and the State of New Jersey, monitor the status of the reimbursements, advocate on behalf of the Borough and keep all books and records with regard to municipal property losses.
- D. Assist residents and small businesses in making FEMA claims;

- E. Develop and maintain public education, safety programs and plans, including school evacuation and relocation; industrial evacuation and response plans and a special needs registry.
- F. Keep all books and records for emergency service related to federal and state mandated and/or optional programs, including:
  - (1) Respiratory Protection Plan.
  - (2) Length of Service Awards Program (LOSAP)
- G. Develop a five-year capital budget plan for all Emergency Management divisions and present to the Borough Manager annually those projects recommended for consideration for budget approval with supporting documentation.
- H. Act as an administrator to the Rescue Squad, CERT and RACES.
- I. In coordination with the Borough Manager, shall prepare public education programs, maintain the emergency operations center, develop and maintain school evacuation plans, develop and maintain industrial evacuation plans, oversee a disaster recovery plan, be responsible for grant applications relating to emergency management services and develop and critique an annual emergency exercise.
- J. Perform such other related duties as assigned and approved by the Borough Manager.

**§ 2-81.3. Divisions.**

- A. Local Emergency Planning Committee (LEPC).
  - (1) Within the Office of Emergency Management, there shall be a Local Emergency Planning Committee consisting of not more than 15 members. The Local Emergency Planning Committee shall have the functions, powers and duties prescribed by general law, executive order, ordinance or resolution.
  - (2) The Chairperson of the LEPC shall be elected by majority vote at the December LEPC meeting. The term of the LEPC Chairperson will be for a period of one year starting January 1 of each year.

## B. Division of Heavy Rescue/Hazardous Materials Response (HazMat).

- (1) Within the Office of Emergency Management, there shall be a division of Heavy Rescue/Hazardous Materials Response. The Division, under the direction and supervision of the Coordinator, shall elect a Heavy Rescue/Hazardous Materials Response Division Chief. The Rescue/HazMat Chief will be elected to a two-year term at the Rescue/HazMat Division's annual November meeting. Chief candidates must have served as a division captain. The Chief shall:
  - (a) Maintain vehicles and equipment owned by the Borough assigned to the Division.
  - (b) Respond to hazardous materials spills and discharges to abate and control until such time as a professional cleanup contractor arrives at location of spill and/or discharge.
- (2) Definitions. As used in this article, the following terms shall have the meanings indicated:

**EXPENDABLE ITEMS** - Any items used to extinguish any fire and/or stop or control or contain any leak or spill involving any hazardous material which cannot be reused or cannot be replenished without cost after that particular fire, leak or spill. These include but are not restricted to fire-fighting foam, chemical extinguishing agents, absorbent material, sand recovery drums and specialized protective equipment to include but not be restricted to acid suits, acid gloves, goggles and protective clothing.

**HAZARDOUS MATERIALS** - Any material, solid, liquid or gas, listed as a hazardous substance or material, including but not necessarily limited to such substances and materials listed under the NFPA Guide of Hazardous Material, the Department of Transportation Guide Book and the list of Hazardous Substances and Toxic Pollutants designated by the Federal Environmental Protection Agency and the New Jersey State Department of Environmental Protection.

**VEHICLE** - Any motorized equipment, registered or unregistered, including but not limited to a passenger car, motorcycle, truck, tractor-trailer, construction equipment, farm machinery, watercraft, air craft and trains.

**VESSEL** - Any container, drum, box, cylinder, bottle or tank used to hold, contain, carry or store any hazardous material.

- (3) Reimbursable items. Costs incurred by the Borough of Fair Lawn and/or other mutual aid responding units for the following items in connection with the suppressing, control or cleanup of a fire, leakage or spillage involving any hazardous substance or hazardous material shall be reimbursed to the aforesaid respective organizations by the responsible parties as set forth in Subsection B(4) below:
  - (a) The cost of replacement of expendable items.
  - (b) The expenses incurred by the Borough for the wages (regular and/or overtime) paid to its employees/agents as a result of a hazardous material incident.
  - (c) Any and all medical costs incurred by responding personnel.
  - (d) Any and all environmental tests required to ensure a hazard-free environment (soil-water-air).
  - (e) A fixed hourly rate for the use of apparatus, specialized vehicles or any other vehicles owned by the Borough of Fair Lawn at incidents computed at the rate per hour, as set forth by the FEMA Equipment Rates or from time to time by resolution of the Borough Council.
  - (f) All expenses incurred by other mutual aid responding units.
  - (g) Services rendered by any recovery company, towing company or other technical assistance call for by the Fire Department or Emergency Management Coordinator to handle such incidents.
- (4) Parties responsible for reimbursement. Reimbursement to the Borough of Fair Lawn for any reimbursable items as set forth above shall be made by the following parties:
  - (a) The owner or operator of any vehicle responsible for any fire, leak or spill of hazardous material.

- (b) The owner or person responsible for any vessel containing hazardous material involved in any fire, leak or spill on public or private property, whether stationary or in transit, whether accidental or through negligence.
  - (c) The owner or person responsible for any property from which any leak or spill of hazardous material emanates.
  - (d) Any person responsible for any fire, leak or spill of hazardous material on public or private property.
- (5) Period for payment. Any responsible party, as set forth in Subsection B(4) hereof, shall reimburse the Borough of Fair Lawn for the full price of any reimbursable items used to extinguish such a fire, stop or contain such a leak or control and cleanup such a spill within 45 days after receipt of a bill for such items from the Borough of Fair Lawn is to include a 20% administrative fee.
- (6) Penalties. Any responsible party, as set forth in Subsection B(4) hereof, who fails to reimburse the Borough of Fair Lawn for reimbursable items within the time limit set forth in Subsection B(5) hereof, shall be subject to a fine of not less than \$100 nor more than \$500 or imprisonment for a period of not more than 90 days, or both. Upon the failure to reimburse the Borough of Fair Lawn for the cost of such items within said forty-five-day period and in addition to any penalty provided for in Subsection B(5) hereof, the Borough of Fair Lawn may take such action as may be provided by law to recover such costs from the responsible party.
- (7) All Rescue members who have served a minimum of 15 years of active service and retired from active service after reaching 55 years of age shall receive an annual service allowance as set forth below through the budgetary process. The annual service allowance amount shall be set upon retirement from active service at the current amount and will not increase with the active membership.
- (a) 25 plus years of service - Full service allowance at time of retirement
  - (b) 20-24 years of service – 75% of service allowance amount at time of retirement

- (c) 15-19 years of service – 50% of service allowance amount at time of retirement

C. Division of the Community Emergency Response Team (CERT). Within the Office of Emergency Management, there shall be a Division of the Community Emergency Response Team (CERT). The Division under the direction and supervision of the Municipal Emergency Management Coordinator or his/her designee shall:

- (1) Maintain equipment owned by the Borough assigned to the Division.
- (2) Respond to events and emergencies within the Borough as requested by the Municipal Emergency Management Coordinator.

D. Division of the Radio Amateur Civil Emergency Services (RACES). Within the Office of Emergency Management, there shall be a Division of the Radio Amateur Civil Emergency Services (RACES). The Division under the direction and supervision of the Municipal Emergency Management Coordinator or his/her designee shall:

- (1) Maintain equipment owned by the Borough assigned to the Division.
- (2) Respond to events and emergencies within the Borough as requested by the Municipal Emergency Management Coordinator.

**SECTION 2:** All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

**SECTION 3:** This Ordinance shall take effect upon passage and publication as required by law.

Attest:

Approved:

---

Joanne M. Kwasniewski, RMC/MMC  
 Municipal Clerk/Deputy Manager  
 Introduced July 19, 2016  
 Adopted:

---

John Cosgrove, Mayor

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

August 16, 2016

**RESOLUTION NO. 259-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2398-2016 entitled:

**AN ORDINANCE TO AMEND CHAPTER 24 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "LENGTH OF SERVICE AWARDS PROGRAM" TO AMEND SUBSECTION 24-24-3 ENTITLED, "CRITERIA FOR ELIGIBILITY"**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2398-2016**

**AN ORDINANCE TO AMEND CHAPTER 24 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "LENGTH OF SERVICE AWARDS PROGRAM" TO AMEND SUBSECTION 24-24-3 ENTITLED, "CRITERIA FOR ELIGIBILITY"**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn that:

**SECTION 1:** Chapter 24 LENGTH OF SERVICE AWARDS PROGRAM is hereby amended as follows:

Delete the entire **§24-3 Criteria for eligibility** and replace it with the following:

§ 24-3. Criteria for Eligibility

The LOSAP shall provide for annual contributions to each eligible member that meets the criteria as follows:

- A. In order for an individual to be eligible for LOSAP, they must be a member of the eligible organization for two years. Those members joining during the months January through June will become eligible for LOSAP in two years. Those members joining during the months of July through December will become eligible for LOSAP in the third year.
- B. If an individual is a member of two eligible organizations, the member may obtain 75 points in one organization and 25 points in the other organization to be eligible for LOSAP. The member must have two complete years in all organizations for those points to be included in the calculation.
- C. If an individual is a member of three eligible organizations, the member may obtain 60 points in one organization and 20 points in each of the other two organizations to be eligible for LOSAP. The member must have two completed years in all organizations for those points to be included in the calculation.
- D. If an individual is on active military leave, the member shall receive 8.33 points per month that they are on active duty. A letter from the chief or the organization must be submitted to the LOSAP Coordinator to verify the leave.
- E. Attached hereto and made a part hereof as Schedule A is the Borough of Fair Lawn Length of Service Awards Program (LOSAP), Sections 1 through 4,

which includes but is not limited to eligibility and years of service for vesting for each volunteer.

**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 July 19, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 260-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2399-2016 entitled:

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

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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 NUMBER NO. 2399-2016**

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

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

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

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

**WHEREAS**, the Planner of Record prepared the KEM Site/Fair Lawn Senior Housing Redevelopment Plan, dated April 28, 2015, for the Property which was subsequently adopted by the Borough Council on April 28, 2015 via Resolution 220-2015;

**WHEREAS**, amendments to the KEM Site/Fair Lawn Senior Housing Redevelopment Plan are required in order to permit the number of affordable housing units on the property to increase from 64 units to 85 units and increase the corresponding maximum permitted density from 16.8 dwelling units per acre (du/ac) to 22.5 du/ac in order to permit the 85 affordable housing units envisioned. In addition, an amendment is required in order to increase the minimum number of parking spaces required from 75 parking spaces to 89 parking spaces.

**WHEREAS**, the Planner of Record prepared an Amended and Restated KEM Site/Fair Lawn Senior Housing Redevelopment Plan for the Property and has submitted said Redevelopment Plan to the Borough Council for review;

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7(e), the Borough Council referred the Redevelopment Plan to the Planning Board of the Borough of Fair Lawn (the

"Planning Board") for review and recommendation (The Redevelopment Plan is on file in the Municipal Clerk's office);

**WHEREAS**, on July 11, 2016 the Planning Board reviewed the Redevelopment Plan and issued a Report to the Borough Council, which found that the Redevelopment Plan was consistent with the Fair Lawn Borough Master Plan and recommended that the Borough Council adopt the Redevelopment Plan;

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey, being the governing body thereof, that pursuant to N.J.S.A. 40A:12A-7 the Council hereby accepts, approves and adopts the Redevelopment Plan for Block 5834, Lot 1.02, a copy of which is on file in the Municipal Clerk's office and made a part of this Ordinance.
3. It is hereby found and determined that the Redevelopment Plan conforms to the Master Plan of the Borough of Fair Lawn.
4. It is hereby found and determined that the Redevelopment Plan gives due consideration to the provision of appropriate allowable uses of the Areas as is desirable for improvement, with special consideration for the health, safety and welfare of the residents of the Areas and the Borough of Fair Lawn.
5. It is hereby found and determined that the Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of the area.
6. In order to facilitate the implementation of the Redevelopment Plan, it is hereby found and determined that certain official action must be taken by this Body and, accordingly, this body hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan, and (b) requests the various officials, departments, boards and agencies of the

Borough of Fair Lawn having administrative responsibility in the premises to cooperate in such end and to exercise their respective functions and powers in a manner consistent with the Development Plan and this Ordinance, and take appropriate action upon proposals and measures designed to effectuate the same.

7. The Redevelopment Plan for the Area, having been duly reviewed and considered, is hereby approved, and the Borough Clerk is hereby directed to file a copy of the Redevelopment Plan with the minutes of this meeting.
8. The Zoning Map of the Borough of Fair Lawn is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Redevelopment Area.
9. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.
10. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.
11. To the extent that any portion of the Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Borough's development regulations, the Redevelopment Plan shall supersede or amend or modify, as applicable, such development regulations and the Zoning Map included in the Borough's Ordinance shall be deemed amended accordingly.
12. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

Attest:

Approved:

---

Joanne M. Kwasniewski, RMC/MMC  
Municipal Clerk

---

John Cosgrove, Mayor

Introduced: July 19, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 261-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2400-2016 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 125 "ZONING" AND CHAPTER 49 "AFFORDABLE HOUSING" PERTAINING TO INCLUDING THE NEWLY ESTABLISHED OVERLAY DISTRICT ENTITLED, "R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WITHIN CODE SECTION 125-9, "ZONES ESTABLISHED," DEPICTING THIS NEWLY ESTABLISHED OVERLAY DISTRICT ON THE BOROUGH'S ZONING MAP, WHICH IS INCORPORATED BY REFERENCE THROUGH CODE SECTION 125-10 "OFFICIAL ZONING MAP," AND INCLUDING A NEW SECTION IN CHAPTER 49 ENTITLED "49-14.1 R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WHICH INCORPORATES THE ASSOCIATED REDEVELOPMENT PLAN INTO THE CODE BY REFERENCE.**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 16th day of August, 2016, at 8:00 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. 2400-2016

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 125 "ZONING" AND CHAPTER 49 "AFFORDABLE HOUSING" PERTAINING TO INCLUDING THE NEWLY ESTABLISHED OVERLAY DISTRICT ENTITLED, "R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WITHIN CODE SECTION 125-9, "ZONES ESTABLISHED," DEPICTING THIS NEWLY ESTABLISHED OVERLAY DISTRICT ON THE BOROUGH'S ZONING MAP, WHICH IS INCORPORATED BY REFERENCE THROUGH CODE SECTION 125-10 "OFFICIAL ZONING MAP," AND INCLUDING A NEW SECTION IN CHAPTER 49 ENTITLED "49-14.1 R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WHICH INCORPORATES THE ASSOCIATED REDEVELOPMENT PLAN INTO THE CODE BY REFERENCE.**

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

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

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

**WHEREAS**, the Planner of Record prepared the KEM Site/Fair Lawn Senior Housing Redevelopment Plan, dated April 28, 2015, for the Property which was adopted by the Borough Council on April 28, 2015 via Resolution 220-2015;

**WHEREAS**, amendments to the KEM Site/Fair Lawn Senior Housing Redevelopment Plan are required in order to permit the number of affordable housing units on the property to increase from 64 units to 85 units and increase the corresponding maximum permitted density from 16.8 dwelling units per acre (du/ac) to 22.5 du/ac in order to permit the 85 affordable housing units envisioned. In addition, an amendment is required in order to increase the minimum number of parking spaces required from 75 parking spaces to 89 parking spaces.

**WHEREAS**, the Planner of Record prepared an Amended and Restated KEM Site/Fair Lawn Senior Housing Redevelopment Plan for the Property and submitted said Redevelopment Plan to the Borough Council for review;

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

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

**WHEREAS**, the Borough Council desires to adopt this Ordinance to amend Chapters 125 and 49 of the Borough Code in order to establish the "R-7 Age-Restricted Affordable Multifamily Residential Overlay District" within the referenced sections of the Borough Code and depict the "R-7 Age-Restricted Affordable Multifamily Residential Overlay District" on the Borough of Fair Lawn Zoning Map in accordance with the Redevelopment Plan for the Property and the Redevelopment Law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn that the following amendments be made to Chapter 125, Chapter 49 and the Borough of Fair Lawn Zoning Map, which is incorporated into Chapter 125 by reference:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Borough of Fair Lawn Code Section 125-9, "Zones Established," is hereby amended to include the newly established Overlay District entitled, "R-7 Age-Restricted Affordable Multifamily Residential Overlay District".
3. The Borough of Fair Lawn "Zoning Map" and Code Section 125-10, entitled "Official Zoning Map," which incorporates the "Zoning Map" of the Borough of Fair Lawn by reference, is hereby amended to depict the "R-7 Age-Restricted Affordable Multifamily Residential Overlay District" on the Borough of Fair Lawn "Zoning Map".

4. Chapter 49, Entitled "Affordable Housing" of the Code of the Borough of Fair Lawn is hereby amended to include a new section entitled "49-14.1 R-7 Age-Restricted Affordable Multifamily Residential Overlay District," which incorporates the Redevelopment Plan for the Property into the Code by reference.
5. It is hereby found and determined that the amendments to the above referenced sections of the Code of the Borough of Fair Lawn are in accordance with Section 6.1 of the Redevelopment Plan and conform to the Master Plan of the Borough of Fair Lawn.
6. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.
7. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.
8. To the extent that any portion of the above referenced amendments to the Code of the Borough of Fair Lawn conflict with or amend or modify any provision of any other of the Borough's development regulations, these amendments and the associated Redevelopment Plan for the Property shall supersede or amend or modify, as applicable, such development regulations and the Zoning Map included in the Borough's Ordinance shall be deemed amended accordingly.
9. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

Attest:

Approved:

---

Joanne M. Kwasniewski, RMC/MMC  
Municipal Clerk

---

John Cosgrove, Mayor

Introduced: July 19, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 262-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2391-2016 entitled:

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW  
MINIATURE GOLF COURSE IN AND BY THE BOROUGH OF FAIR LAWN,  
IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$550,000  
THEREFORE AND AUTHORIZING THE ISSUANCE OF \$488,000 BONDS OR  
NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

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 2391-2016**

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW MINIATURE GOLF COURSE IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$488,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION**

**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 \$550,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$24,458 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 and including also the sum of \$37,542 received or expected to be received by the Borough from the Bergen County Open Space Trust Fund as a grant in aid of financing said improvement or purpose.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$550,000 appropriation not provided for by application hereunder of said down payment and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$488,000 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 \$488,000 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 construction of an 18-hole miniature golf course in and by the Borough on lands located at Columbia Terrace and Harristown Road, together with all landscaping, 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 \$488,000.

(c) The estimated cost of said purpose is \$550,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$24,458 down payment and the \$37,542 grant 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 fifteen (15) 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 \$488,000, 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 \$45,000 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. The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this

bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. 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 7. 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 8. 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 9. 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

Introduced: June 21, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

### CONSENT AGENDA 10-2016

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. #263-2016 - Authorizing Purchases with CarQuest Auto Parts through U.S. Communities Government Purchasing Alliance
- b. Resol. #264-2016 - Refund of Overpayment of Taxes
- c. Resol. #265-2016 - Confirmation of Fire Board Actions
- d. Resol. #266-2016 - Award of Bid: Fire Department Uniforms
- e. Resol. #267-2016 - Approval of Minutes:  
Regular Meeting 6/21/16
- f. Resol. #268-2016 - Extension of Contract: Ductile Iron Pipes, Fittings & Valves
- g. Resol. #269-2016 - Extension of Contract: Hydrants and Hydrant Parts
- h. Resol. #270-2016 - Traffic Regulations - Politt Drive and Pollitt Drive Extension
- i. Resol. #271-2016 - Honoring the Bergen Volunteer Center on Its 50th Anniversary
- j. Resol. #272-2016 - Professional Services – Conflict Attorney (CGL Claims): Matthew R. Petracca
- k. Resol. #273-2016 - Interlocal Agreement for Nursing Case Management for Childhood Lead Poisoning
- l. Resol. #274-2016 - Audit Report
- m. Resol. #275-2016 - Corrective Action Report
- n. Resol. #276-2016 – Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29

- o. Resol. #277-2016 – Authorizing Contracts with Certain Approved County Cooperative Contract Vendors Pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7 and Contracts for Certain Approved National Cooperative Contract Vendors Pursuant to N.J.S.A. 52:34-6.2 and P.L. 2011, c. 139
- p. Resol. #278-2016 - Licensing Agreement – 8-71 Cedar Street
- q. Resol. #279-2016 - Authorizing Purchases with Foley Inc. through National Joint Powers Alliance
- r. Resol. #280-2016 – Renewal of Liquor License 2016-2017
- s. Resol. #281-2016 – Authorizing Awarding of Contract with Foley Inc. (Compressor)
- t. Resol. #282-2016 - Professional Services – Architectural Services Naugle House Phase 1 Construction Phase: HMR Architects
- u. Resol. #283-2016 - Award of Bid; Project #2259 2016 Roadway Improvements Contract II
- v. Resol. #284-2016 - Tax Refund: 2-22 Saddle River Road
- w. Resol. #285-2016 - Tax Appeal Settlement: Pollitt Drive Ventures - 16-00 Pollitt Drive
- x. Resol. #286-2016 - Tax Appeal Settlement: 2000 Avik & V Corp. - 20-00 Fair Lawn Avenue
- y. Resol. #287-2016 - Tax Appeal Settlement: 12-15 Broadway Professional, LLC - 12-15 Broadway
- z. Resol. #288-2016 - Tax Appeal Settlement: Santomenno - 0-46 Fair Lawn Parkway

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 263-2016**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn wishes to avail itself of the right to obtain auto parts under contracts for such materials, supplies and equipment entered into on behalf of the U.S. Communities Government Purchasing Alliance pursuant to P.L. 2011, c.139 which allows local contracting units to utilize national cooperative contracts as a method of procurement; and

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

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

CarQuest Auto Parts #1101149

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 264-2016**

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>
3606	6	Lereta, LLC Attn: Central Refund Dept. 1123 Park View Drive Covina, CA 91724	\$1,919.00
3721	1	Town Title Agency, LLC Settlement Services Division 0-99 Plaza Road Fair Lawn, New Jersey 07410	\$1,766.38

(Refund of overpayment of 2016 taxes as a result of a duplicate payment)

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 265-2016**

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:

**Resignations:**

Zachary Howitt  
203 Oak Street, Apt. 1  
San Francisco, CA  
Co. 1

Adam Petruzelli  
17-04 Parmelee Avenue  
Co. 1

Dennis Svetlakov  
10-01 12th Street  
Co. 1

Ramon Rodriguez  
7-38 Lake Street  
Co. 2

Kevin Goralski  
2-06 32nd Street  
Co. 3

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 266-2016**

By

Seconded by

**WHEREAS**, bids were received for Fire Department and Fire Prevention Bureau Uniforms by the Municipal Clerk on June 7, 2016; and

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

**WHEREAS**, Vindan, Inc. d/b/a Harris Uniforms, having an office located at 259 Main Street, Hackensack, New Jersey 07601 is the sole responsible bidder in accordance with the Attached Schedule "A" effective for a period of two years beginning June 22, 2016 and ending June 21, 2018 ;

**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 Vindan Inc., d/b/a Harris Uniforms 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.

FAIR LAWN FIRE DEPARTMENT UNIFORMS  
UNIFORM LIST/PROPOSAL #1

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
1.	1 EACH	Belts-Garrison Belt (Black) #261620, Smooth Leather, 1 3/4" Pants Belt	<u>23.00</u>
2.	1 EACH	Tie – Staff Tie Regulation Ready Made Tie - #90010 Black	<u>5.00</u>
3.	2 EACH	Emblem, American Flag-Gold Border. Vendor to sew on both sleeve, below shoulder seam	<u>1.50</u>
4.	1 EACH	Elbeco Tex-trop, 100% Polyester, White, Short Sleeve, Style 3310 (Regular and Oversized Shirts) with 1 patch sewn on each sleeve	<u>37.00</u>
5.	1 EACH	Elbeco Paragon Plus, White Short Sleeve, Style P867 (Regular and Oversized Shirts) with 1 patch sewn on each sleeve	<u>34.00</u>
6.	1 EACH	Elbeco Tex-trop, 100% Polyester, White, Long Sleeve, Style 310 (Regular and Over- sized Shirts) with 1 patch sewn on each sleeve	<u>39.00</u>
7.	1 EACH	Elbeco Paragon Plus, White Long Sleeve, style 801 (Regular and Oversized Shirts) with 1 patch sewn on each sleeve	<u>35.00</u>
8.	1 EACH	Firemen's Dress Uniform "Siren" Official Dress Uniform Regulation: 55% Dacron, 45% Wood, Med Weight Fabric COLOR: Navy Blue w/4 Buttons Double Breasted. Gold Buttons for Officers, Silver Buttons for Firemen	Size: Blouse 36-46 <u>210.00</u> 48-50 <u>230.00</u> Size: Pants 28-42 <u>89.00</u> 44-50 <u>89.00</u>

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
9.	1 EACH	Double Breasted Fire Blouse Model Siren "B" (Regular and Oversized)	<u>210.00</u>
10.	1 EACH	Firemen's Trousers, Model Siren "P" to match Blouses Above. (Regular and Oversized)	<u>89.00</u>
11.	1 EACH	Bell Caps Fire Officers Rank Hat-White Leather with and Without Scramble. Model No. F303 Navy Blue Wool to match "Siren" Uniform.	
		#BELL "I" Navy Blue Plain Visor	<u>45.00</u>
		#BELL "II" White Vinyl Plain Visor	<u>49.00</u>
		#BELL "II"-A Scramble Visor	<u>60.00</u>
		#BELL "III" White Vinyl-Scramble Visor	<u>68.00</u>
12:		Fair Lawn Fire Department Color Guard items:	
a)	1 EACH	Red Citation Cord	<u>18.00</u>
b)	1 EACH	Red Dickey	<u>14.00</u>
c)	1 EACH	White Pistol Lanyards	<u>18.00</u>
d)	1 EACH	White Garrison Belt	<u>38.00</u>
e)	1 EACH	Black 45 Cal Pistol	<u>30.00</u>
f)	1 EACH	Pistol Holder	<u>65.00</u>
g)	1 EACH	White Rifle Sling	<u>28.00</u>
h)	1 EACH	Above Firemen's Trousers with 1" red strip down outside of both Pant leg	<u>90.00</u>
13.		Smith and Warren Badges & Pins (See Attachments – Badge Order Sheets for additional details)	
a)	1 EACH	Model # M611 – Exempt Pin	<u>35.00</u>
b)	1 EACH	Model # M594 – 25 Year Pin	<u>35.00</u>
c)	1 EACH	Model # S187 – 1 <sup>st</sup> Lt. Co. 2	<u>59.00</u>
	1 EACH	Model # S187 – 1 <sup>st</sup> Lt. Co. 3	<u>59.00</u>
	1 EACH	Model # S187 – 1 <sup>st</sup> Lt. Co. 4	<u>59.00</u>

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
13.			
d)	1 EACH	Model # S187 – 2 <sup>nd</sup> Lt. Co. 1	<u>59.00</u>
e)	1 EACH	Model # S187 – 2 <sup>nd</sup> Lt. Co. 2	<u>59.00</u>
	1 EACH	Model # S187 – 2 <sup>nd</sup> Lt. Co. 3	<u>59.00</u>
	1 EACH	Model # S187 – 2 <sup>nd</sup> Lt. Co. 4	<u>59.00</u>
f)	1 EACH	Model # S187 – 1 <sup>st</sup> Lt. Co. 1	<u>59.00</u>
g)	1 EACH	Model # S187 – Engineer Co. 1	<u>59.00</u>
h)	1 EACH	Model # S268 – Ex. Capt. Co. 1 Gold	<u>51.00</u>
i)	1 EACH	Model # S268 – Ex Capt. Co. 1 Rhodium	<u>48.00</u>
j)	1 EACH	Model # S268 – Ex Capt. Co. 2 Rhodium	<u>48.00</u>
	1 EACH	Model # S268 – Ex Capt. Co. 3 Rhodium	<u>48.00</u>
	1 EACH	Model # S268 – Ex Capt. Co. 4 Rhodium	<u>48.00</u>
k)	1 EACH	Model # S268 – Ex Capt. Co. 2 Gold	<u>51.00</u>
	1 EACH	Model # S268 – Ex Capt. Co. 3 Gold	<u>51.00</u>
	1 EACH	Model # S268 – Ex Capt. Co. 4 Gold	<u>51.00</u>
l)	1 EACH	Model # F145-Dept. Breast Badges	<u>45.00</u>
m)	1 EACH	Model # S187 – Ex Chief	<u>62.00</u>
n)	1 EACH	Model # S187 – Chief	<u>62.00</u>
o)	1 EACH	Model # S187 – Assistant Chief	<u>62.00</u>
p)	1 EACH	Model # S187 – Deputy Chief	<u>62.00</u>
q)	1 EACH	Model # S187 – Battalion Chief	<u>62.00</u>
r)	1 EACH	Model # S187 – Capt. Co. 1	<u>59.00</u>
s)	1 EACH	Model # S187 – Capt. Co. 2	<u>59.00</u>
	1 EACH	Model # S187 – Capt. Co. 3	<u>59.00</u>
	1 EACH	Model # S187 – Capt. Co. 4	<u>59.00</u>
t)	1 EACH	Model # F145 – Dept. Hat Badge	<u>45.00</u>

GRAND TOTAL FIRE DEPARMENT UNIFORMS:

\$3247.50 \*\*

\*\*INSERT THIS FIGURE ON BID FORM-PROPOSAL #1

FAIR LAWN FIRE PREVENTION DEPARMTENT UNIFORMS  
UNIFORM LIST/PROPOSAL #2

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
1.	1 EACH	Jacket Blauer , Navy Blue #6110 - Insignia embroidered on Collars	<u>145.00</u>
2.	1 EACH	Coat, Winter, Navy Blue, Blauer, #255	<u>165.00</u>
3.	1 EACH	Elbeco Tactical Twill Blue Short Sleeve Shirt, 65% polyester, 35% cotton, 1 patch sewn on each shoulder, name embroidered over right pocket -- Insignia embroidered on Collars	<u>48.00</u>
4.	1 EACH	Elbeco Duty Plus Blue Long Sleeve Shirt, 65% polyester, 35% rayon 1 patch sewn on each shoulder, name embroidered over right pocket- Insignia embroidered on Collars	<u>50.00</u>
5.	1 EACH	Elbeco Paragon Plus White Short Sleeve Shirt, 65% polyester, 35% combed cotton, 1 patch sewn on each shoulder -- Insignia embroidered on Collars	<u>42.00</u>
6.	1 EACH	Elbeco Paragon Plus White Long Sleeve Shirt, White, 65% polyester, 35% combed cotton, 1 patch sewn on each shoulder -- Insignia embroidered on Collars	<u>45.00</u>
7.	1 EACH	Elbeco Blue Trouser, Style EB14R (no braid – no cargo pockets), 65% polyester, 35% cotton	<u>58.00</u>
8.	1 EACH	Blauer Blue Trouser, Style #8650, 100% polyester (no braid – no cargo pockets)	<u>62.00</u>
9.	1 EACH	Jacket, Black, Taylors #4420	<u>400.00</u>

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT PRICE</u>
10.	1 PAIR	Boots, waterproof, black, Rocky #2049	<u>98.00</u>
11.	1 EACH	Garrison Belt, black, basket weave	<u>25.00</u>
12.	1 PAIR	Boots, Bates 8 #02261	<u>98.00</u>
13.	1 PAIR	Gloves, Uniforce by Franklin Model: 17310 PH2	<u>29.95</u>
14.	1 EACH	"Game" Brand Job Shirts, Full Zip, Monogrammed Collars, Logo on Chest, Name on Chest Sizes Large thru XX Large	<u>68.00</u>
15.	1 EACH	Knit Watch Caps with Monogram "Fire Marshall"	<u>12.00</u>
TOTAL BID PRICE:			<u>\$1345.95 **</u>

\*\* NOTE: INSERT FIGURE ON BID FORM PROPOSAL #2

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 267-2016**

By

Seconded by

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

Regular Meeting 6/21/16  
are hereby approved.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 268-2016**

By

Seconded by

**WHEREAS**, pursuant to Resolution No. 355-2015 dated August 18, 2015, the Borough entered into a contract dated September 1, 2015 with Water Works Supply Co., Inc. having an office located at 660 State Highway, Pompton Lakes, New Jersey 07444 as the lowest responsible bidder for Project #2251 - Ductile Iron Pipe, Fittings and Valves; and

**WHEREAS**, said Contract contained a provision to extend said contract for another year at the Borough's option;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the Borough exercise said option and the contract be extended for a period of one year, beginning August 19, 2016 and ending on August 18, 2017;

**BE IT FURTHER RESOLVED**, that through this resolution Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a purchase order.

**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

July 19, 2016

**RESOLUTION NO. 269-2016**

By

Seconded by

**WHEREAS**, pursuant to Resolution No. 352-2015 dated August 18, 2015, the Borough entered into a contract dated August 31, 2015 with Brent Material Company having an office located at 325 Columbia Turnpike, Suite 308, Florham Park, New Jersey 07932 as the lowest responsible bidder for Project #2250 - Hydrants and Hydrant Parts; and

**WHEREAS**, said Contract contained a provision to extend said contract for another year at the Borough's option;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the Borough exercise said option and the contract be extended for a period of one year, beginning August 19, 2016 and ending on August 18, 2017;

**BE IT FURTHER RESOLVED**, that through this resolution Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a purchase order.

**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

July 19, 2016

**RESOLUTION NO. 270-2016**

By

Seconded by

**WHEREAS**, the Mayor and Council has recently been advised that a particular traffic situation exists on Pollitt Drive and Pollitt Drive Extension; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to N.J.S.A. 39:4-197.3, Pollitt Drive and Pollitt Drive Extension will be designated as a 4-way Stop for the reason listed.

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

**BE IT FURTHER RESOLVED** that, if this special traffic regulation is successful with creating a safer environment at this location, an ordinance will be enacted to continue the regulation as per N.J.S.A. 39:4-197.3.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 271-2016**

By

Seconded by

**WHEREAS**, the Bergen Volunteer Center was founded in 1966 to meet community needs through the power of volunteers. Its direct service programs organize volunteers to provide invaluable support to some of Bergen County's most vulnerable citizens. The Mentoring Youth program has recruited, trained and supervised volunteer mentors for children who have been abused or neglected; since 1978 Mentoring Youth has provided a trusted mentor to more than 3,700 children. The Mentoring Moms program recruits, trains and supervises mentors for mothers whose children are at-risk for abuse or neglect; since 1995 more than 500 mothers have been matched with a mentor. The Chore Service provides home safety repairs for senior citizens and the disabled free of charge through the volunteer efforts of senior citizens. The Business Volunteer Council organizes corporations to help eliminate hunger and illiteracy; and

**WHEREAS**, the Bergen Volunteer Center ensures that Bergen County has a pipeline of committed, civic leaders through its training programs: Bergen LEADS for adults and Teen LEADS and Ready-Set-Serve for young people. They also strengthen the nonprofit community by maintaining a database of volunteer opportunities, providing volunteer managers' training and the Expert Exchange workshops and webinars; and

**WHEREAS**, Fair Lawn Municipality has benefitted from the efforts of the Bergen Volunteer Center since 2010 in the following ways:

353 residents received safety repairs from the Chore Service  
9 children received a mentor  
7 mothers received a mentor  
3 residents participated in Bergen LEADS; and

**WHEREAS**, residents of Fair Lawn Municipality have supported the Bergen Volunteer Center since 2010 in the following ways:

11 served as Mentoring Youth mentors

4 served as Mentoring Moms mentors

181 supported the Bergen Volunteer Center with their philanthropy; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of Fair Lawn , County of Bergen, hereby honors the Bergen Volunteer Center for its 50 years of turning caring into action and knowing that the Bergen Volunteer Center is not getting old, it is just getting started.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 272-2016**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn has a need to acquire certain legal services under certain circumstances on an as-needed basis as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Matthew R. Petracca having an office located at 51 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950, has agreed to provide legal services when the need arises in particular relating to Comprehensive General Liability (CGL) Claims;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that Matthew R. Petracca, 51 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950 be and he is hereby appointed to handle the aforesaid matters effective July 19, 2016 and terminating on December 31, 2016.

**BE IT FURTHER RESOLVED** that the above referenced services shall be paid to Matthew R. Petracca at the rate of \$100 per hour plus out-of-pocket disbursements.

**BE IT FURTHER RESOLVED**, that no work may be started until a Purchase Order is requested and issued;

**BE IT FURTHER RESOLVED** that Matthew R. Petracca has 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 Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that a notice of this resolution shall be published in The Record as required by law.

**BE IT FURTHER RESOLVED** that through this resolution a Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a Purchase Order.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 273-2016**

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, 2016 to June 30, 2018; 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

July 19, 2016

**RESOLUTION NO. 274-2016**

By

Seconded by

**WHEREAS**, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit :

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED**, That the Mayor and Council of the Borough of Fair Lawn, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 275-2016**

By

Seconded by

**WHEREAS**, the single Audit Act and regulations of the Division of Local Government Services requires that the Chief Financial Officer of every local unit prepare and file a Corrective Action Plan; and

**WHEREAS**, the regulation also requires that all members of the governing body review and approve such a plan;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Fair Lawn hereby states that it has complied with these regulations, and does hereby approve the Corrective Action Plan for 2015.

**Corrective Action Plan – 2015 Annual Audit**

**Borough of Fair Lawn**

**County of Bergen**

Date Audit Report Was Received June 23, 2016

Municipal Court

Comment #15-01.1

1. Description: The court is carrying checks over one year old as reconciling items in the Fines and Bail accounts.
2. Analysis: Outstanding checks one year old continue to be unresolved reconciling items.
3. Corrective Action: All outstanding checks older than 90 days will be investigated and either reissued or turned over to the Borough.
4. Implementation Date: August 1, 2016

Findings #15-01.2

1. Description: Three are 56 tickets assigned over 180 days on the December Monthly Management Report.
2. Analysis: Certain officers issued ticket books did not returned them prior to year end, because these officers were out on extended disability leave.
3. Corrective Action: Attempts will continue to be made to obtain all assigned ticket books by year end.
4. Implementation Date: Immediately.

Findings #15-01.3

1. Description: There are 37 tickets not assigned on the December Monthly Management Report.
2. Analysis: For case management purposes, tickets that are not assigned are utilized for change of venue cases.
3. Corrective Action: Records will continue to be maintained for tickets used for change of venue cases.
4. Implementation Date: Immediately

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 276-2016**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A:11-12 may by resolution and without advertising for bids, purchase any goods or services under any contracts entered into on behalf of the State of New Jersey Cooperative Purchasing Program, Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the Borough of Fair Lawn has the need to purchase the following commodities, under State Contracts, which are in excess of the Borough's bid threshold and may be awarded by resolution in accordance with N.J.A.C. 5:34-7.29:

1. Lowes Home Centers, LLC, 1605 Curtis Bridge Road, Wilkesboro, NC, 28697 for Hardware and Related Items, Contract #82951 and renewal if applicable.
2. WW Grainger, Inc., 55 Jackson Drive, Cranford, NJ 07016 for Industrial/Maintenance , Repair, Operations Supplies & Equipment, Contract #79875.
3. Bridgestone Americas Inc, Firestone, 280 Broadway, Elmwood Park, NJ 07407, distributor Inter City Tire & Auto Center, Inc., 777 Dowd Avenue, Elizabeth, NJ 07201 for Tires, Tubes and Services, Contract #82528.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council the Borough of Fair Lawn have allocated funds in the 2016 Municipal Budget for various departments other expenses, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer through the issuance of purchase orders, as needed, in accordance with N.J.A.C. 5:30-5.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 277-2016**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A:11-11 may by resolution and without advertising for bids, purchase any goods or services under any contracts entered into on behalf of the Bergen County Cooperative Pricing System, Bergen County Cooperative Contract Purchasing System; and

**WHEREAS**, the Borough of Fair Lawn, pursuant to N.J.S.A. 52:34-6.2 and P.L. 2011,c.139 may by resolution and without advertising for bids, purchase any goods or services under any contracts entered into on behalf of the U.S. Communities Government Purchasing Alliance National Cooperative Purchasing System; and

**WHEREAS**, the Borough of Fair Lawn has the need to purchase the following commodities, under said contracts, which are in excess of the Borough's bid threshold and may be awarded by resolution in accordance with N.J.S.A. 40A:11-1 and N.J.A.C. 5:34:

4. Stone Industries, Inc., 400-402 Central Avenue, Haledon, NJ 07508 for Stone Products, Bergen County #14-98.
5. P&A Auto Parts, 530 River Street, Hackensack, NJ 07601 for Automotive Parts & Accessories, Bergen County #14-91.
6. General Parts Distribution LLC d.b.a. Carquest Auto Parts for Auto Parts & Accessories, U.S. Communities Contract #1101149.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Fair Lawn have allocated funds in the 2016 Municipal Budget for various departments other expenses, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer through the issuance of purchase orders, as needed, in accordance with N.J.A.C. 5:30-5.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 278-2016**

By

Seconded by

**WHEREAS**, the Mayor and Council of the Borough of Fair Lawn does hereby grant to Yan Finkel, residing at 8-71 Cedar Street (Lot 12 in Block 5822 on the Tax Assessment Map of the Borough of Fair Lawn), the right to construct a fence across the sanitary sewer and drainage easement, as shown more particularly on Schedule "A", attached hereto and made a part hereof, and which shall be done pursuant to and in accordance with all statutes, ordinances, rules and regulations of the State of New Jersey, County of Bergen and Borough of Fair Lawn.

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



Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 279-2016**

By

Seconded by

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

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

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

Foley, Inc.

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 280-2016**

By

Seconded by

**WHEREAS**, application has been made for the renewal of the following Liquor License for fiscal year beginning July 1, 2016 and ending June 30, 2017:

<u>License Number</u>	<u>Fee</u>	<u>Type</u>	<u>Licensee</u>
0217-33-005-006	\$2,000.00	PRC	Vilgry Enterprises, Inc. Davia Restaurant 6-09 Fair Lawn Avenue Fair Lawn, New Jersey 07410

**WHEREAS**, it appears to the Mayor and Council that proper notice of intention to apply for said license has been made and that the license fee of \$2,000 for a Plenary Retail Consumption License accompanied the aforesaid application;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council that renewal of the aforesaid license be approved; that said license become effective July 19, 2016 and that the Municipal Clerk be and is hereby authorized and directed to issue said license.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 281-2016**

By

Seconded by

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

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

**WHEREAS** the Borough of Fair Lawn has the need to purchase a compressor under National Joint Powers Alliance (NJPA) #032515-ACC for a total of \$21,250.; and

**WHEREAS**, the Borough of Fair Lawn intends to enter into contract for this purchase with Foley Inc., having an office located at 855 Centennial Avenue, Piscataway, New Jersey 08855 through this resolution and properly executed purchase agreement, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Fair Lawn pursuant to N.J.A.C. 5:30-5.5(b), has allocated in the 2016 Municipal Budget for the purchase of a compressor, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer.

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to purchase the above listed equipment from Foley Inc. an approved National Cooperative Vendor, pursuant to all conditions of the Contract # 032515-ACC.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 282-2016**

By

Seconded by

**WHEREAS**, the Borough Council has deemed it necessary to obtain architectural services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, a proposal has been submitted by HMR Architects having an office located at 821 Alexander Road, Suite 115, Princeton, New Jersey 08540 for architectural services for the Naugle House Phase I Construction Phase herein before stated and as further set forth in its proposal, attached hereto and made a part hereof as Schedule "A";

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN** as follows:

1. That upon the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid in accordance with its attached proposal;
2. No work may be started until a Purchase Order is requested and issued.
3. No additional services shall be rendered for which HMR Architects shall seek additional payment without written authorization by the Borough pursuant to law.
4. The term of the contract shall be coinciding with the contract for the construction Phase I Rehabilitation of the Naugle House.
5. The Mayor and Municipal Clerk are hereby authorized to execute a contract with HMR Architects in a form approved by the Borough Attorney, provided all statutory requirements are met.

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

**BE IT FURTHER RESOLVED** that HMR Architects has 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 Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**BE IT FURTHER RESOLVED** that through this resolution a Certificate of Availability of Funds will be completed by the Chief Finance Officer through the issuance of a Purchase Order.

# HMRARCHITECTS

June 27, 2016

**HMR Architects**  
**Architectural Services Fee Proposal Worksheet**  
**Naugle House Rehabilitation**  
**Phase 1 Construction Administration Services**

---

## ARCHITECTURAL FEE CALCULATION

HMR Fee for Construction Phase Services:			
Estimated "Immediate" work Construction Cost:	\$ 217,312		
Architectural Fee at 6% of Construction Estimate	x 5%	\$	10,866
Allowance for reimbursable expenses:		\$	2,000
<b>Total Fee:</b>		<b>\$</b>	<b>12,866</b>

---

### Notes:

1. Fee is for limited bid and construction phase services, as described in HMR letter dated 6/27/16 (attached).
  2. Site meetings include kick-off, 8 progress meetings, and closeout for a total of 10 site meetings.
  3. Structural and Mechanical (MEP) consultants are included. Other consultants are not included or anticipated. If required they can be provided as an additional service.
  4. Site Engineering is not included. If engineer is required, or if extensive subsurface work is required, Site Engineer will be an additional cost.
  5. Informal meetings with Building Inspector or Zoning Official are included.
  6. Presentation material including rendered drawings are not included. Plan and elevation drawings will be provided for meetings.
- 

### HMR Architects Rates for Additional Work:

Principal	\$ 185 / hr
Project Manager / Historic Preservation Specialist	\$ 130 / hr
Architectural Staff	\$ 100 / hr

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 283-2016**

By

Seconded by

**WHEREAS**, bids were received for Project #2259 2016 Roadway Improvements Contract II by the Municipal Clerk on August 12, 2016; and

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

**WHEREAS**, J.A. Alexander, Inc. having an office located at 130-158 John F. Kennedy Drive, North Bloomfield, New Jersey 07003 is the lowest responsible bidder in the amount of \$834,032.55;

**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 J.A. Alexander, Inc. subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

**BE IT FURTHER RESOLVED**, that through this resolution Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a purchase order.

**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

July 19, 2016

**RESOLUTION NO. 284-2016**

By

Seconded by

**WHEREAS**, in 2015 the property located at 2-22 Saddle River Road, Block 1304, Lot 23 assessed to Bernice Katz was originally assessed in the amount of \$252,900; and

**WHEREAS**, on further review by the Borough Tax Assessor, the assessed amount was lowered to \$249,400; and

**WHEREAS**, the 2015 Tax Bill was generated to reflect the higher assessment of \$252,900;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fair Lawn, hereby authorizes the Borough Tax Collector to refund the amount of \$107.73 which represents the overpayment in 2015.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 285-2016**

By

Seconded by

**WHEREAS**, Pollitt Drive Ventures, LLC filed real property tax appeals for the years 2012 through 2016 (Docket Nos. 010458-2012, 018240-2012, 000058-2013, 017646-2013, 001252-2014, 015390-2014, 000279-2015 & 004468-2016); and

**WHEREAS**, the real property assessments for the subject premises, located at 16-00 Pollitt Drive (Lots 4 & 5 in Block 4804 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2012 through 2015 were as follows:

Land:	\$4,707,900
Improvements:	<u>\$2,952,500</u>
Total:	\$7,660,400

and;

**WHEREAS**, as part of the settlement agreement the 2012 matter will be withdrawn, and the 2013 through 2015 tax appeals may be settled by reduction of the aforesaid assessments as follows:

Land:	\$4,209,600
Improvements:	<u>\$2,990,400</u>
Total:	\$7,200,000

and;

**WHEREAS**, as an integral part of the settlement agreement the 2016 assessments were reduced to a total of \$6,750,000 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 2012 through 2016 in the amount of \$41,864.17, of which the plaintiff has agreed to take as a credit against future taxes 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 credit the proposed refund of \$41,864.17 to successive tax bills 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

July 19, 2016

**RESOLUTION NO. 286-2016**

By

Seconded by

**WHEREAS**, 2000 Avik & V Corp. filed real property tax appeals for the years 2013 through 2015 (Docket Nos. 017745-2013, 004012-2014 & 003588-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at 20-00 Fair Lawn Avenue (Lot 3 in Block 4619 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2013 through 2015 were as follows:

Land:	\$ 720,000
Improvements:	<u>\$ 422,000</u>
Total:	\$1,142,000

and;

**WHEREAS**, the 2013 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$540,000
Improvements:	<u>\$410,000</u>
Total:	\$950,000

and;

**WHEREAS**, the 2014 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$540,000
Improvements:	<u>\$310,000</u>
Total:	\$850,000

and;

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

Land:	\$540,000
Improvements:	<u>\$260,000</u>
Total:	\$800,000

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 2013 through 2015 in the amount of \$25,101.56, 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 \$25,101.56 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

July 19, 2016

**RESOLUTION NO. 287-2016**

By

Seconded by

**WHEREAS**, 12-15 Broadway, LLC filed real property tax appeals for the years 2011 and 2012 (Docket Nos. 007401-2011 & 007353-2012); and

**WHEREAS**, the real property assessments for the subject premises, located at 12-15 Broadway (Lot 17 in Block 4329 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2011 were as follows:

Land:	\$ 662,800
Improvements:	<u>\$ 593,100</u>
Total:	\$1,255,900

and;

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

Land:	\$ 596,500
Improvements:	<u>\$ 603,700</u>
Total:	\$1,200,200

and;

**WHEREAS**, as part of this settlement agreement the 2012 tax appeal will be withdrawn, and the 2011 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$ 662,800
Improvements:	<u>\$ 337,200</u>
Total:	\$1,000,000

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 2011 and 2012 in the amount of \$6,172.31, 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 \$6,172.31 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

July 19, 2016

**RESOLUTION NO. 288-2016**

By

Seconded by

**WHEREAS**, Jaclyn Santomenno filed a real property tax appeal for the year 2015 (Docket No. 013018-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at 0-46 Fair Lawn Parkway (Lot 50 in Block 2207 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2015 were as follows:

Land:	\$140,500
Improvements:	<u>\$120,500</u>
Total:	\$261,000

and;

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

Land:	\$134,600
Improvements:	<u>\$120,500</u>
Total:	\$255,100

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 and 2016 via the Freeze Act in the amount of \$368.16, of which the plaintiff has agreed to take as a credit against future taxes 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; and

**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 credit the proposed refund of \$368.16 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

July 19, 2016

**RESOLUTION NO. 289-2016**

By

Seconded by

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

Work Session 6/14/16  
Special Meeting 6/14/16  
Closed Session 6/14/16

are hereby approved.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

July 19, 2016

**RESOLUTION NO. 290-2016**

By

Seconded by

**WHEREAS**, an application has been filed for a person to person transfer of Plenary Retail Distribution License 0217-44-013-011 heretofore issued to B & B Liquors; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Fair Lawn do hereby approve effective July 19, 2016, the transfer for the aforesaid Plenary Retail Distribution License to Ong Strategic Business Objectives, LLC and do hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows:

"This license subject to all of its terms and conditions is hereby transferred to Ong Strategic Business Objectives, LLC effective July 19, 2016"