

8/10/16

WORK SESSION

7:00 P.M.

August 16, 2016

1. Fair Lawn Mesh Network
(Councilmember Peluso)
(5 minutes)
2. Proposed Resolution on Climate Change
(Councilmember Swain)
(5 minutes)
3. Payment in Lieu – 13-09 River Road
(Attorney Mondello)
(5 minutes)
4. Borough Calendar/Borough Newsletters
(Manager Van Kruijning)
(5 minutes)
5. Volunteer Emergency Responder Physical Policy
(Manager Van Kruijning)
(10 minutes)
6. Miscellaneous Public Comments

Closed Session

1. Personnel – Police Department
- Open Space Committee
2. Pending Litigation – Joseph Cabibbo vs. Borough of Fair Lawn, et al

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.

AUGUST 16, 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. 2401-2016
(RESOLUTION NO. 291-2016)**

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (MINIATURE GOLF COURSE)

- 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. 2402-2016
(RESOLUTION NO. 292-2016)**

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

- Mayor asks for a motion to 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, Secunder, Discussion, Roll Call.
- 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. 2403-2016
(RESOLUTION NO. 293-2016)**

AN ORDINANCE FIXING THE SALARIES OF PART TIME 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. 2404-2016
(RESOLUTION NO. 294-2016)**

AN ORDINANCE TO AMEND CHAPTER 160 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "PARKS AND RECREATION AREAS" TO ALLOW DOGS IN THE PARK UNDER CERTAIN CRITERIA

- 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. 2405-2016
(RESOLUTION NO. 295-2016)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 13, ENTITLED "FIRE DEPARTMENT"

- 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. 2392-2016
(RESOLUTION NO. 296-2016)****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 open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2393-2016
(RESOLUTION NO. 297-2016)****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 open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2394-2016
(RESOLUTION NO. 298-2016)****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 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, Second, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Second, Discussion, Roll Call.

**ORDINANCE NO. 2395-2016
(RESOLUTION NO. 299-2016)**

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

**ORDINANCE NO. 2396-2016
(RESOLUTION NO. 300-2016)**

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

**ORDINANCE NO. 2397-2016
(RESOLUTION NO. 301-2016)**

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"

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

**ORDINANCE NO. 2398-2016
(RESOLUTION NO. 302-2016)**

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 24-3 ENTITLED, "CRITERIA FOR ELIGIBILITY"

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

**ORDINANCE NO. 2399-2016
(RESOLUTION NO. 303-2016)**

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

**ORDINANCE NO. 2400-2016
(RESOLUTION NO. 304-2016)**

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 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 #11-2016

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #305-2016 - Extension of Contract: Printed Supplies
 - b. Resol. #306-2016 - Debt Management & Fund Balance
 - c. Resol. #307-2016 - Award of Bid: Curb and Sidewalk Replacement
 - d. Resol. #308-2016 - Traffic Regulation Kenneth Avenue
 - e. Resol. #309-2016 - Extension of Contract: Generator Repair & Maintenance
 - f. Resol. #310-2016 – Traffic Regulation Howard Avenue
 - g. Resol. #311-2016 - Authorizing Execution of Grant Agreement with Bergen County Open Space Trust Fund Municipal Program – Naugle-Vanderbeck House, Phase II
 - h. Resol. #312-2016 - Authorizing Lease for Public Property for Borough Composting Site by Informal Quotes
 - i. Resol. #313-2016 - Authorizing the Issuance of Not Exceeding \$5,065,000 Bond Anticipation Notes
 - j. Resol. #314-2016 - Providing for the Combination of Certain Issues of Bond into a Single Issue of General Bonds Aggregating \$13,820,000 in Principal Amount
 - k. Resol. #315-2016 - Providing for the Combination of Certain Issues of Bond into a Single Issue of Water Bonds Aggregating \$5,065,000 in Principal Amount
 - l. Resol. #316-2016 – Determining the Form and other Details of \$13,820,000 General Bonds of 2016 and \$5,065,000 Water Bonds of 2016
 - m. Resol. #317-2016 - Amending the Contract with Valley Nursing to Include Adult Immunizations
 - n. Resol. #318-2016 – Authorizing Rite Aid to Provide Immunizations for Borough Employees and Emergency Personnel
 - o. Resol. #319-2016 – Interlocal Agreement for Child Immunizations
 - p. Resol. #320-2016 – Authorizing Contracts with Certain Approved Vendors – GTBM Inc.
 - q. Resol. #321-2016 - Authorizing Waiver of Outstanding Water Utility Charge
 - r. Resol. #322-2016 –Authorizing Awarding of Contract with P & L Custom Body & Equipment Co., Inc. (Rescue Vehicle)
 - s. Resol. #323-2016 – Award of Bid: Single Turner Valve Maintenance

- t. Resol. #324-2016 - Approval of Minutes:
 - Work Session 7/19/16
 - Closed Session 7/19/16
 - Regular Meeting 7/19/16

11. 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.

12. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 291-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2401-2016 entitled:

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT
IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT,
ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (MINIATURE GOLF
COURSE)**

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 20th day of September, 2016, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2401-2016

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (MINIATURE GOLF COURSE)

WHEREAS, the Borough of Fair Lawn has been approved to receive grant funding from the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historical Preservation Trust Fund in the amount of \$37,542 for Project Number 16-00217, for the purpose of the Miniature Golf Course, and;

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

WHEREAS at the direction of the Borough Manager and approval of the Mayor and Council, via this ordinance, the Borough of Fair Lawn's match requirement for the above stated grant was funded in the 2016 Capital Budget, Capital Ordinance #2391-2016 Account # C-04-16-391-165-300;

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

SECTION 1. The Borough of Fair Lawn in the County of Bergen shall proceed with Contract Number: 16-00217, as detailed in the attached grant for the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historical Preservation Trust Fund.

SECTION 2. The cost of completing said improvement set forth in Section 1 shall be provided by the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historical Preservation Trust Fund in the amount of \$37,542 and by the grant required match of the Borough of Fair Lawn 2016 Capital Budget Capital Ordinance #2391-2016,

Account # C-04-16-391-165-300.

SECTION 3. It is hereby determined and stated:

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

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

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

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

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 16, 2016

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 292-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2402-2016 entitled:

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

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 20th day of September, 2016, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2402-2016

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

WHEREAS, the Borough of Fair Lawn has been approved to receive grant funding from the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historical Preservation Trust Fund in the amount of \$131,226 for Project Number 16-00198, for the purpose of the Naugle-Vanderbeck House, and;

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

WHEREAS at the direction of the Borough Manager and approval of the Mayor and Council, via this ordinance, the Borough of Fair Lawn's match requirement for the above stated grant was funded in the 2016 Capital Budget, Capital Ordinance #2376-2016 Account # C-04-16-376-111-900;

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

SECTION 1. The Borough of Fair Lawn in the County of Bergen shall proceed with Project Number: 16-00198, as detailed in the attached grant for the Bergen County Open Space, Recreation, Floodplain, Farmland & Historical Preservation Trust Fund.

SECTION 2. The cost of completing said improvement set forth in Section 1 shall be provided by the Bergen County Open Space, Recreation, Floodplain, Farmland & Historical Preservation Trust Fund in the amount of \$131,226 and by the grant required match of the Borough of Fair Lawn 2016 Capital Budget Capital Ordinance #2376-2016,

Account # C-04-16-376-111-900.

SECTION 3. It is hereby determined and stated:

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

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

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

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

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 16, 2016
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 293-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2403-2016 entitled:

**AN ORDINANCE FIXING THE SALARIES OF PART TIME 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 20th day of September, 2016, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2403-2016

AN ORDINANCE FIXING THE SALARIES OF PART TIME 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. 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: August 16, 2016

Per Session	
Alternate Borough Prosecutor	250.00
Asst. Public Defender	150.00
	250.00
	150.00
	250.00
	150.00
	250.00
	150.00
	250.00
	150.00

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 294-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2404-2016 entitled:

AN ORDINANCE TO AMEND CHAPTER 160 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "PARKS AND RECREATION AREAS" TO ALLOW DOGS IN THE PARK UNDER CERTAIN CRITERIA

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 20th day of September, 2016, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2404-2016

AN ORDINANCE TO AMEND CHAPTER 160 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "PARKS AND RECREATION AREAS" TO ALLOW DOGS IN THE PARK UNDER CERTAIN CRITERIA

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

SECTION 1: Chapter 160 PARKS AND RECREATION AREAS is hereby amended as follows:

Delete the entire §160-12 Activities and conduct prohibited in beach area, parks, street hockey courts and tennis courts; dogs prohibited and replace it with the following:

§ 160-12. Activities and conduct prohibited in beach areas and in parks.

- A. Bicycles, wagons, carriages and other conveyances, ball playing and any form of glass, particularly bottles, shall not be permitted on the beach area.
- B. No person shall operate any motor vehicle, bicycle, skateboard or scooter on the street hockey courts and there further shall be no soccer playing on the street hockey courts.
- C. No person shall operate any bicycle, skateboard, scooter or rollerblades on the tennis courts and there shall further be no baseball or soccer playing or any other sport activity on the tennis courts except for tennis.

Add

§ 160-16. Dogs in the park.

- A. Dogs shall be permitted in any Borough park, as long as such dog is accompanied by a person over the age of 12 years, is securely controlled by an adequate leash that is of sufficient strength to hold the dog not to exceed six feet in length and remains on the leash at all times.
- B. No person owning, keeping or harboring any dog shall be permitted to be upon on in any Borough sports fields, playground areas, beaches, the arboretum or park buildings.
- C. It shall be unlawful for any person owning or having charge, care, custody of any dog in a Borough park not to immediately pick up and properly

dispose of the feces of such dog. Dog waste shall be immediately removed by placing said matter in a closed or sealed container and thereafter disposing of it in a trash receptacle sanitary disposal unit or other closed or sealed refuse container.

SECTION 2. Delete §160-16 Enforcement; maintenance of order and §160-17 Violations and penalties and replace them with the following:

§160-17. Enforcement; maintenance of order.

The Borough Manager, members of the Borough Police Department, the Superintendent of Recreation, the park or playground supervisor and such special policemen of lifeguards who are on duty at the facility shall have authority to prohibit any action or conduct which they consider to be dangerous, improper or immoral and any such action or conduct shall be prohibited by this chapter even though not specifically mentioned herein.

§160-18. Violations and penalties.

Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be liable to the penalty stated in Chapter 1, General Provisions, Article III.

SECTION 3. Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part thereto to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

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

SECTION 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 August 16, 2016
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 295-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2405-2016 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 13, ENTITLED "FIRE DEPARTMENT"**

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 20th day of September, 2016, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2405-2016

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 13, ENTITLED "FIRE DEPARTMENT"

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

SECTION 1: Chapter 13 of the Code of the Borough of Fair Lawn 2000 is hereby amended as follows:

1. **§13-5** entitled "**Officers**" is hereby amended as follows:

Delete:

§13-5 "Officers."

Add:

§13-5 Officers.

The officers of the Fire Department shall consist of a Chief of the Borough Volunteer Fire Department, an Assistant Chief of the Borough Volunteer Fire Department, a Deputy Chief of the Borough Volunteer Fire Department, a Battalion Chief of the Borough Volunteer Fire Department, one Captain, one First Lieutenant and one Second Lieutenant from each of the four fire companies to be nominated and elected as hereinafter specified.

2. **§13-8** entitled "**Absence of Company Captain**" is hereby amended as follows:

Delete:

§13-8 Absence of Company Captain.

Add:

§13-8 Absence of Company Captain.

In the absence of the Company Captain, the next line officer, i.e., First Lieutenant or Second Lieutenant shall assume the duties of the absent officer with the full rights and responsibilities pending the return of the Company Captain.

3. Section 13-12 entitled "**Company Officers**" is hereby amended as follows:

Delete:

§ 13-12. Company Officers.

Add:

§ 13-12. Company Officers.

Each of the four companies of the Department shall elect from its active regular members one Captain, One First Lieutenant and one Second Lieutenant.

4. Section 13.13 "**Elections of Company Officers**" is hereby amended as follows:

Delete:

§ 13-13. Elections of Company Officers.

Add:

§ 13-13. Elections of Company Officers.

- A. The election of the officers of the respective fire companies shall take place at the annual election of each company as fixed by the company's bylaws. Election shall be by ballot, and no member shall be elected to any office unless he/she shall have at least three years of service as an active regular member, completed training as required in § 13-9B, has met all state-mandated requirements, maintained a minimum of 30% attendance for the current and previous year and has received the majority of all votes cast and is otherwise free from any, all and every indebtedness to the company.
- B. Prerequisite. No member of the Borough Fire Department shall be eligible for nomination or election as Captain who is not currently active as First Lieutenant or has not completed one full calendar year as First Lieutenant. No member shall be eligible for nomination or election to First Lieutenant who is not an active Second Lieutenant or has completed one full calendar year as Second Lieutenant. The candidate must meet all state-

mandated training requirements before September 1 of the current nomination year. All certificates must also be on file in Fire Headquarters.

5. Section 13-39 entitled "**Duties of Engineer**" is hereby deleted in its entirety.

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: August 16, 2016

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 296-2016

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**

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. 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 Optir	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

August 16, 2016

RESOLUTION NO. 297-2016

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**

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. 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
Administrative Secretary/Planning Board						
Secretary/Mun Housing Liaison	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 Activities	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
Clerk Stenographer 3/Assistant Purchasing Agent	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

**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/Assistant Purchasing Agent	43,158	69,164	43,158	69,164	43,158	69,164
Keyboarding Clerk 1/Board of Adjustment	40,724	65,350	40,724	65,350	40,724	65,350
Keyboarding Clerk 1/Payroll/Finance	59,262	81,546	59,262	81,546	59,262	81,546
Keyboarding Clerk 1/Planning Board Secretary/Mun Housing Liaison	46,994	71,778	46,994	71,778	46,994	71,778
Keyboarding Clerk 2	43,701	63,181	43,701	63,181	43,701	63,181
Keyboarding Clerk 2/Assistant Purchasing Agent	51,903	76,495	56,685	82,705	56,685	82,705
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 2/Planning Board Secretary/Mun Housing Liaison	55,739	79,109	55,739	79,109	55,739	79,109
Keyboarding Clerk 3	48,483	69,391	48,483	69,391	48,483	69,391
Keyboarding Clerk 3/Assistant Purchasing Agent	56,685	82,705	56,685	82,705	56,685	82,705
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
Keyboarding Clerk 3/Planning Board Secretary/Mun Housing Liaison	60,521	85,319	60,521	85,319	60,521	85,319
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

**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
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 Sub code 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
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

August 16, 2016

RESOLUTION NO. 298-2016

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)**

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. 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 1st shall receive their annual step increment on the following January 1st. New Police Officers hired after July 1st shall wait until the next succeeding January 1st for their initial increment. All subsequent increments for Police Officers shall be effective January 1st 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 1st of each year may take up to nine and a half years (9 ½) before reaching top pay. Police Officers hired prior to July 1st 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 1st shall receive their annual step increment on the following January 1st. New Police Officers hired after July 1st shall wait until the next succeeding January 1st for their initial increment. All subsequent increments for Police Officers shall be effective January 1st 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 1st of each year may take up to eleven and a half years (11½) before reaching top pay. Police Officers hired prior to July 1st 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

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

PBA After 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	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

August 16, 2016

RESOLUTION NO. 299-2016

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 (STIPENDS)**

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. 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

August 16, 2016

RESOLUTION NO. 300-2016

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"

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. 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

August 16, 2016

RESOLUTION NO. 301-2016

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"

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. 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 XIIA. 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. 302-2016

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 24-3 ENTITLED, "CRITERIA FOR ELIGIBILITY"

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. 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 24-3 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

August 16, 2016

RESOLUTION NO. 303-2016

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.

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 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

August 16, 2016

RESOLUTION NO. 304-2016

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.

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. 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

August 16, 2016

CONSENT AGENDA 11-2016

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. #305-2016 - Extension of Contract: Printed Supplies
- b. Resol. #306-2016 - Debt Management & Fund Balance
- c. Resol. #307-2016 - Award of Bid: Curb and Sidewalk Replacement
- d. Resol. #308-2016 - Traffic Regulation Kenneth Avenue
- e. Resol. #309-2016 - Extension of Contract: Generator Repair & Maintenance
- f. Resol. #310-2016 – Traffic Regulation Howard Avenue
- g. Resol. #311-2016 - Authorizing Execution of Grant Agreement with Bergen County Open Space Trust Fund Municipal Program – Naugle-Vanderbeck House, Phase II
- h. Resol. #312-2016 - Authorizing Lease for Public Property for Borough Composting Site by Informal Quotes
- i. Resol. #313-2016 - Authorizing the Issuance of Not Exceeding \$5,065,000 Bond Anticipation Notes
- j. Resol. #314-2016 - Providing for the Combination of Certain Issues of Bond into a Single Issue of General Bonds Aggregating \$13,820,000 in Principal Amount
- k. Resol. #315-2016 - Providing for the Combination of Certain Issues of Bond into a Single Issue of Water Bonds Aggregating \$5,065,000 in Principal Amount
- l. Resol. #316-2016 – Determining the Form and other Details of \$13,820,000 General Bonds of 2016 and \$5,065,000 Water Bonds of 2016
- m. Resol. #317-2016 - Amending the Contract with Valley Nursing to Include Adult Immunizations

- n. Resol. #318-2016 – Authorizing Rite Aid to Provide Immunizations for Borough Employees and Emergency Personnel
- o. Resol. #319-2016 – Interlocal Agreement for Child Immunizations
- p. Resol. #320-2016 – Authorizing Contracts with Certain Approved Vendors – GTBM Inc.
- q. Resol. #321-2016 - Authorizing Waiver of Outstanding Water Utility Charge
- r. Resol. #322-2016 – Authorizing Awarding of Contract with P & L Custom Body & Equipment Co., Inc. (Rescue Vehicle)
- s. Resol. #323-2016 – Award of Bid: Single Turner Valve Maintenance
- t. Resol. #324-2016 - Approval of Minutes:
 - Work Session 7/19/16
 - Closed Session 7/19/16
 - Regular Meeting 7/19/16

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 305-2016

By

Seconded by

WHEREAS, pursuant to Resolution No. 357-2015 dated August 18, 2015, the Borough entered into a contract dated August 24, 2015 with Ridgewood Press having an office located at 609 Franklin Turnpike, Ridgewood, New Jersey 07450 as responsible vendor for Printed Supplies - Recycled Paper; 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 September 11, 2016 and ending on September 10, 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

August 16, 2016

RESOLUTION NO. 306-2016

By
Seconded by

WHEREAS the Mayor and Council of the Borough of Fair Lawn is committed to adopting and implementing policies that will sustain and improve the financial position of the Borough of Fair Lawn to the maximum extent practicable; and

WHEREAS, the Mayor and Council is aware that the bond rating granted to the Borough of Fair Lawn by independent rating agencies is a key indicator of financial health of municipal government, which has a direct impact on the Borough of Fair Lawn's ability to obtain the best possible terms when financing debt; and

WHEREAS, the Borough of Fair Lawn was rated by Moody's Investor Services; and

WHEREAS, based on their independent review of municipal finances, Moody's assigned the Borough of Fair Lawn a "Aa2" rating with an above average wealth indicators, modest debt burden, and strong financial position; reserve and liquidity policies; and

WHEREAS, the Mayor and Council desire to formalize its currently informal policies as it pertains to debt management and reserve and liquidity policies; and

WHEREAS, the Finance Committee considered this matter at its meeting of July 19, 2016 and recommended this resolution to the full Council for adoption; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the following practices be and hereby are adopted as formal policies of the Borough of Fair Lawn:

1. **Debt Management** – It is a formal policy of the Borough of Fair Lawn to authorize no more than \$4 million dollars of new debt for capital projects and \$1 million dollars of new water capital projects in any calendar year and that if for some reason there is a Public Health or Safety reason to authorize new debt above this limit, that formal action be taken by the Mayor and Council.

2. **Reserve and Liquidity** – It is the formal policy of the Borough of Fair Lawn to maintain a year end fund balance no less than \$8 million in the Current Fund and no less than \$2.5 million in Water Utility Fund balance and that the utilization of those fund balances in the subsequent year be tied in with regeneration of those respective fund balances to continue to meet this policy; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 307-2016

By

Seconded by

WHEREAS, bids were received for Curb and Sidewalk Replacement by the Municipal Clerk on August 2, 2016; and

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

WHEREAS, Covino & Sons Construction Co., Inc. having an office located at 39 North Drive, Rochelle Park, New Jersey 07662 is the sole responsible bidder in accordance with the attached Schedule A;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Borough Manager and appropriate Department Head, the award be made to Covino & Sons Construction Co., Inc. subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

BE IT FURTHER RESOLVED, through this resolution a Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a Purchase Order; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute the appropriate contracts approved by the Borough Attorney.

BID RESULTS

Bid: CURB AND SIDEWALK REPLACEMENT

Bid Date: 8/2/16

Bidder and Location	Covino & Sons Construction Co. Inc. Rochelle Park
Bid Deposit	Bid Bond
Item 1 Concrete Vertical Curb (6"x8"x18"	\$40.00 LF
Item 2a Concrete Sidewalk 4" Thick	\$90.00 Sq Yd
Item 2b Concrete Sidewalk 6" Thick	\$108.00 Sq Yd
Item 3 Dense Graded Aggregate 4" Thick	\$1.00 Sq Yd
Item 4 HMA Asphalt Surfacer Course 9.5M-64 (1 1/2" Thick)	\$90.00 Sq Yd

/cmt
8/2/16

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 308-2016

By

Seconded by

WHEREAS, the Mayor and Council has recently been advised that a particular traffic situation exists at Kenneth Street; and

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

NOW, THEREFORE, BE IT RESOLVED, that pursuant to N.J.S.A. 39:4-197.3, the following area of Kenneth Avenue will be designated as no parking between 8:00 a.m. and 6:00 p.m., prevailing time, Monday through Friday, except for holidays for the reasons listed:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>	<u>Reason</u>
Kenneth Avenue	West	Between St. Anne Street and Broadway	To eliminate the hazard created when vehicles are exiting and entering driveways due to the narrowing of the roadway

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

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 309-2016

By
Seconded by

WHEREAS, pursuant to Resolution No. 356-2015 dated August 18, 2015, the Borough entered into a contract dated October 21, 2015 with Suburban Generator Co. having an office located at 114 W. Spring Valley Avenue, Maywood, New Jersey 07607 as the Primary Vendor for Generator Repair & Maintenance; and

WHEREAS, the Borough entered into a contract dated August 31, 2015 with Rapid Pump and Meter Service having an office located at 285 Straight Street, Paterson, New Jersey 07509 as the Secondary Vendor for Generator Repair & Maintenance; and

WHEREAS, the Borough entered into a contract dated August 28, 2015 with Power Pro-Tech Services having an office located at 377 Maitland Avenue, Suite 1010, Altamonte Springs, Florida 32701 as the Tertiary Vendor for Generator Repair & Maintenance; and

WHEREAS, said Contracts contained provisions to extend said contracts 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 contracts be extended for a period of one year, beginning September 11, 2016 and ending on September 10, 2017;

BE IT FURTHER RESOLVED, that through this resolution Certificate of Availability of Funds will be completed by the Chief Financial Officer subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

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

August 16, 2016

RESOLUTION NO. 310-2016

By
Seconded by

WHEREAS, the Mayor and Council has recently been advised that a particular traffic situation exists at Howard Avenue next to Radburn School; and

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

NOW, THEREFORE, BE IT RESOLVED, that pursuant to N.J.S.A. 39:4-197.3, the following area of Howard Avenue will be designated as no parking between 8:00 a.m. and 6:00 p.m., prevailing time, Monday through Friday, except for holidays for the reasons listed:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>	<u>Reason</u>
Howard Avenue	Northern	From the northwest curbline of Radburn Road to a point 22 feet west therefrom to a point 328 feet west therefrom	To eliminate the hazard created when children are discharged behind parking stall.

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

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 311-2016

By
Seconded by

BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn wishes to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$131,226.00 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled "Naugle - Vanderbeck House, Phase II" on property known as 42-19 Dunkerhook Road, Block 1702, Lot 10 on the tax maps of the Borough of Fair Lawn; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the Borough Manager to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about May 18, 2019; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved project identified in the aforesaid Contract in accordance with the Trust Fund's requirements.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 312-2016

By
Seconded by

WHEREAS, the Borough of Fair Lawn desires to award a lease for the composting site at 20-05 Saddle River Road, Fair Lawn, New Jersey through informal quotes as permitted by N.J.A.C. 5:34-9.4 Local Public Contracts; and

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

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

WHEREAS, the Borough of Fair Lawn wishes to fulfill the public need to dispose of vegetative waste in an environmentally approved manner; and

WHEREAS, the lease to be awarded shall be for five (5) years with the option of renewing for an additional five (5) years; and

WHEREAS, the Borough of Fair Lawn has carefully considered the benefits and risks prior to making a determination to award the lease determining that the benefits to the residents outweighs the risks considering that the lessee is required to supply insurance and take full responsibility of the composting site based on a license agreement; and

WHEREAS, it is not possible to estimate the value of the lease since no revenue will be received by the Borough and the lease is based on the services provided to the Borough by the lessee; and

WHEREAS, the award of the lease will be based on the most advantageous proposal as well as providing the public with the most well managed composting operation. Past experience with the lessee will also be taken into consideration. Award will be made to the most responsible lessee; and

WHEREAS, procurement of the lessee will be completed through the process of informal quotes as no revenue will be received for the lease.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Borough Manager is hereby authorized and directed to proceed with the procurement of the lease for the composting site through the informal quotes pursuant to the statute.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 313-2016

By
Seconded by

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

Section 1. Pursuant to a bond ordinance of the Borough of Fair Lawn, in the County of Bergen (the "Borough"), entitled: "Bond ordinance appropriating \$2,100,000 and authorizing \$1,999,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 14, 2015 (#2337-2015), bond anticipation notes of the Borough in a principal amount not exceeding \$949,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Borough, entitled: "Bond ordinance appropriating \$2,300,000 and authorizing \$2,190,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 19, 2016 (#2376-2016), bond anticipation notes of the Borough in a principal amount not exceeding \$2,190,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Borough, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$1,510,000 therefor and authorizing the issuance of \$1,438,000 bonds or notes of the Borough for financing such appropriation", finally adopted April 19, 2016 (#2377-2016), bond anticipation notes of the Borough in a principal amount not exceeding \$1,438,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance,

including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit, 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 therefor and authorizing the issuance of \$488,000 bonds or notes of the Borough for financing such appropriation", finally adopted July 19, 2016 (#2391-2016), bond anticipation notes of the local unit in a principal amount not exceeding \$488,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 5. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Borough (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 and shall be signed and sealed by officials and officers of the Borough in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, 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 at not less than par 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. 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 hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. Any note issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. The chief financial officer of the Borough is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 8. All action heretofore taken by Borough officials and professionals with respect to the sale of said notes is hereby ratified, confirmed, adopted and approved in all respects.

Section 9. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 314-2016

By
Seconded by

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

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$13,820,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

<u>Principal Amount of Bonds</u>	<u>Title of Ordinance and Date of Adoption</u>	<u>Period or Average Period of Usefulness (in Years)</u>
\$96,000 bonds	"Bond ordinance appropriating \$3,087,000 and authorizing \$2,940,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted May 23, 2006 (#2053-2006).	21.57
\$336,517 bonds	"Bond ordinance appropriating \$2,730,000, and authorizing the issuance of \$2,600,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen,	19.98

	New Jersey", finally adopted on March 27, 2017 (#2074-2007).	
\$407,516 bonds	"Bond ordinance appropriating \$2,642,000, and authorizing the issuance of \$2,516,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on February 15, 2013 (#2122-2008).	21.05
\$844,209 bonds	"Bond ordinance appropriating \$1,701,000, and authorizing the issuance of \$1,619,500 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 21, 2009 (#2159-2009).	24
\$35,013 bonds	"Bond ordinance providing for the acquisition of equipment for use by the Police Department of the Borough of Fair Lawn, in the County of Bergen, New Jersey; appropriating \$80,000 therefor and authorizing the issuance of \$43,300 bonds or notes of the Borough for financing such appropriation", finally adopted on May 11, 2010 (#2182-2010).	15
\$8,851 bonds	"Bond ordinance providing for the acquisition of equipment for use by the Fire Department of the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$100,500 therefor and authorizing the issuance of \$12,218 bonds or notes of the Borough for financing such appropriation", finally adopted on June 15, 2010 (#2185-2010).	15
\$1,027,520 bonds	"Bond ordinance appropriating \$1,297,050, and authorizing the issuance of \$1,232,000 bonds or notes	15.45

	of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on September 19, 2010 (#2194-2010).	
\$896,304 bonds	"Bond ordinance appropriating \$1,103,800 and authorizing \$1,051,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 11, 2011 (#2219-2011).	14.05
\$537,843 bonds	"Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$610,000 therefor and authorizing the issuance of \$580,000 bonds or notes of the Borough for financing such appropriation", finally adopted July 19, 2011 (#2220-2011).	10
\$471,706 bonds	"Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$510,000 therefor and authorizing the issuance of \$485,000 bonds or notes of the Borough for financing such appropriation", finally adopted September 11, 2012 (#2244-2012).	10
\$2,152,477 bonds	"Bond ordinance appropriating \$2,781,000 and authorizing \$2,648,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted September 11, 2012 (#2245-2012).	14.04
\$2,016,600 bonds	"Bond ordinance appropriating \$2,267,700 and authorizing \$2,154,315	13.5

	bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 16, 2013 (#2284-2013).	
\$464,500 bonds	"Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$510,000 therefor and authorizing the issuance of \$485,500 bonds or notes of the Borough for financing such appropriation", finally adopted July 16, 2013 (#2285-2013).	10
\$864,400 bonds	"Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$910,000 therefor and authorizing the issuance of \$864,500 bonds or notes of the Borough for financing such appropriation", finally adopted April 8, 2014 (#2309-2014).	10
\$1,467,744 bonds	"Bond ordinance appropriating \$1,612,000 and authorizing \$1,531,400 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 8, 2014 (#2310-2014).	16.85
\$1,050,000 bonds	"Bond ordinance appropriating \$2,100,000 and authorizing \$1,999,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 14, 2015 (#2337-2015).	17.27

\$1,142,800 bonds

"Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$1,200,000 therefor and authorizing the issuance of \$1,142,800 bonds or notes of the Borough for financing such appropriation", finally adopted April 14, 2015 (#2338-2015).

10

Section 3. The following matters are hereby determined with respect to said combined issue of bonds:

(a) The average period of usefulness, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to each of said bond ordinances, respectively, is fourteen (14) years.

(b) The bonds of said combined issue shall be designated "General Bonds of 2016" and shall mature within the said average period of usefulness hereinabove determined.

(c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

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

(a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.

(b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof.

(c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are not purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 315-2016

By
Seconded by

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

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$5,065,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances (as adjusted to give effect to pay downs and portions of years) are respectively as follows:

<u>Principal Amount of Bonds</u>	<u>Title of Ordinance and Date of Adoption</u>	<u>Period or Average Period of Usefulness (in Years)</u>
\$84,166 bonds	"Bond ordinance authorizing the construction of various water utility capital improvements and the acquisition of various pieces of water utility capital equipment in and for the Borough of Fair Lawn, in the County of Bergen, New Jersey; appropriating the sum of \$814,800 therefor; authorizing the issuance of general obligation bonds or bond anticipation notes of the Borough of Fair Lawn, County of Bergen, New Jersey in the aggregate principal amount of up to \$776,000; making certain determinations and covenants; and authorizing certain	

	related actions in connection with the foregoing", finally adopted on October 11, 2005 (#2031-2005).	18.19
\$185,032 bonds	"Bond ordinance appropriating \$373,800, and authorizing the issuance of \$356,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey, for and the water supply and distribution system of the Borough", finally adopted on May 23, 2006 (#2054-2006).	34.19
\$66,729 bonds	"Bond ordinance appropriating \$92,400 and authorizing \$87,900 bonds or notes of the Borough for various water utility improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on August 19, 2008 (#2123-2008).	17.01
\$157,213 bonds	"Bond ordinance appropriating \$294,000 and authorizing \$280,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 21, 2009 (#2160-2009).	31
\$140,190 bonds	"Bond ordinance appropriating \$158,500 and authorizing \$150,500 bonds or notes of the Borough for various water supply and distribution	38.67

	system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on September 19, 2010 (#2195-2010).	
\$239,157 bonds	"Bond ordinance appropriating \$280,500 and authorizing \$267,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 19, 2011 (#2218-2011).	37.74
\$1,527,513 bonds	"Bond ordinance appropriating \$1,688,000 and authorizing \$1,607,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted September 11, 2012 (#2243-2012).	19.44
\$305,000 bonds	"Bond ordinance providing for improvement of the water supply and distribution system in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$326,400 therefor and authorizing the issuance of \$310,080 bonds or notes of the Borough for financing such appropriation", finally adopted on July 16, 2013 (#2286-2013).	40
\$517,750 bonds	"Bond ordinance appropriating \$545,000 and authorizing \$517,750 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 8, 2014 (#2311-2014).	31.75
\$761,800 bonds	"Bond ordinance appropriating	

	\$800,000 and authorizing \$761,800 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 14, 2015 (#2339-2015).	36.4
\$1,080,450 bonds	"Bond ordinance appropriating \$1,140,000, and authorizing the issuance of \$1,085,000 bonds or notes of the Borough, for various water supply and distribution system improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on April 19, 2016 (#2378-2016).	34.7

Section 3. The following matters are hereby determined with respect to said combined issue of bonds:

(a) The average period of usefulness, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to each of said bond ordinances, respectively, is twenty-nine (29) years.

(b) The bonds of said combined issue shall be designated "Water Bonds of 2016" and shall mature within the said average period of usefulness hereinabove determined.

(c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

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

(a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof and no bonds have heretofore been issued under the several bond ordinances described in Section 2 hereof.

(b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof.

(c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 316-2016

By
Seconded by

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

Section 1. Terms of Bonds. The \$13,820,000 General Bonds of 2016 (the "General Bonds") of the Borough of Fair Lawn, in the County of Bergen, New Jersey (the "Borough"), referred to and described in the resolution adopted pursuant to the Local Bond Law of the State of New Jersey, by the Borough Council of the Borough on August 16, 2016, entitled "Resolution providing for the combination of certain issues of bonds of the Borough of Fair Lawn, in the County of Bergen, New Jersey, into a single issue of General Bonds aggregating \$13,820,000 in principal amount" and authorized by certain bond ordinances of the Borough therein described, shall be dated the date of delivery thereof, shall bear interest payable semi-annually on March 1 and September 1 in each year, commencing March 1, 2017, expressed in a multiple of 1/8 or 1/20 of 1%, shall mature (subject to the option of the successful bidder to establish term bonds in accordance with the provisions of the notice of sale) in the principal amount of \$1,100,000 on September 1, 2017, \$1,125,000 on September 1, 2018, \$1,000,000 on September 1, 2019, \$1,050,000 on September 1, 2020, \$1,000,000 on September 1, 2021, \$700,000 on September 1 in each of the years 2022 to 2026, both inclusive, \$1,200,000 on September 1, 2027, \$1,275,000 on September 1 in each of the years 2028 and 2029, and \$1,295,000 September 1, 2030 and shall each bear a distinctive number to distinguish it from all other General Bonds of said issue. The \$5,065,000 Water Bonds of 2016 (the "Water Bonds" and, together with the General Bonds, the "Bonds") of the Borough referred to and described in the resolution adopted pursuant to the Local Bond Law of the State of New Jersey, by the Borough Council of the Borough on August 16, 2016, entitled "Resolution providing for the combination of certain issues of bonds of the Borough of Fair Lawn, in the County of Bergen, New Jersey, into a single issue of Water Bonds aggregating to \$5,065,000 in principal amount" and authorized by certain bond ordinances the Borough therein described, shall be dated the date of delivery thereof, shall bear interest payable semi-annually on March 1 and September 1 in each year, commencing March 1, 2017, expressed in a multiple of 1/8 or 1/20 of 1%, shall mature (subject to the option of the successful bidder to establish term bonds in accordance with the provisions of the notice of sale) in the principal amount of \$200,000 on September 1, 2017, \$215,000 on September 1, 2018, \$225,000 on September 1, 2019, \$240,000 on September 1, 2020, \$255,000 on September 1, 2021, \$250,000 on September 1, 2022, \$275,000 on September 1, 2023, \$300,000 on September 1, 2024, \$325,000 on September 1, 2025,

\$330,000 on September 1, 2026, and \$350,000 on September 1 in each of the years 2027 to 2033, both inclusive, and shall each bear a distinctive number to distinguish it from all other Water Bonds of said issue.

Section 2. Book-Entry-Only Bonds. The Bonds shall be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity of each series will be issued to The Depository Trust Company, New York, New York ("DTC"), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amount of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The successful bidder, as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal and redemption price, if any, of and interest on the Bonds will be payable by the Borough or its agent to DTC or its nominee as registered owner of the Bonds. The Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, under the seal of the Borough affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Borough Clerk.

Section 3. Redemption. The Bonds of each series maturing prior to September 1, 2027 are not subject to redemption prior to maturity at the option of the Borough. The Bonds of each series maturing on or after September 1, 2027 are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after September 1, 2026, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption. Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor,

for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 4. Form of Bonds. The Bonds shall be in substantially the following forms with such changes and modifications as may be required, necessary, convenient or desirable for delivery thereof (including the inclusion of mandatory sinking fund provisions if term Bonds are specified by the successful bidder):

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BERGEN**

BOROUGH OF FAIR LAWN

GENERAL BOND OF 2016

Number: R-G
Registered Owner: Cede & Co
Principal Amount: \$ _____
Dated Date: September 14, 2016
Interest Rate: _____%
Maturity Date: September 1, _____
CUSIP Number: 475322

The **BOROUGH OF FAIR LAWN** (the "Borough"), a municipal corporation of the State of New Jersey, situate in the County of Bergen, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable March 1, 2017 and semi-annually thereafter on September 1 and March 1 in each year. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Borough on February 15 and August 15 next preceding each interest payment date.

This bond is transferable only upon the books of the Borough kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey (the "Transfer Agent"), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered

bond. The Borough, the Transfer Agent and any paying agent of the Borough may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Borough Council of the Borough, entitled: "Resolution providing for the combination of certain issues of bonds of the Borough of Fair Lawn, in the County of Bergen, New Jersey, into a single issue of General Bonds aggregating \$13,820,000 in principal amount", adopted on August 16, 2016 and the bond ordinances referred to therein, approved by the Mayor and published as required by law.

The bonds maturing prior to September 1, 2027, are not subject to redemption prior to maturity at the option of the Borough. The bonds maturing on or after September 1, 2027, are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the bonds of such maturity are to be redeemed, on any date on or after September 1, 2026, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. If notice of redemption shall have been given as aforesaid, the bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds shall cease to accrue and become payable. Less than all of a bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such bond, bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have

happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

IN WITNESS WHEREOF, the Borough of Fair Lawn has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Finance Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Borough Clerk and this bond to be dated the above-stated Dated Date.

BOROUGH OF FAIR LAWN

(SEAL)

By _____
Mayor

Borough Clerk

Chief Financial Officer

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BERGEN**

BOROUGH OF FAIR LAWN

WATER BOND OF 2016

Number: R-W

Registered Owner: Cede & Co

Principal Amount: \$_____

Dated Date: September 14, 2016

Interest Rate: ____%

Maturity Date: September 1, ____

CUSIP Number: 475322

The **BOROUGH OF FAIR LAWN** (the "Borough"), a municipal corporation of the State of New Jersey, situate in the County of Bergen, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable March 1, 2017 and semi-annually thereafter on September 1 and March 1 in each year. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Borough on February 15 and August 15 next preceding each interest payment date.

This bond is transferable only upon the books of the Borough kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey (the "Transfer Agent"), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Borough shall issue in the name of the transferee a new bond or bonds of the same aggregate

principal amount and series, designation, maturity and interest rate as the surrendered bond. The Borough, the Transfer Agent and any paying agent of the Borough may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price, if any, and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Borough Council of the Borough, entitled: "Resolution providing for the combination of certain issues of bonds of the Borough of Fair Lawn, in the County of Bergen, New Jersey, into a single issue of Water Bonds aggregating \$5,065,000 in principal amount", adopted on August 16, 2016 and the bond ordinances referred to therein, approved by the Mayor and published as required by law.

The bonds maturing prior to September 1, 2027, are not subject to redemption prior to maturity at the option of the Borough. The bonds maturing on or after September 1, 2027, are subject to redemption prior to maturity at the option of the Borough upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the bonds of such maturity are to be redeemed, on any date on or after September 1, 2026, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. If notice of redemption shall have been given as aforesaid, the bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds shall cease to accrue and become payable. Less than all of a bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such bond, bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

IN WITNESS WHEREOF, the **BOROUGH OF FAIR LAWN** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Borough Clerk and this bond to be dated the above-stated Date.

BOROUGH OF FAIR LAWN

(SEAL)

By _____
Mayor

ATTEST:

Borough Clerk

Chief Financial Officer

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

- TEN COM** - as tenants in common
- TEN ENT** - as tenants by the entireties
- JT TEN** - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT
Custodian

(Cust)	(Minor)
under Uniform Gifts to Minors Act	
State	

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE (FOR COMPUTER RECORD ONLY)

(Please Print or Typewrite Name and Address of Transferee)

the within Bond, and all rights thereunder, and hereby irrevocably constitutes and appoints _____ Attorney, to transfer the within Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 5. Sale of Bonds and Publication of Notice. The Bonds shall be sold upon electronic bids submitted on either Grant Street Group's MuniAuction website or the Parity Electronic Bid System of i-Deal LLC (as shall be determined by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel) on August 31, 2016 until 11:00 o'clock A.M. (or such other date or time as shall be determined by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel) and the Borough Clerk is hereby authorized and directed to (a) cause a notice of such sale to be published at least once, the first publication to be at least seven days prior to said sale in "The Record", a newspaper published in the County of Bergen, and circulating in the municipality, and (b) cause a summary of the notice of sale to be published at least once, the first publication to be at least seven days prior to said sale in "The Bond Buyer", a financial newspaper published and circulating in the City of New York, New York.

Section 6. Forms of Notices. Said notice of sale and said summary of notice of sale and shall be in substantially the following forms, respectively, with such changes and modifications as may be approved by the Chief Financial Officer of the Borough after consultation with the Borough auditor and bond counsel:

NOTICE OF SALE

**THE BOROUGH OF FAIR LAWN,
IN THE COUNTY OF BERGEN, NEW JERSEY**

**\$18,885,000 BONDS
consisting of
\$13,820,000 GENERAL BONDS OF 2016
\$5,065,000 WATER BONDS OF 2016**

ELECTRONIC BIDS will be received by the Chief Financial Officer of The Borough of Fair Lawn, in the County of Bergen, New Jersey (the "Borough"), via the PARITY® Electronic Bid System ("PARITY®") of i-Deal LLC ("i-Deal") on **Wednesday, August 31, 2016**, until 11:00 a.m., local time, at which time they will be publicly announced, for the purchase of \$13,820,000 General Bonds of 2016 and \$5,065,000 Water Bonds of 2016 (collectively, the "Bonds") of the Borough due on September 1 as follows, either as serial Bonds or as term Bonds with sinking fund installments in accordance with this Notice of Sale:

\$13,820,000 General Bonds of 2016, maturing in the principal amount of \$1,100,000 in 2017, \$1,125,000 in 2018, \$1,000,000 in 2019, \$1,050,000 in 2020, \$1,000,000 in 2021, \$700,000 in each of the years 2022 to 2026, both inclusive, \$1,200,000 in 2027, \$1,275,000 in each of the years 2028 and 2029, and \$1,295,000 in 2030.

\$5,065,000 Water Bonds of 2016, maturing in the principal amount of \$200,000 in 2017, \$215,000 in 2018, \$225,000 in 2019, \$240,000 in 2020, \$255,000 in 2021, \$250,000 in 2022, \$275,000 in 2023, \$300,000 in 2024, \$325,000 in 2025, \$330,000 in 2026, and \$350,000 in each of the years 2027 to 2033, both inclusive.

The Bonds will be dated the date of delivery thereof, and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance with this Notice of Sale, payable on March 1 and September 1 in each year until maturity or earlier redemption, commencing March 1, 2017. The record dates for the payment of principal of and interest on the Bonds will be the February 15 and August 15 next preceding each such payment date.

The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$1,000 (with a \$5,000 minimum) and integral multiples thereof. Payments of principal or redemption price, if any and interest will be made by the Borough or its agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

The Bonds of each series maturing prior to September 1, 2027, are not subject to redemption prior to their stated maturities at the option of the Borough. The Bonds of each series maturing on or after September 1, 2027, are subject to redemption prior to their stated maturities at the option of the Borough upon mailed notice, as described in the resolution of the Borough authorizing the Bonds, in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after September 1, 2026, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

A bidder may aggregate consecutive principal maturities of the Bonds maturing in the years (a) 2017 to 2030, both inclusive and (b) 2031 to 2033, both inclusive, for which such bidder bids the same interest rate, into term bonds. Each such term bond shall mature on the final maturity date of its consecutive maturities in an aggregate principal amount equal to the sum of the principal amounts of its consecutive maturities. Such term bonds will be subject to mandatory sinking fund redemption at one hundred percent (100%) of the principal amount thereof, together with accrued interest to the date fixed for such redemption, in the amounts and on the dates that would have been consecutive serial maturities had no term Bond designation been made. Notice of redemption shall be given as provided in the resolution of the Borough authorizing the Bonds.

The Bonds **will** be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Each bid must specify in a multiple of 1/8 or 1/20 of 1% the rate or rates of interest which the Bonds are to bear. There is no limitation on the number of rates of interest that may be specified. If more than one rate of interest is named, no rate of interest named for any maturity may be less than the rate of interest named for any prior maturity, and the difference between the highest and the lowest rates of interest named shall not exceed three percent (3%).

The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost. Such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds bid for the total interest cost to maturity in accordance with such bid and by deduction therefrom of the amount of premium, if any, which premium shall not exceed \$188,850. No bids shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the Borough under any legally acceptable bids, and if two (2) or more such bidders offer to pay the same lowest net interest cost, then the Bonds will be sold to one (1) of such bidders selected by lot from among all such bidders. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price. The right is reserved to reject all bids and any bid not complying with the terms of this Notice of Sale may be rejected.

Each bidder is required to deposit a certified or cashier's or treasurer's check drawn upon a bank or trust company payable to the order of the Borough of Fair Lawn, in the County of Bergen, New Jersey, for \$377,700 (the "Deposit Amount"). In lieu of the foregoing, a bidder may deliver the Deposit Amount via a wire transfer of immediately available funds to the Borough. Wiring instructions are as follows: Columbia Savings Bank, ABA #221271935, credit to: Borough of Fair Lawn, Capital Account #02-4800532. Such check, wire transfer or financial surety bond must be received by the Chief Financial Officer of the Borough at or before 11:00 a.m., local time, on the bid date at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, 07410. The Deposit Amount will be applied in part payment for the Bonds or to secure the Borough from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder, or rejection of all bids, is expected to be made promptly after receipt of the bids, but the successful bidder may not withdraw its bid until after 3:00 p.m., local time, of the day of such bid-receipt and then only if such award has not been made prior to the withdrawal. The Bonds will be delivered and shall be paid for in immediately available funds on or about September 14, 2016, at such place in Newark, New Jersey, and on such business day and at such hour, as the undersigned shall fix on five (5) business days' notice to the successful

bidder, or at such other place and time as may be agreed upon with the successful bidder.

Each bid must be submitted via PARITY®. No bidder will see any other bidder's bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY® conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY®, potential bidders may contact PARITY® at i-Deal at (212) 404-8102. The Borough may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY®. Each bidder further agrees that:

(1) If a bid submitted electronically via PARITY® is accepted by the Borough, the terms of this Notice of Sale and the information that is electronically transmitted via PARITY® shall form a contract, and the successful bidder shall be bound by the terms of such contract.

(2) PARITY® is not an agent of the Borough, and the Borough shall have no liability whatsoever based on any bidder's use of PARITY®, including but not limited to any failure by PARITY® to correctly or timely transmit information provided by the Borough or information provided by the bidder.

(3) The Borough may choose to discontinue use of electronic bidding via PARITY® by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., Eastern Time, on the last business date prior to the bid date.

(4) Once the bids are communicated electronically via PARITY® to the Borough, each bid shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale.

(5) Each bidder shall be solely responsible to make necessary arrangements to access PARITY® for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Borough nor i-Deal shall have any duty or obligation to provide or assure to any bidder, and neither the Borough nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The Borough is using PARITY® as a communication mechanism, and not as the Borough's agent, to conduct the electronic bidding for the Bonds. By using PARITY®, each bidder agrees to hold the Borough harmless for any harm or damages caused to such bidder in connection with its use of PARITY® for bidding on the Bonds.

The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is taxable, or shall be taxable at a future date, for federal income tax purposes, and in such case the Deposit Amount paid by it will be returned and the successful bidder will be relieved of its contractual obligations arising from the acceptance of its bid.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its bids for the purchase of the Bonds.

Prior to or simultaneously with the delivery of the Bonds, the successful bidder shall furnish to the Borough a certificate, in form acceptable to bond counsel to the Borough, setting forth the price or yields of each maturity of the Bonds calculated on the basis of retail sales of the Bonds, in accordance with the requirements of the Internal Revenue Code of 1986, as amended.

It is anticipated that CUSIP identification numbers will not be printed on the Bonds, but the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the successful bidder to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the successful bidder. **The Bonds of each series shall not have different CUSIP numbers.**

A preliminary official statement (the "Preliminary Official Statement") relating to the Bonds is available at www.i-DealProspectus.com and the Preliminary Official Statement is deemed final as of its date by the Borough for purposes and within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. A final official statement (the "Official Statement") will be delivered to the successful bidder within seven (7) business days of the award of the Bonds. In order to assist bidders in complying with said Rule 15c2-12, the Borough will undertake to provide certain continuing disclosure as further described in the Preliminary Official Statement.

The successful bidder will be furnished, without cost, with the approving opinion of the law firm of Hawkins Delafield & Wood LLP, bond counsel to the Borough, to the effect that the Bonds are valid and legally binding obligations of the Borough and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable property therein without limitation as to rate or amount. The obligations under this Notice of Sale to deliver or accept the Bonds pursuant to this Notice of Sale shall be conditioned on the availability to the successful bidder and delivery at the time of

delivery of the Bonds of the said approving opinion and of certificates in form and tenor satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor and including a statement, dated as of the date of such delivery, to the effect that, except as may be disclosed in the Official Statement, there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened relating to the Bonds.

The Borough reserves the right to postpone, from time to time, the date and time established for receipt of bids and the right to adjust the maturity schedule for the Bonds. Any such postponement or adjustment will be published on TM3 News Services, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Services, or by other available means, at least forty-eight (48) hours prior to such alternative sale date.

Printed copies of the Preliminary Official Statement, this Notice of Sale and additional information regarding the sale, may be obtained from Hawkins Delafield & Wood LLP, bond counsel to the Borough, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

JOANNE M. KWASNIEWSKI, RMC/MMC
Municipal Clerk/Deputy Manager

Dated: August 17, 2016

SUMMARY OF NOTICE OF SALE
THE BOROUGH OF FAIR LAWN,
IN THE COUNTY OF BERGEN, NEW JERSEY
\$18,885,000 BONDS
consisting of
\$13,820,000 GENERAL BONDS OF 2016
\$5,065,000 WATER BONDS OF 2016

ELECTRONIC BIDS for the above-described bonds (the "Bonds") will be received by the Chief Financial Officer of The Borough of Fair Lawn, in the County of Bergen, New Jersey (the "Borough"), via the PARITY® Electronic Bid System of i-Deal LLC on **Wednesday, August 31, 2016**, until 11:00 a.m., local time. As described in the full Notice of Sale, a good faith check or wire transfer must be received by the Chief Financial Officer of the Borough prior to or simultaneously with the submission of a bid. The Bonds shall mature on September 1 as follows, either as serial Bonds or as term Bonds with sinking fund installments in accordance with the full Notice of Sale:

\$13,820,000 General Bonds of 2016, maturing in the principal amount of \$1,100,000 in 2017, \$1,125,000 in 2018, \$1,000,000 in 2019, \$1,050,000 in 2020, \$1,000,000 in 2021, \$700,000 in each of the years 2022 to 2026, both inclusive, \$1,200,000 in 2027, \$1,275,000 in each of the years 2028 and 2029, and \$1,295,000, in 2030.

\$5,065,000 Water Bonds of 2016, maturing in the principal amount of \$200,000 in 2017, \$215,000 in 2018, \$225,000 in 2019, \$240,000 in 2020, \$255,000 in 2021, \$250,000 in 2022, \$275,000 in 2023, \$300,000 in 2024, \$325,000 in 2025, \$330,000 in 2026, and \$350,000 in each of the years 2027 to 2033, both inclusive.

The Bonds will be dated the date of delivery thereof, and will bear interest, payable on March 1 and September 1 in each year until maturity or earlier redemption (ascending rates and only one rate per maturity), commencing March 1, 2017, at the rate or rates per annum specified, in multiples of 1/8 or 1/20 of 1%, by the winning bidder in accordance with the full Notice of Sale. The Bonds will be issued in book-entry form only and will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Bonds are subject to redemption prior to their stated maturities at the option of the Borough in accordance with the full Notice of Sale. **The General Bonds and the Water Bonds shall not have different CUSIP numbers.**

Copies of the full Notice of Sale and the Preliminary Official Statement are available at www.i-DealProspectus.com and may also be obtained by contacting Hawkins Delafield & Wood LLP, bond counsel to the Borough, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

JOANNE M. KWASNIEWSKI, RMC/MMC
Municipal Clerk/Deputy Manager

Section 7. Additional Matters Contained in Bonds. The Borough Clerk is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed (a) to cause the applicable CUSIP numbers (if any) assigned for each of said bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on the Bonds, and (b) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance, at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP.

Section 8. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the successful bidder and the payment of the purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to said bidder (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the "Code"), (b) an undertaking to provide continuing disclosure in order to assist said bidder in complying with Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

Section 9. Delegation of Power to Award Bonds. The Borough Council of the Borough, as the governing body thereof, does by this resolution designate the Chief Financial Officer of the Borough, or such other Borough official as may be deemed appropriate, to sell and award the Bonds in accordance with the advertised terms of public sale. Said Chief Financial Officer or other Borough official making such sale shall report in writing to this governing body at its next meeting thereafter as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. Such Chief Financial Officer or other Borough official is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to accomplish the sale of the Bonds including, after consultation with the Borough auditor and bond counsel, (a) adjusting the maturity schedule of the Bonds and (b) postponing and rescheduling from time to time the sale of the Bonds in accordance with the provisions set forth in the notice of sale and as provided by law.

Section 10. Preliminary Official Statement. All action taken to date by the officials, employees and agents of the Borough with respect to the issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto be and the same hereby are approved, ratified, adopted and confirmed and the Chief Financial Officer of the Borough is hereby authorized to deliver said Preliminary Official Statement for its use in the sale, resale and distribution of the Bonds. The Chief Financial Officer of the Borough or such other Borough official as may be

appropriate is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Section 11. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer of the Borough with respect to the issuance of the Bonds by and on behalf of the Borough, is hereby authorized, and the Chief Financial Officer of the Borough or such other Borough official as may be deemed appropriate is hereby authorized and directed to execute the same in the name and on behalf of the Borough Council and is further authorized to deliver said final Official Statement in executed form for its use in the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer of the Borough or such other Borough official as may be deemed appropriate shall be conclusive evidence of any approval required hereby.

Section 12. Actions to be Taken on Behalf of the Borough. The Borough Administrator, the Chief Financial Officer of the Borough and the Borough Clerk are hereby authorized to do all matters necessary, useful, convenient or desirable to accomplish the sale and delivery of the Bonds, including without limitation matters relating to the provision of electronic bids for the Bonds, the appointment of a redemption agent in connection with the issuance of term bonds and the obtaining of a credit rating for the Bonds.

Section 13. Prior Action. All action heretofore taken by Borough officials and professionals relating to the sale of the Bonds is hereby ratified, confirmed, adopted and approved.

Section 14. Effective Date. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 317-2016

By
Seconded by

WHEREAS, by Resolution No. 12-2016 dated January 5, 2016 the Borough entered into a contract with The Valley Hospital to provide Professional Nursing Services for 2016; and

WHEREAS, it is necessary to amend said contract to include adult immunizations at a maximum cost of \$75.00 per dose for the remainder of 2016;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the contract between the Borough of Fair Lawn and The Valley Hospital be amended to include adult immunizations at a maximum cost of \$75.00 per dose for the remainder of 2016.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 318-2016

By

Seconded by

WHEREAS, Rite Aid will provide immunizations for Borough employees and emergency responders at no cost to the Borough of Fair Lawn; and

WHEREAS, it is beneficial to the residents of the Borough since this program will provide a cost savings to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Rite Aid, located at 149 East Ridgewood Avenue, Ridgewood, New Jersey 07450 is hereby authorized to provide such service to the Borough employees and emergency responders.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 319-2016

By
Seconded by

WHEREAS, the Borough of Fair Lawn requires the services of a medical professional to provide childhood immunizations;

WHEREAS, the Village of Ridgewood has agreed to provide said services;
and

WHEREAS, providing said services is beneficial to the residents of Fair Lawn;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Borough enters into an Interlocal Governmental Services agreement with the Village of Ridgewood who shall provide qualified Borough children up to 18 years of age with childhood immunizations at five clinics in 2016 at a cost of \$55.00 per hour not to exceed \$1,000.00 to be paid by the Borough of Fair Lawn to the Village of Ridgewood;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and they are hereby authorized to execute said agreement; and

BE IT FURTHER RESOLVED that this resolution is subject to the Village of Ridgewood adopting a concurrent resolution for the execution of said agreement.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 320-2016

By
Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

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

WHEREAS, the Borough of Fair Lawn has the need to purchase mobile car video systems, including the installation, supporting server, software, accessories, and maintenance support, for the Fair Lawn Police Department under State Contract 89980, for a total amount not to exceed \$143,726; and

WHEREAS, the Borough of Fair Lawn intends to enter into a contract with GTBM Inc., the authorized dealer for Panasonic under the NJ State NASPO Value Point Computer contract, located at 351 Paterson Avenue, East Rutherford, NJ 07073 for the purchase of mobile car video systems, including the installation, supporting server, software, accessories, and maintenance support, for the Fair Lawn Police Department under State Contract 89980 through this resolution and a properly executed purchase order; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Fair Lawn pursuant to N.J.A.C. 5:30-5.5(b), have allocated an amount of \$99,100.95 in Capital Ordinance 2015-2337 and an amount of \$44,625 in Capital Ordinance 2016-2376 and, through this resolution a certification of availability of funds will be completed by the Chief Finance Officer through the issuance of a purchase order.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to enter into a contract with GTBM Inc., 351 Paterson Avenue, East Rutherford, NJ 07073, an approved New Jersey State Contract Vendor, pursuant to all conditions of the individual State Contract 89980.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 321-2016

By
Seconded by

WHEREAS, Kenneth Marks, owner of 7 Bryson Road recently passed away,
and

WHEREAS, Claire Boggesen, his daughter, resides at 40 Rhodes Avenue,
Cranston, Rhode Island was unaware of a broken water pipe which caused
extensive water damage to the residence and resulted in a water bill of
\$3,645.80; and

WHEREAS, Ms. Boggesen has requested that the charge be waived due to
the extenuating circumstances;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the
Borough of Fair Lawn that the amount of \$3,645.80 be waived.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 322-2016

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 Rescue/Hazmat Truck under Houston-Galveston Area Council Cooperative Purchasing Program #AM10-14 for a total of \$625,000.; and

WHEREAS, the Borough of Fair Lawn intends to enter into contract for this purchase with P & L Custom Body and equipment Co. Inc. having an office located at 2201 Atlantic Avenue, Manasquan, New Jersey 08736 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 funds in the 2016 Municipal Budget for the purchase of this vehicle, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer through the issuance of a Purchase Order.

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 P & L Custom Body & Equipment Co. Inc, an approved National Cooperative Vendor, pursuant to all conditions of the Contract #AM 10-14.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 323-2016

By

Seconded by

WHEREAS, bids were received for Single Valve Maintenance Trailer by the Municipal Clerk on August 2, 2016; and

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

WHEREAS, E.H. Wachs having an office located at 455 Comanche Circle, Harvard, IL 60033 is the sole responsible bidder in the amount of \$69,482.83;

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 E.H. Wachs subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

BE IT FURTHER RESOLVED, through this resolution a Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a Purchase Order; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and are hereby authorized to execute the appropriate contracts approved by the Borough Attorney.

Aye Nay Abstain
Dunay
Lefkowitz
Peluso
Swain
Cosgrove

August 16, 2016

RESOLUTION NO. 324-2016

By

Seconded by

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

Work Session 7/19/16
Closed Session 7/19/16
Regular Meeting 7/19/16

are hereby approved.