AGENDA

TOWNSHIP OF LYNDHURST
BOARD OF COMMISSIONERS
TUESDAY, OCTOBER 13TH, 2026
6:00 P.M. - CAUCUS
REGULAR MEETING IMMEDIATELY FOLLOWING CAUCUS MEETING

FLAG SALUTE

ROLL CALL

SUNSHINE NOTICE:
This is the Rescheduled Regular Meeting of the Board of Commissioners as advertised in the Annual Notice published in the Bergen Record and Star Ledger in accordance with P.L. 1975 Chapter 231. Notice of this meeting has been posted on our Municipal Website and on the bulletin board in the Town Hall and Municipal Annex.

PETITIONS: **None**

COMMUNICATIONS: **None**

SCHEDULE OF BILLS

MINUTES: **Approve Regular Meeting Minutes of September 8, 2026**

REPORTS OF GOVERNING BODY

PRESENTATIONS: **Proclamation for Adam Eng for participation in the 2026 Special Olympics**

ORDINANCES FOR PUBLIC HEARING:

1. **ORDINANCE NO. 3274-26** – *An Ordinance to Amend Chapter VII (Traffic) of the Revised General Ordinances of the Township of Lyndhurst, Schedule IX-A, "Handicapped Parking-On Street", so as to Add and Remove Certain Handicapped Parking Spaces on Township Streets*
2. **ORDINANCE NO. 3275-26** – *An Ordinance to Amend Chapter VII (Traffic) of the Revised General Ordinances of the Township of Lyndhurst, Schedule XVII, "Loading Zones", so as to Add Certain Township Streets; Schedule A, "Resident Permit Parking", so as to Add Certain Township Streets*
3. **ORDINANCE NO. 3276-26** – *An Ordinance Authorizing the Owner of the Real Property Located at 536 Valley Brook Avenue, Block 84, Lot 1 to Encroach onto the Public Right-of-Way (Sidewalk) Along the Frontage of Green Avenue*
4. **ORDINANCE NO. 3277-26** – *An Ordinance Authorizing the Owner of the Real Property Located at 1201 Valley Brook Avenue, Block 229, Lot 5 to Encroach onto the Public Right-of-Way Along Valley Brook Avenue*
5. **ORDINANCE NO. 3278-26** – *An Ordinance Amending Ordinance No. 3201-24, Adopted on June 11, 2024, Establishing the Maximum Annual Salary for the Handicapped Coordinator/Administrator and Assistant Handicap/Summer Youth Assistant*

ORDINANCES FOR INTRODUCTION:

1. **ORDINANCE NO. 3279-26** – *An Ordinance Amending the Vacancy Decontrol Provisions of the Lyndhurst Rent Control Ordinance*
2. **ORDINANCE NO. 3280-26** – *An Ordinance to Amend the Revised General Ordinances of the Township of Lyndhurst, so as to Create the Position of "Assistant DPW Superintendent"*
3. **ORDINANCE NO. 3281-26** – *An Ordinance Amending Ordinance Annual Salaries, Hourly Rates and Other Forms of Compensation to be Paid to Officers and Employees of the Township of Lyndhurst Not Belonging to a Collective Bargaining Unit and Amending Ordinance No. 3260-26 and Ordinance No. 3270-26*

4. ORDINANCE NO. 3282-26 – *An Ordinance to Amend Chapter VIIA "Parking Permits and Parking Lots" of the Revised General Ordinances of the Township of Lyndhurst, Schedule A, "Resident Permit Parking", so as to Add Certain Township Streets*
5. ORDINANCE NO. 3283-26 – *An Ordinance to Amend Chapter VII (Traffic) of the Revised General Ordinances of the Township of Lyndhurst, Schedule III, "Route for Trucks Over Four Tons", so as to Revise Schedule III Thereof to Identify Revised Routes for Trucks Over Four Tons*
6. ORDINANCE NO. 3284-26 – *An Ordinance to Amend Chapter XI (Fire Prevention) of the Revised General Ordinances of the Township of Lyndhurst*

Public Comment on Agenda Items

RESOLUTIONS (CONSENT AGENDA)

All matters listed under Consent Agenda are considered to be routine by the Board of Commissioners and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. **Authorize to issue Raffle Licenses.**
2. **Approve Tax Collector's monthly payments.**
3. **Authorize to issue and accept Requests for Qualifications for a Risk Management Consultant, Planning Board Attorney, Board of Adjustment Attorney, Municipal Auditor, Information Technology Consultant, Website Management Consultant, Special Bond Counsel and Grants Consultant.**
4. **Authorize to advertise and accept Request for Qualifications for Landscaping Services for Abandoned Property and Such Real Property in Violation of the Property Maintenance Code.**
5. **Authorize to issue the return of escrow trust account balance for 219 New Street.**
6. **Authorize to issue the return of escrow trust account balance for 430 Lewandowski Street.**
7. **Authorize to issue the return of escrow trust account balance for 612 Third Street.**
8. **Authorize to issue the return of escrow trust account balance for 230 Copeland Avenue.**
9. **Authorize to issue the return of escrow trust account balance for 352 Fourth Street.**
10. **Authorize to issue the return of escrow trust account balance for 118 Stuyvesant Avenue.**
11. **Authorize to issue the return of escrow trust account balance for 351 Jauncey Avenue.**
12. **Authorize to issue the return of escrow trust account balance for 555 Valley Brook Avenue.**
13. **Authorize to issue the return of escrow trust account balance for 354 Thomas Avenue.**
14. **Authorize to issue the return of escrow trust account balance for 365 Roosevelt Avenue.**
15. **Authorize to issue the return of escrow trust account balance for 404 Page Avenue.**
16. **Authorize to issue the return of escrow trust account balance for 251 Page Avenue.**
17. **Authorize to issue the return of escrow trust account balance for 508 Page Avenue.**
18. **Authorize to issue the return of escrow trust account balance for 49 Summit Avenue.**
19. **Approve a maternity leave of absence for an employee of the Department of Public Affairs.**
20. **Authorize to enter into a Public Health Shared Services Agreement with Bergen County for a two-year term commencing January 1, 2027.**
21. **Authorize the execution of a Retirement Settlement Agreement and General Release.**
22. **Approve the Police Chief's formal compensation/employment contract. *REMOVED FROM CONSENT AGENDA FOR CONSIDERATION**
23. **Authorize to reject Request for Qualifications for Electrician Services and reissue as a bid.**
24. **Approve a new membership to the Lyndhurst Volunteer Fire Department.**
25. **Authorize the purchase of an 8x4 Double Sided LED Illuminated Sign Cabinet as a shared purchase with the Lyndhurst Public Library for in the amount of $29,500.00 through Bergen County Cooperative Purchasing Contract #BC 24-38.**
26. **Authorize to issue the return of escrow trust account balance for 259 Green Avenue.**
27. **Authorize the purchase of one (1) 2026 GM T4X43-Canyon Crew Cab Pickup 4x4 with elevation package for the Department of Public Works in an amount not to exceed $49,558.50 through ESCNJ CO-OP #65MCEESCCPS Contract #23/24-11.**
28. **Authorize to issue the return of escrow trust account balance for 205-211 Stuyvesant Avenue.**
29. **Authorize the purchase of Packetalk Public Safety Interoperability Cameras for the Police Department for an amount not to exceed $39,000.00.**
30. **Authorize to enter into a Snow Plowing Agreement with the County of Bergen for 2026-2028.**

31. **Approve an award of contract for Electrician Services including Traffic Signals.**
32. **Authorize the purchase of 19 Atlas T9 Tactical Vest Carriers with Body Armor Panels for the Lyndhurst Police Department in the amount of $69,778.64 through the New Jersey State Contract #NJ-Fleet-00778 from Turn-Out Uniforms with Equitable Sharing Funding.**

ADDED:

33. **Authorize to adopt a pilot for a volunteer snow removal program for seniors.**
34. **Authorize the Mayor to execute a Third Party Locator Agreement with Message Maximation LLC to proceed in locating unclaimed assets for the township for a fee up to 20% of the monies recovered.**

Public Comment (LIMIT COMMENTS TO 5 MINUTES)

Adjournment

Angela White, RMC
Township Clerk

Pft 1

ORDINANCE NO. 3274-26

AN ORDINANCE TO AMEND CHAPTER VII (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST, SCHEDULE IX-A, "HANDICAPPED PARKING-ON STREET", SO AS TO ADD AND REMOVE CERTAIN HANDICAPPED PARKING SPACES ON TOWNSHIP STREETS

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

SECTION 1. Chapter VII, "Traffic", Schedule IX-A, is hereby amended under Section 7-6.1, by adding and removing handicapped parking spaces on Township streets at street locations in connection with the following addresses:

ADD

Name of Street	*Location*
348 Fourth Street	Starting 120 feet south of the southeast corner of Fourth Street and New Jersey Avenue and continuing the next 20 feet thereof for space.

REMOVE

Name of Street	*Location*
165 Valley Brook Avenue	Starting 182 feet east of the northeast corner of Valley Brook Avenue and Lyndhurst Avenue and continuing the next 20 feet east thereof for space.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 4. This Ordinance shall become effective twenty (20) days after adoption and publication according to law.

PH-2

ORDINANCE NO. 3275-26

AN ORDINANCE TO AMEND CHAPTER VII (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST SO AS TO SCHEDULE XVII, "LOADING ZONES"; SCHEDULE A, "RESIDENT PERMIT PARKING", SO AS TO ADD CERTAIN TOWNSHIP STREETS

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

SECTION 1. Chapter VII, "Traffic", Schedule XVII is hereby amended under Section 7-12, by designating as a Loading Zone the following location:

Name of Street	*Time*	*Side*	*Location*
Warren Street	Monday - Friday 7:00 a.m. to 5:00 p.m.	West	Beginning at a point 166 feet north of the northerly edge of Valley Brook Avenue and extending to a point 94 feet north there from.

SECTION 2. Chapter VIIA, "Parking Permits and Parking Lots", Schedule A, is hereby amended under Section 7A-2, by adding sections of Township streets in Zone 1 as follows:

Name of Street	*Location*	*Hours*
Park Avenue	Tontine Avenue to Court Avenue	9:00 a.m. to 5:00 p.m. Monday through Friday Excluding Saturday, Sunday and holidays.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 5. This Ordinance shall become effective twenty (20) days after adoption and publication according to law.

PH -3

ORDINANCE NO. 3276-26

AN ORDINANCE AUTHORIZING THE OWNER OF THE REAL PROPERTY LOCATED AT 536 VALLEY BROOK AVENUE, BLOCK 84, LOT 1 TO ENCROACH ONTO THE PUBLIC RIGHT-OF-WAY (SIDEWALK) ALONG THE FRONTAGE OF GREEN AVENUE

WHEREAS, the Township of Lyndhurst (the "Township") does possess rights-of-way through all public streets, thoroughfares and sidewalks with the Township; and

WHEREAS, the Township if authorized to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the Township; and

WHEREAS, the Owner of the property commonly known as 536 Valley Brook Avenue, designated as Block 84, Lot 1 on the Township's Tax Assessment Map has requested that the Township allow the existing building to encroachment onto the public right-of-way along Green Avenue;

WHEREAS, the Township has been provided the metes and bounds description which is the subject of this Franchise attached as Exhibit A.

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

That permission be and is hereby granted to the Owner and its successors and/or assigns, to maintain the proposed building in a portion of lands located within the public right-of-way of Green Avenue officially known as Block 84, Lot 1 on the current tax map of the Township of Lyndhurst, the area being more particularly described in the description attached as Exhibit A.

That in accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, the Owner, its successors and/or assigns, hereby agree to assume full complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the Township harmless from all injury or damages to person or property by reason of such installation, maintenance and use.

SCHMIDT SURVEYING, LLC

49 Sullivan Street
Westwood, New Jersey 07675
Phone: 201-403-5801
surveys@schmidtsurveying.com

Metes and Bounds of Building Encroachment into ROW of Green Avenue
536 Valley Brook Avenue
Tax Lot 1, Block 84
Township of Lyndhurst
Bergen County, New Jersey

BEGINNING at the point of intersection between the southwesterly line of Valley Brook Avenue, 60.00 feet wide, with the southeasterly line of Green Avenue, 50.00 feet wide, and from point running, THENCE;

1. Leaving the southwesterly line of Valley Brook Avenue and along the southeasterly line of Green Avenue, South 44 degrees 46 minutes 00 seconds West, a distance of 66.50 feet to a point, THENCE;

2. North 45 degrees 22 minutes 21 seconds West, a distance of 0.45 feet to a point, THENCE;

3. Along the westerly line of the building, North 44 degrees 51 minutes 45 seconds East, a distance of 66.50 feet to a point, THENCE;

4. South 45 degrees 09 minutes 30 seconds East, a distance of 0.35 feet to the point and place of BEGINNING.

Andrew A Schmidt

Andrew Schmidt, PLS
Professional Land Surveyor
N.J. License No. 24GS04330100

PH-4

ORDINANCE NO. 3277-26

AN ORDINANCE AUTHORIZING THE OWNER OF THE REAL PROPERTY LOCATED AT 1201 VALLEY BROOK AVENUE, BLOCK 229, LOT 5 TO ENCROACH ONTO THE PUBLIC RIGHT-OF-WAY ALONG VALLEY BROOK AVENUE

WHEREAS, the Township of Lyndhurst (the "Township") does possess rights-of-way through all public streets, thoroughfares and sidewalks with the Township; and

WHEREAS, the Township if authorized to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the Township; and

WHEREAS, the Owner (the "Grantee") of the property commonly known as 1201 Valley Brook Avenue, designated as Block 229, Lot 5 on the Township's Tax Assessment Maps has requested that the Township allow the existing building to encroachment onto the public right-of-way along Valley Brook Avenue on which site improvements related to the construction of paved vehicular use areas for truck maneuvering and to accommodate 169 parking spaces (the "Project").

WHEREAS, in order to construct the Project, it is necessary to locate landscaping (the "Landscaping") within a portion of the Valley Brook Avenue public right-of-way as specifically known on the drawing attached hereto as Schedule B (the "Easement Area").

WHEREAS, the Township has been provided the metes and bounds description which is the subject of this Franchise attached as Exhibit A.

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

That permission is hereby granted to the Grantee and its successors and/or assigns a perpetual, non-exclusive easement for the right to construct and maintain the Landscaping that will be located within the Easement Area, upon the terms and conditions set forth in the Deed of Easement.

That in accepting the privileges of this Ordinance and the installation, maintenance and use hereby authorized, the Grantee, its successors and/or assigns, hereby agree to assume full complete and undivided responsibility for any and all injury or damage to persons or property by reason of said installation, maintenance and use, and to indemnify and hold the Township harmless from all injury or damages to person or property by reason of such installation, maintenance and use.

CONTROL POINT ASSOCIATES, INC.
traditional methods | modern approaches

30 Independence Blvd
Suite 100
Warren, NJ 07059
Tel: 908.668.0099
cpasurvey.com

AUGUST 20, 2026
01-200046-01

METES AND BOUND DESCRIPTION
PROPOSED LANDSCAPE EASEMENT
LOT 5, BLOCK 229
TOWNSHIP OF LYNDHURST, BERGEN COUNTY
STATE OF NEW JERSEY

BEGINNING AT A POINT ON THE NORTHERLY LINE OF VALLEY BROOK AVENUE (80 FEET WIDE PUBLIC RIGHT-OF-WAY), SAID POINT BEING SOUTH 54 DEGREES 54 MINUTES 06 SECONDS EAST, A DISTANCE OF 80.18 FEET FROM THE DIVIDING LINE BETWEEN LOT 5 BLOCK 229 (NOW OR FORMERLY LANDS OF JLM LYNDHURST, LLC) AND LOT 6, BLOCK 229 (NOW OR FORMERLY LANDS OF INFINITY BROADCASTING RADIO TOWERS), ALSO BEING THE SAME SAID COURSE FROM THE POINT OF BEGINNING AS DESCRIBED IN DEED BOOK 8211 PAGE 911 RECORDED IN THE BERGEN COUNTY CLERK'S OFFICE, AND RUNNING, THENCE;

1. ALONG SAID NORTHERLY LINE OF VALLEY BROOK AVENUE, SOUTH 54 DEGREES 54 MINUTES 06 SECONDS EAST, A DISTANCE OF 319.62 FEET TO A POINT IN THE SAME, THENCE;

THROUGH THE VALLEY BROOK AVENUE RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

2. SOUTH 24 DEGREES 26 MINUTES 07 SECONDS WEST, A DISTANCE OF 7.38 FEET TO A POINT, THENCE;

3. NORTH 65 DEGREES 33 MINUTES 53 SECONDS WEST, A DISTANCE OF 14.83 FEET TO A POINT, THENCE;

4. NORTH 54 DEGREES 54 MINUTES 06 SECONDS WEST, A DISTANCE OF 306.41 FEET TO A POINT, THENCE;

5. NORTH 35 DEGREES 05 MINUTES 54 SECONDS EAST, A DISTANCE OF 10.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 3,185 SQUARE FEET OR 0.073 ACRES

THIS DESCRIPTION IS PREPARED WITH REFERENCE TO A MAP ENTITLED "PROPOSED LANDSCAPE EASEMENT, LOT 5, BLOCK 229, 1201 VALLEY BROOK AVENUE, TOWNSHIP OF LYNDHURST, BERGEN COUNTY, STATE OF NEW JERSEY", PREPARED BY CONTROL POINT ASSOCIATES INC., DATED 08-20-2026.

CONTROL POINT ASSOCIATES, INC.



08-20-2026
DATE

JOHN D. BEATTIE
STATE OF NEW JERSEY
PROFESSIONAL LAND SURVEYOR #24GS04331900
NEW JERSEY CERTIFICATE OF AUTHORIZATION
#24GA27938600

JDB/REB

PH-5

ORDINACE NO. 3278-26

AN ORDINANCE AMENDING ORDINANCE NO. 3201-24, ADOPTED ON JUNE 11, 2024 ESTABLISHING THE MAXIMUM ANNUAL SALARY FOR THE HANDICAPPED COORDINATOR/ADMINISTRATOR AND ASSISTANT HANDICAP/SUMMER YOUTH ASSISTANT

WHEREAS, The Township of Lyndhurst Parks and Recreation Department runs an Adult Workshop for adults with disabilities.

WHEREAS, the State of New Jersey Department of Human Services, Division of Development Disabilities provides funding for their clients to attend the Lyndhurst Adult Workshop program.

WHEREAS, the State of New Jersey Department of Human Services, Division of Development Disabilities guidelines are specific in how the Township allocates the funding received from the Division of Development Disabilities.

WHEREAS, when the Division of Development Disabilities increases the amount received per client, the Township is required to increase the hourly wage for the employees hired using Division of Development Disabilities funds.

WHEREAS, in January 2026, the Division of Development Disabilities increased the amounts received for each client and the Township raised salaries $0.46 per hour for all employees who salaries are paid directly from the Division of Developmental Disabilities funding.

WHEREAS, the Board of Commissioner of the Township of Lyndhurst desires to amend the Salary Ordinance to increase the maximum salary for the Handicapped Coordinator/Administrator and Assistant Handicap/Summer Youth Assistant salaries in accord with the changes required to other salaries by virtue of the Division of Developmental Disabilities funding.

NOW, THEREFORE, BE IT ORDAINED BY the Township of Lyndhurst Board of Commissioners as follows:

Section 1.

Ordinance Nos. 3270-26, 3260-26, 3201-24, 3193-24, 3166-23, 3140-23, 3129-22, 3060-20, 2932-16 and 2895-13 of the general ordinances of the Township of Lyndhurst pertaining to the Handicapped Coordinator/Administrator and Assistant Handicap/Summer Youth Assistant are amended as follows:

1.The position of Handicapped Coordinator/Administrator shall receive an hourly salary rate increase of $0.46 per hour for a maximum salary of $69,628.00 effective as of January 1, 2026.

2. The position of Assistant Handicap/Summer Youth Assistant shall receive an hourly rate increase of $0.46 per hour for a maximum annual salary of $58,762.00 effective as of January 1, 2026.

3. The position of Handicapped Coordinator/Administrator shall receive a 3.25% base salary increase for a maximum salary of $71,891.00 effective as of January 1, 2027.

4. The position of Assistant Handicap/Summer Youth Assistant shall receive a 3.25% base salary increase for a maximum annual salary of $60,672.00 effective as of January 1, 2027.

Section 2.

This Ordinance is effective twenty (20) days after adoption and publication according to the law. This Ordinance is retroactive to January 2026. To the extent any retroactive pay is due to any Handicapped Coordinator/Administrator and Assistant Handicap/Summer Youth Assistant under this payment procedure, payment will be made in the month of January 2026.

Section 3.

Severability. If any part, sections, provisions, or the total of any of the above-mentioned provisions are held to be invalid or unenforceable in any court, the findings or judgements of which court are applicable in the State of New Jersey, the remainder of such provisions shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

Adopted:

	Ayes	Nays	Absent	Abstain
Commissioner Mateen				
Commissioner DeMarco				
Commissioner Carrino				
Commissioner Jarvis				
Mayor Giangeruso				

_____
Mayor

_____
Township Clerk

Intro - 1

ORDINANCE NO. 3279-26

AN ORDINANCE AMENDING THE VACANCY DECONTROL PROVISIONS OF THE LYNDHURST RENT CONTROL ORDINANCE

WHEREAS, at the Revised General Ordinances of the Township of Lyndhurst at § 8-4, sets forth provisions for the establishment of rents between landlords and tenants, including rent control.

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

SECTION 1. Chapter VIII, Subchapter IV, "Rent Control" is hereby amended as follows:

***

8-4.8 Vacancy Decontrol.

Notwithstanding any limitations upon permissible rent increases under any other provisions of this chapter, upon the voluntary, uncoerced vacation of any apartment, rent increases for which are controlled in this chapter, the landlord shall have the right to fix the rent for such vacated apartment at such sums deemed appropriate subject to the following:

(1) In order to qualify for a vacancy decontrol rent increase, the landlord shall first be required to filed with the Rent Leveling Board, a written statement certifying to the Board that the landlord has not, in any way, harassed or pressured the tenant into vacation the housing unit and that the vacating of such unit was a voluntary act on the part of the tenant.

(2) Such statement shall also include the rent paid by the vacating tenant and the date the tenant will be vacating the unit. For the purpose of this section a vacation caused or

necessitated by substandard, unsafe or unsanitary conditions shall not be required in order for the landlord to qualify for the vacancy decontrol increase if:

(a) The tenant has moved from the unit without notice to the landlord:

(b) The unit has been vacated pursuant to a judicially mandated eviction.

(3) The landlord shall have the right to fix the rent for such vacated unit as set forth above no more than once in every 3 (three) year period. The three-year period shall be effective from and after January 1, 2026.

(4) The landlord shall provide, when utilizing the vacancy allowance to the Rent Control Board Secretary with a Vacancy Decontrol Application/Noncoercion Certificate that the landlord is in compliance with this chapter's rent registration herein; that the landlord is in substantial code compliance with applicable law as defined herein; and, that the landlord has not harassed or pressure the tenant into vacation the housing unit. The certification shall also include:

(a) The rent established hereunder shall be deemed the new base rental for the unit within 10 calendar days of submission of the documentation conditioned upon a revision to the rental registration statement, which shall be required.

(5). Filing of a Vacancy Decontrol Application/Noncoercion Certificate
When any apartment unit is decontrolled under this article, the landlord shall file an application, provided by the Rent Leveling Board Secretary, including a filing fee in the amount of $50, indicating the name of the vacating tenant, the existing rental, the name of the new tenant, the new rental and the effective date of the new rental.

(6) If the Board Secretary and/or the Rent Leveling Board determine the above reference certification is materially false, the Secretary and/or Board shall notify the landlord that the landlord has 20 calendar days of such notification to provide further clarifying evidence as to why the certification is not materially false. If clarifying evidence is not timely filed, the Rent Board shall conduct a hearing within 30 calendar days of the receipt of the clarifying evidence. If the Board sustains the initial determination that the certification is materially false as to a unit that is vacant at the time of determination, the

landlord shall forfeit the landlord's right to the vacancy decontrol allowance for the unit for a period of five years from the sustaining determination. If the Board sustains the determination that the certification is materially false as to a unit that is already occupied by a tenant with a vacancy decontrol allowance at the time of the determination the rent for said tenant shall be rolled back to the rent in effect prior to the vacancy decontrolled rent, any rent overage shall be refunded or credited to the tenant and the landlord shall forfeit its right to the vacancy decontrol allowance for the unit for a period of five years from the date of the sustaining determination. If such a determination is made, the landlord will still be entitled to the annual increase permitted under this chapter as required by State law.

(7) If a landlord is permitted a vacancy decontrol allowance, the three-year period runs from the effective date of the vacancy allowance.

(8) The Rent Leveling Board shall submit yearly reports to the Board of Commissioners summarizing the number of apartments vacated during each year and the difference, if any, between the permissible rent increases under the other provisions of this chapter compared to the increases in rent due to the application of this section. Such yearly reports shall also include the statement of the number of complaints received by the board with respect to alleged coercion by the landlords for the purpose of forcing tenants to vacate apartments.

(9) Any landlord who is the owner of the property within the Township of Lyndhurst which is affected by provisions of this Rent Leveling Ordinance shall file with the Rent Leveling Board on a yearly basis, no later than the 15th day of January, a written report on forms to be designated by the Rent Leveling Board, which report shall contain the following information:

1. All changes in occupancy of any rental unit in such property during the previous calendar year;
2. In the event of such changes in occupancy, the name or names of the former tenant, the names or names of the new tenant, the term of the new tenancy, the amount of the new rent on a monthly basis and the amount of the former rent on a monthly basis;
3. In the event of no change in occupancy, a statement to the effect.
4. In the event a landlord fails to file such reports, or in the event the landlord files a report which is knowingly or willfully false, such failure to file or filing such false report, shall be deemed a separate violation of this section, punishable pursuant to the provisions of this section.

(10) The Rent Leveling Board shall appoint a person annually to serve as an enforcement officer. The enforcement officer shall have the power to enforce this section by issuing complaints in the municipal court for violation of this section. The board shall give both landlord and tenant reasonable opportunity to be heard before making any determination as to the issuance of a complaint in the township municipal court. The enforcement officer shall make initial investigations as to all violations of this section, reporting the same back to the board for action. The enforcement officer shall have such other and further duties as may be determined by the Rent Leveling Board.

[Deleted provisions indicated by ~~strikeout~~; new provisions indicated by <u>underline</u>]

SECTION 2.

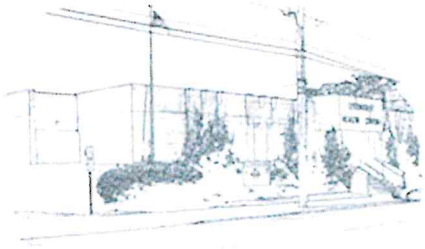
All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3.

If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable by any court, the findings or judgements of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 4.

This Ordinance shall become effective twenty (20) days after adoption and publication according to law.



RENT LEVEING BOARD
TOWNSHIP OF LYNDHURST

VACANCY DECONTROL APPLICATION

There is a filing fee of $50.00 for each Vacancy Decontrol submitted

Mailing Address of Owner/Agent:

Name: _____

Street / Apt. Number: _____

City: _____

State, Zip Code: _____

Telephone Number: ( ) _____

Email Address: _____

Vacating Unit Information:

Name: _____

Street / Apt. Number: _____

City: _____

State, Zip Code: _____

1. The date the above-described housing accommodation

   became vacant on: _____/_____/_____.
   Month Day Year

2. The maximum rent for the housing accommodation in effect

   immediately prior to the vacancy was $ _____ a month.

3. The name and current address of the last tenant prior to the

   above-described vacancy was _____.
   Print full name along with mailing address of the vacation tenant

4. The name of the first tenant after the vacancy is

   _____
   Print or type full name of New Tenant

5. The date the new tenant took occupancy: _____/_____/_____.
   Month Day Year

6. The rental agreement with the new tenant provides for a rent of

   $_____ a month.

Landlord Voluntary Vacancy Certification

I, _____, hereby certify that I am the owner/landlord/authorized agent of the rental property located at _____ in Lyndhurst and that the vacancy of Unit at said property was voluntarily vacated as indicated below and that I have not committed or caused to be done any harassment, intimidation or other similar action to a tenant with the intent to have a tenant vacate the rental unit, any reduction by the landlord in services which causes the tenant to vacate the premises any vacation of the premises which is coerced; or any failure to file certifications and/or affidavits when required under the Township of Lyndhurst Rent Control Ordinance for the purpose of obtaining a vacancy decontrol, unless excused for good cause, provided, however, that this provision shall not limit a landlord or his agent from any act specifically authorized under the laws of the State of New Jersey.

[ ] Vacancy was accomplished by a legal process of law identified by Court Docket Number _____ Date of Hearing _____.
Attached are the copies of the warrant for removal and judgement for possession in the above referenced Court proceeding.[1]

[ ] Vacancy was accomplished by the willful abandonment by former tenant.

[ ] Vacancy was accomplished by the willful abandonment by former tenant without prior notice to the Landlord.

THE FOREGOING STATEMENTS ARE MADE BY THE UNDERSIGNED UNDER OATH AND WITH FULL KNOWLEDGE THAT IF ANY OF THE SAME IS A WILLFUL MISSTATEMENT OF FACT; THE PENALTIES PROVIDED BY LAW FOR PERJURY SHALL APPLY.

DATED: _____

OWNER/LANDLORD/AUTHORIZED AGENT: _____

[1] A landlord is not required to obtain a tenant's signature in the event a tenant vacates a unit pursuant to a lawful Court ordered eviction proceeding.

Tenant Voluntary Vacancy Certification

I, _____, hereby certify that I am the vacating tenant of the rental property located at _____
in Lyndhurst and that the vacancy of Unit at said property was voluntarily vacated as indicated below and that I have not been harassed, intimated or coerced by the Landlord and / or its agents with the intent to have myself vacate the rental unit or received a reduction by the landlord in services which caused myself to vacate the premises. Vacancy was accomplished by my own willful abandonment.

THE FOREGOING STATEMENTS ARE MADE BY THE UNDERSIGNED UNDER OATH AND WITH FULL KNOWLEDGE THAT IF ANY OF THE SAME IS A WILLFUL MISSTATEMENT OF FACT; THE PENALTIES PROVIDED BY LAW FOR PERJURY SHALL APPLY.

DATE: _____

VACATING TENANT: _____

VACATING TENANT EMAIL ADDRESS: _____

VACATING TENANT MAILING ADDRESS: _____

Landlord Certification for Noncompliant Tenant

The above-mentioned vacating tenant has refused to sign the Tenant Voluntary Vacancy Certification. I am requesting a hearing before the Rent Leveling Board to establish that the Tenant vacated the premises through his/her own willful abandonment and his/her refusal to sign the Tenant Voluntary Vacancy Certification is unwarranted.

THE FOREGOING STATEMENTS ARE MADE BY THE UNDERSIGNED UNDER OATH AND WITH FULL KNOWLEDGE THAT IF ANY OF THE SAME IS A WILLFULL MISTATEMENT OF FACT; THE PENALTIES PROVIDED BY LAW FOR PERJURY SHALL APPLY.

DATE: _____

OWNER/LANDLORD/AUTHORIZED AGENT: _____

Intro - 2

ORDINACE NO. 3280-26

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST, SO AS TO REINSTATE THE POSITION OF "ASSISTANT DPW SUPERINTENDENT"

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

SECTION 1. ADMINISTRATIVE OFFICES, shall be and is hereby amended as follows:

Assistant DPW Superintendent.

a. *Reinstate.* There is hereby reinstated the office of "Assistant DPW Superintendent" for the Township. The Assistant DPW Superintendent shall be appointed by the Commissioner of Public Works and assigned to the Department under which the Commissioner is the Director.

b. *Powers and Duties:* The Assistant DPW Superintendent shall work closely with the Superintendent of Public Works and shall be responsible to act on their behalf during his/her absence. Duties include, but are not limited to, supervising and working with Township Engineer and/or employees engaging in the construction, operation, maintenance, and repair of multiple public works facilities such as streets, sewers or water service, sanitation, sewage or water treatment plants, activities assigned to Public Works department, and any other general duties as required. Compensation for this position shall be established by the applicable Township salary ordinance.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgements of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 4. This Ordinance shall become effective twenty (20) days after adoption and publication according to law.

Intro - 3

ORDINANCE NO. 3281-26

AN ORDINANCE AMENDING ORDINANCE ANNUAL SALARIES, HOURLY RATES AND OTHER FORMS OF COMPENSATION TO BE PAID TO OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LYNDHURST NOT BELONGING TO A COLLECTIVE BARGAINING UNIT AND AMENDING ORINANCE NO. 3260-26 AND ORDINANCE NO. 3270-26

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, State of New Jersey that the Board wishes to amend, review and supplement certain provisions of Ordinance 3260-26 and Ordinance 3270-26 as follows:

DEPARTMENT	POSITION	MAX SALARY 12/1/2026	MAX SALARY 1/1/2027
PUBLIC WORKS	ASSISTANT SUPERINTENDENT	$110,000.00	113,850.00

NOW, THEREFORE, BE IT FUTHER ORDAINDED that:

1. All other provisions of Ordinance No. 3260-26 and Ordinance No. 3270-26 not amended, revised and/or supplemented by this Ordinance shall remain in full force and effect as they exist in Ordinance 3260-26, 3270-26.
2. Longevity, if and where applicable, and in accordance with the Employee Manual/Handbook, applicable employment agreement and/or contract and other Township Ordinance is included in the salaries set forth herein.
3. The schedule of salaries, by title, are hereby incorporated by reference and are on file in the office of Revenue and Finance and the Office of the Township Clerk
4. All ordinances or parts of ordinance which are inconsistent with the provisions of this Ordinance shall be repealed as to their inconsistencies only.
5. The above position shall be included in the annual budget of the Township. All appointments are subject to certification of funds by the Township's Chief Financial Officer.
6. The appointment and office holder of the above position is hereby confirmed to the extent that such is required by law.
7. This Ordinance shall take effect after passage and publication under law.

Intro-4

ORDINANCE NO. 3282-26

AN ORDINANCE TO AMEND CHAPTER VIIA "PARKING PERMITS AND PARKING LOTS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST, SCHEDULE A, "RESIDENT PERMIT PARKING", SO AS TO ADD CERTAIN TOWNSHIP STREETS

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

SECTION 1. Chapter VIIA, "Parking Permits and Parking Lots", Schedule A, is hereby amended under Section 7A-2, by adding sections of Township streets in Zone 1 as follows:

Street	*Location*	*Hours*
Tontine Avenue	Pine Street to Riverside Avenue	9:00 a.m. to 5:00 p.m. Monday through Friday excluding Saturday, Sunday and holidays. 10:00 p.m. to 3:00 a.m. Monday through Friday including Saturday, Sunday and holidays.
Travers Place	Valley Brook Avenue to Tontine Avenue	9:00 a.m. to 5:00 p.m. Monday through Friday excluding Saturday, Sunday and holidays. 10:00 p.m. to 3:00 a.m. Monday through Friday including Saturday, Sunday and holidays.
Valley Brook Avenue	Stuyvesant Avenue to Riverside Avenue	9:00 a.m. to 5:00 p.m. Monday through Friday excluding Saturday, Sunday and holidays. 10:00 p.m. to 3:00 a.m. Monday through Friday including Saturday, Sunday and holidays.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any part, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 4. This Ordinance shall become effective twenty (20) days after adoption and publication according to law.

Intro -5

ORDINANCE NO. 3283-26

AN ORDINANCE TO AMEND CHAPTER VII (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST, SCHEDULE III "ROUTE FOR TRUCKS OVER FOUR TONS", SO AS TO REVISE SCHEDULE III THEREOF TO IDENTIFY REVISED ROUTES FOR TRUCKS OVER FOUR TONS

BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, New Jersey, as follows:

SECTION 1. Chapter VII, "Traffic", Schedule III, "Route for Trucks Over Four Tons" under Section 7.1-3 is hereby amended to revise the routes for Polito Avenue, Valley Brook Avenue, and Wall Street West, and remove Chubb Avenue as a permitted route, as follows:

Name of Street	***Location***
REVISE:	
Polito Avenue	From Rutherford Avenue to Wall Street West (except for, and permitting heavy truck traffic serving Buildings located on Polito Avenue between Wall Street West and Valley Brook)
Wall Street West	From Polito Avenue to Clay Avenue
Valley Brook Avenue	From Clay Avenue to Terminus
REMOVE:	
Chubb Avenue	Entire Length

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent so inconsistent.

SECTION 3. If any part, sections, provisions, or the total of an of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable in the State of New Jersey, that the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 4. This Ordinance shall become effective twenty (20) days after adoption and publication according to law.

Intro - 6

Note: Underline denotes proposed new language; ~~strikethrough~~ denotes proposed deleted language.

TOWNSHIP OF LYNDHURST
COUNTY OF BERGEN
STATE OF NEW JERSEY
ORDINANCE NO. 3284-26

AN ORDINANCE TO AMEND CHAPTER XI (FIRE PREVENTION) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF LYNDHURST

WHEREAS, pursuant to N.J.S.A. 40:48-1 and N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal and enforce such ordinances, regulations, rules and by-laws not contrary to the laws of this State and/or of the United States, as it may deem necessary and proper for the good of government, order, and protection of person and property and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and,

WHEREAS, the Township has determined that it is necessary to update the provisions of Chapter XI regarding non-life hazard uses to reflect amendments to the New Jersey Uniform Fire Code and P.L. 2019, c.202 establishing a tiered inspection schedule for multiple dwellings as well as other modifications as requested by the State of New Jersey.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, State of New Jersey that the Revised General Ordinances of the Township of Lyndhurst be amended as to Chapter XI, entitled "Fire Prevention", as follows:

Chapter XI – Fire Prevention

§ 11-1.1 Definitions.

As used in this chapter: All technical words and terms shall have the same meaning given to them in the New Jersey Uniform Fire Code, N.J.A.C. 5:70-1.1, et seq., and the International Fire Code, Section 101, et seq. Whenever the word municipality is used in the Fire Prevention Code or the New Jersey Uniform Fire Code, it shall be held to mean the Township of Lyndhurst.

§ 11-1.2 Adoption of New Jersey Uniform Fire Code and International Fire Code.

~~The Township of Lyndhurst Bureau of Fire Safety shall adopt and enforce the New Jersey Uniform Fire Safety Act, as amended, the New Jersey Uniform Fire Code, as amended, and the International Fire Code, as amended, and all regulations adopted therein, in all buildings, structures and premises within the boundaries of the Township of Lyndhurst, other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of both the Act and the Codes.~~ The Township of Lyndhurst Bureau of Fire Safety shall enforce the New Jersey Uniform Fire Safety Act, as amended, and the New Jersey Uniform Fire Code, as amended, and all regulations adopted therein, in all buildings, structures and premises within the established boundaries of the Township of Lyndhurst, other than owner-occupied one- and two-family dwellings, buildings owned or operated by the Federal Government, State of New Jersey, County of Bergen, or interstate agencies, and shall faithfully comply with the requirements of both the Act and the code.

§ 11-1.3 Intent: Bureau of Fire Prevention.

It is the intention and purpose of this chapter to incorporate by reference the Fire Prevention Code recommended by the International Code Council (ICC).

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

a. The Bureau of Fire Prevention in the township fire department is established and shall be operated under the supervision of the fire official.

b. The fire official shall be the chief of the bureau of fire prevention and shall be appointed by the director of public safety.

c. The fire official shall recommend to the director of public safety the employment of technical advisors, such as building, plumbing and electrical inspectors when deemed necessary.

§ 11-1.4 Amendments to the Fire Prevention Code.

a. Fire Hydrants.

1. All fire hydrants shall be kept clear on the curb side of the hydrants. No encumbrances such as refuse, flowers, hedges or trees shall be maintained within eight feet of either side of the hydrant. Private property owners shall not move snow to, or pile snow, within five feet of fire hydrants at the curb or street edge abutting private property.

2. Occupants of abutting property (see 31.01) shall remove snow from this hydrant as per 31.01.

3. All fire hydrants on Business or Industrial Properties shall be maintained by the owner or tenant, subject to inspection and approval of the Fire Prevention Bureau.

4. No fire hydrant on private property shall be shut down, without notification to the Fire Department.

b. Parking Prohibitions for Fire Zones and Lanes.

1. Parking shall be prohibited at all times in the Fire Zones and Lanes designated in Schedule A.

2. The fine for violation of parking in fire zones or lanes shall be $35.

c. Key Box Rapid Entry System.

1. Key Boxes Required. The Fire Official shall require a key box to be installed in an accessible location where immediate access is necessary to verify the existence of a fire or other emergency in these buildings equipped with or required to be equipped with, fire detection or fire suppression systems or equipment.

2. Type, Contents, Installation. The key box shall be of a type approved by the Fire Official; shall contain keys to gain necessary access as required by the Fire Official, and shall be installed in a manner approved by the Fire Official. The Fire Official shall require a key box tamper switch connected to the building's fire alarm system.

3. FDC CAPS. FDC CAPS shall be required to be installed on all Fire Department Sprinkler connections, and Fire Department Stand pipes.

4. Penalties. Any building owner violating the requirements of this subsection 11-1.4, after receiving due notice by the Fire Official shall be subject to a fine up to $500.

§ 11-1.5 Modifications.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

The bureau of fire prevention shall have the power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modifications when granted or allowed and the decision of the bureau of fire prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

§ 11-1.6 Establishment of Limits of Districts in Which Storage of Flammable Liquids in Outside Above Ground Storage Tanks Is to Be Prohibited.

a. The limits referred to in the Fire Prevention Code in which storage of flammable liquids in outside above ground tanks is prohibited, are hereby established as follows: Districts "A," "B," "C," Residential; Business; Light Manufacturing and C-G1 Zones as shown in the Zoning Ordinance.

b. The limits referred to in the Fire Prevention Code in which new bulk plants for flammable liquids are prohibited, are hereby established as follows: Districts "A," "B," "C," Residential; Business; Light Manufacturing and C-G1 Zones as shown in the Zoning Ordinance.

§ 11-1.7 Establishment of Limits of Districts in Which Bulk Storage of Liquefied Petroleum Gases Is to Be Restricted.

The limits referred to in the Fire Prevention Code in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: Districts "A," "B," "C," Residential; Business; and Light Manufacturing and C-G1 zones as shown in the Zoning Ordinance.

§ 11-1.8 New Materials, Processes or Occupancies Which May Require Permits.

The director of public safety, the chief of the fire department and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the code. The chief of the bureau of fire prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

§ 11-1.9 Penalties for Violations.

Any person who shall violate any of the provisions of the Fire Prevention Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder, shall severally and for each and every such violation and noncompliance respectively, be subject to a penalty as stated in Chapter 3, § 3-1. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of the above penalties shall not hold to prevent the enforced removal of prohibited conditions.

§ 11-1.10 Fees for Issuance of a Certificate of Fire Code Status.

The fee for issuance of a certificate of fire code status shall be $50.

§ 11-2. TAX LIENS ON FIRE DAMAGED PROPERTIES.

§ 11-2.1 Payment by Insurance Companies.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

Every insurance company is prohibited from paying an insured, any claim in excess of $2,500 for fire damages on any real property located within the township pursuant to any fire insurance policy issued or renewed after the effective date of this section and after the filing of this section with the state commissioner of insurance, until such time as the insured person submits an official certificate of search for municipal liens pursuant to N.J.S.A. 54:5-12 certifying that all taxes, assessments or other municipal liens or charges, levied and assessed, and due and payable, against the insured property have been paid either by the owner of such real property, or by the insurance company pursuant to subsection 11-2.2, or the township submits a certified copy of a resolution adopted pursuant to subsection 11-2.2. The official certificate of search may be altered, by the bonded official responsible for preparing such certificates, in order to correct any errors or omissions or to add any municipal liens or related charges due and payable subsequent to the preparation of the official certificate.

§ 11-2.2 Resolution of the Board of Commissioners.

Unless the resolution, referred to in subsection 11-2.1 above, is received by an insurance company pursuant to subsection 11-2.3, an insurance company is hereby authorized and required, prior to the payment of any claims for fire damages in excess of $2,500 to pay to the township the amount of the liens appearing on the official certificate and such other recorded liens or related charges as may be certified to the insurance company; provided, however, that if an appeal is taken on the amount of the lien or charge, other than an appeal on the assessed valuation or real property pursuant to N.J.S.A. 54:3-21, the insurance company shall withhold 75% of the full amount of the lien or charge contested, pending termination of all proceedings, at which time such moneys and all interest accruing thereon at a rate paid on interest bearing accounts in banking institutions or savings and loan associations in the state, shall be disbursed in accordance with the final order or judgment of the court.

§ 11-2.3 Agreement with Owner.

The board of commissioners may enter into, or may authorize the tax collector by resolution to enter into agreement with the owners of any fire damaged property to pay in full all delinquent taxes, assessments or other municipal liens by installments pursuant to N.J.S.A. 54:5-19, or for redemption of the tax sale lien by installment payments pursuant to Article 7 of Chapter 5 of Title 54 of N.J.S.A., if the board of commissioners is satisfied that the claim for fire damages is to be used to restore or improve the fire damaged property. An insurance company receiving a certified copy of such resolution adopted by the board of commissioners is authorized to make full payment on the claim to the insured person.

§ 11-3. ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM FIRE SAFETY CODE.

§ 11-3.1 Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), the New Jersey Uniform Fire Code ~~(N.J.A.C. 5:70.1 et seq.)~~ (N.J.A.C. 5:70-1.1 et seq.) shall be locally enforced in the Township of Lyndhurst.

§ 11-3.2 Agency Designation.

The local enforcing agency shall be the bureau of fire prevention.

§ 11-3.3 Duties.

a. The local enforcing agency shall enforce the Uniform Fire Code in all buildings, structures and premises within the established boundaries of the Township of Lyndhurst other than one and two unit owner-occupied dwellings used exclusively for dwelling purposes and buildings, structures and premises owned or operated by the Federal Government, Interstate Agencies of the State of New Jersey.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

b. The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 11-3.4 Organization.

a. The bureau of fire prevention, designated by subsection 11-3.2 of this section as the local enforcing agency, shall be part of the department of public safety and shall be under direct supervision and control of the director of public safety.

b. The local enforcing agency shall have no more than one part-time paid fire official and not more than three part-time paid fire inspectors.

§ 11-3.5 Appointments, Qualifications, Term of Office, Removal.

a. Creation, Appointment and Qualifications of Fire Official. There is hereby created the part-time paid position of fire official. The fire official shall be certified by the State of New Jersey and appointed by the commissioner of public safety, whose sole discretion exists as to the appointment.

b. Appointment and Qualifications of Fire Inspectors. There is hereby created the part-time paid position of fire inspector. In addition to the fire official, there shall be up to three part-time paid fire inspectors appointed. All fire inspectors shall have the appropriate certifications from the state. Any such fire inspectors shall be appointed by the commissioner of public safety.

c. Fire Official and Fire Inspector Positions Salary and Benefits. The positions of fire official and fire inspector created by this section are part-time positions. Individuals appointed to these positions are not entitled to any health, dental, medical and/or any other fringe benefits. There shall be up to one part-time fire official appointed and up to three part-time fire inspectors appointed. ~~The total combined salary for all of these positions shall not exceed $1,200 per week.~~ The individuals appointed to these positions shall only be paid for work actually performed. In any week where no work is performed by the fire official and/or fire inspector(s), they shall not be paid.

d. Appointment of Legal Counsel. The township attorney or other assigned township attorney shall be appointed as legal counsel to assist the agency in enforcing the Uniform Fire Code.

e. Term of Office. The fire official and fire inspectors shall serve at the pleasure of the commissioner of public safety. Any vacancy shall be filled for the unexpired term.

f. Removal from Office. The fire official, fire inspectors and any other employees of the local enforcing agency shall be subject to removal by the commissioner of public safety for any reason which does not violate federal, state or local laws. Before removal from office, all persons shall be afforded an opportunity to be heard by the governing body or a hearing officer designated by the governing body.

§ 11-3.6 Life Hazard Uses.

The Lyndhurst Fire Department, designated by subsection 11-3.2 of this section as the local enforcing agency, shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

§ 11-3.7 Non-Life Hazard Uses.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

~~In addition to the registrations, inspections and fees required by the Uniform Fire Code, non-life hazard uses shall register with the bureau of fire prevention. Those uses shall be inspected once per year and pay an annual fee as set forth in subsection 11-3.11 below.~~

In addition to the registrations, inspections and fees required by the Uniform Fire Code, non-life hazard uses shall register with the bureau of fire prevention. Those uses shall be inspected once per every other year and pay an annual fee as set forth in subsection 11-3.11 below. Except, R-2 living spaces inspections, shall be on the same inspections cycle as BHI required inspections.

Tiered Inspections. P.L. 2019, c.202 established a tiered inspection schedule for multiple dwellings. This cyclical inspections shall occur as follows:

(1) Inspections every seven (7) years for multiple dwellings where no violations are found or where all violations have been abated by the first reinspection.

(2) Inspections every five (5) years for multiple dwellings where all violations have been abated by the second or third reinspection.

(3) Inspections every two (2) years for multiple dwellings where all violations have not been abated by the third reinspection.

(4) Common area inspections of R-2 shall be inspected on a biannual basis.

(5) The Department of Fire Safety shall try to conduct inspections of Multiple dwelling units with the Department of Community Affairs Bureau of Housing when feasible.

§ 11-3.8 Permits and Certificate of Fire Code Status.

a. ~~The application fees for the permits listed in N.J.A.C. 5:70-2.7 shall be as provided by state regulation (N.J.A.C. 5:70-2.9). Those fees are currently as follows: Type 1 $54 Type 2 $214 Type 3 $427 Type 4 $641 (There shall be no fee for Type 4 permits for storage or activity at a premises registered as a life hazard use) Type 5 (Reserved) The above-listed fees shall reflect the fees as set forth in the state regulations. If the fees are increased in the regulation, the fees listed above shall automatically increase in the same amount.~~ The application fee for the permits listed in N.J.A.C. 5:70-2.7 shall be the amount as provided by the current state regulation in effect and as set forth pursuant to N.J.A.C. 5:70-2.9.

b. The cost of the issuance of a certificate of fire code status shall be $50.

§ 11-3.9 Board of Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcing agency shall have the right to appeal to the Construction Board of Appeals of Bergen County.

§ 11-3.10 Enforcement, Violations and Penalties.

Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

§ 11-3.11 Additional Required Inspection and Fees (Non-Life Hazard Uses).

a. Fees.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

1. Use Group R-2 (multiple dwellings and mixed use with any residential use):

(a) One to two dwelling units: $50.

(b) Three to 10 dwelling units: $90.

(c) Eleven to 20 units: $150.

(d) Twenty-one to 30 units: $200.

(e) Thirty-one to 40 units: $250.

(f) Forty-one to 50 units: $300.

(g) Plus $10 per unit above 50 units.

2. Use groups A (Assembly), B (Business), E (Educational), F (Factory/Industrial), I (Institutional), M (Mercantile) and S (Storage/Warehouse) based upon the gross floor area of building or tenant space:

(a) ~~Up to 3,000 square feet: $90.~~ Up to 2,999 square feet: $90.

(b) 3,000 square feet and greater: $90 and $19 for every additional 1,000 square feet or part thereof. (See attached Fee Computation Chart.)

3. Use Group H (not life hazard use): $500.

4. Use Group T (Temporary structure): $150. A temporary structure shall mean a building, tent, or membrane structure, generally erected for fewer than 180 days, used for short-term purposes such as for construction sites, seasonal storage, and/or events. These structures often lack permanent foundations, must be safely anchored, and can be restricted in height (e.g., 15 ft) and size.

5. Owners of non-owner occupied structures, including vacant structures, of all Use Groups, excepting R-2, shall register with the bureau of fire safety and pay an annual registration fee of $50.

b. Additional Fees.

1. Copies of all fire incident reports: $35.

2. Copies of all photographs of a fire incident: $5 per photograph.

c. Exemptions from Fees.

1. Nonprofit, charitable and service organizations;

2. Governmental agencies, including the board of education.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

Fee Computation Chart (Use Groups A, B, E, I, M, S & F)

Up to 3,000	**$90**
3,001 to 4,000	$109
4,001 to 5,000	$128
5,001 to 6,000	$147
6,001 to 7,000	$166
7,001 to 8,000	$185
8,001 to 9,000	$204
9,001 to 10,000	$223
10,001 to 11,000	$242
11,001 to 12,000	$261
12,001 to 13,000	$280
13,001 to 14,000	$299
14,001 to 15,000	$318

§ 11-3.12 Fire Watches.

a. Request or Order for Fire Watch.

1. A request for a fire watch shall be made in writing to the Fire Official at least 10 days prior to an event where practicable, unless an emergent situation is present.

2. The Fire Official shall have the authority to order a fire watch for an emergent situation or for an event for which the Fire Official determines a fire watch is necessary.

b. Conditions of Employment of Fire Watch Personnel. All fire prevention officers or firefighters of the Township as fire watch personnel shall be treated as employees of the Township provided, however, that wages earned for such employment shall not be applied toward the pension benefits of regular full-time Township employees serving as fire watch personnel, and all hours worked in such employment shall not be compensable as overtime.

c. Assignment of Fire Watch Personnel. The Fire Official shall determine the number of personnel necessary for each event or emergent situation for which a fire watch is required. The fire watch personnel shall be selected from employees serving in the Township's Bureau of Fire Prevention, or members of the Fire Department.

d. Payment for Fire Watch Services by Property Owners.

1. Compensation for each employee assigned to the fire watch: $45 per hour.

2. Administrative fee: $50.00

3. Payments for a non-emergent fire watch shall be made in advance in accordance with a statement issued by the Township. The statement shall include the administrative fee and an estimate of compensation to be paid to employees. If the actual amount of compensation to employees exceeds the estimate, a supplemental statement shall be issued by the Township. If the estimate exceeds the actual amount of compensation to employees, the property owner shall be reimbursed for the overpayment.

4. Payments to fire watch personnel shall be made after receipt by the Township of vouchers properly executed and documented by such personnel, and approved by such personnel's supervising officer, if applicable.

5. The Fire Official shall have the discretion to waive payment for a fire watch in appropriate circumstances.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

§ 11-3.13 Mobile Food Vehicle Safety.

a. Definitions. As used in this subsection:

FOOD CART shall mean a cart or other movable device used on the public sidewalks or in public places or roadways, which uses propane or similar fuel for its operation, and is not licensed as a food truck or food trailer.
FOOD TRAILER shall mean a non-motorized vehicle designed to be towed by a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.
FOOD TRUCK shall mean a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed or portioned for sale or distribution.
FOOD VEHICLE shall mean a food truck, food trailer or food cart.
FOOD VENDOR or VENDOR shall mean the owner, owner's agent or representative, or operator of a food vehicle.
SPECIAL EVENT shall mean a private or public sporting, cultural, business, charitable or other type of unique activity, including but not limited to, a party, celebration, fair, festival, fundraiser, promotion, show, concert, presentation, entertainment or film production, occurring for a limited or fixed duration.

b. Inspection Required.

1. No food vehicle shall be operated without first having filed an application for an inspection which has been approved by the Bureau of Fire Prevention.

2. The Bureau of Fire Prevention shall issue a checklist containing the specific requirements for approval of an application for an inspection. The checklist shall be made available to the public.

3. Nothing contained in this subsection shall limit the authority of the Bureau of Fire Prevention to inspect a food vehicle at any time to determine if it meets the specific requirements contained in the checklist.

c. Application for Annual Inspection: Certificate of Approval.

1. A food vendor shall apply to the Bureau of Fire Prevention for an inspection.

2. The application fee shall be $50. Payment of the fee shall be made at the time the application is filed.

3. If a vendor's application is denied for failure to satisfy inspection requirements, the vendor may file an application for a reinspection. No fee will be required for the first reinspection, provided that the application is filed within 30 days of the denial. An application fee shall be required for all other reinspections.

4. A certificate of approval shall be issued to a vendor whose application for an inspection has been approved by the Bureau of Fire Prevention. The certificate of approval shall be valid until December 31 of the year in which it was issued.

5. A certificate of approval shall be displayed prominently in or on the food vehicle.

6. An application for an inspection to renew a certificate of approval shall be filed with the application fee prior to December 31 of the year in which it was issued. A vendor will be entitled to continue the operation of a food vehicle during the period that a timely application for renewal is pending.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

d. Special Events.

1. A food vehicle for which an inspection is required shall not be operated at a special event unless an application for an inspection with the application fee is filed no later than 14 days before the event and a certificate of approval is issued before the day of the event.

2. The Bureau of Fire Prevention shall have the discretion to accept an application for an inspection for a special event that is filed later than 14 days before the event, provided that the vendor pays an additional late service fee of $50. The Bureau of Fire Prevention shall have the discretion to waive the late service fee in appropriate circumstances.

e. Checklist Requirements for Food Vehicle Inspection.

1. A vendor shall satisfy the following inspection requirements which shall appear on a checklist issued by the Bureau of Fire Prevention:

(a) Fire Extinguisher.

(1) The fire extinguisher required to be mounted in a food vehicle shall be an ABC type, minimum of one five lb. extinguisher.

(2) A K type of fire extinguisher shall be required and mounted in the food vehicle if the vendor is using any oils or anything that could cause a grease vapor.

(b) Hood Suppression System. A hood suppression system that meets or exceeds National Fire Protection Association standards for ventilation control and fire prevention (NFPA 96) shall be required for any food vehicle that creates or emits grease vapors.

(c) Propane Storage and Appliances.

(1) Propane hoses shall be free of leaks.

(2) Propane cylinders mounted on the outside of a food vehicle shall be placed and secured in a storage cabinet.

(3) A "no smoking" sign shall be prominently displayed in the area of propane cylinders.

(d) Generator.

(1) A generator shall be free of leaks or sparks emanating from the exhaust system.

(2) A generator shall discharge exhausts in a satisfactory manner.

(3) Exhausts shall not back up into the food vehicle.

(e) Smoke Detectors in Food Trucks.

(1) Smoke detectors shall be placed between the cooking area and the driver's cab.

(2) Smoke detectors shall be in operation while the food truck is in motion.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

(f) Carbon Monoxide (CO) Detectors in Food Trucks and Food Trailers.

(1) Food truck: The CO detector shall be mounted between the cooking area and driver's cab.

(2) Food trailer: The CO detector shall be mounted in the area where the generator is located.

(3) The CO detector shall be in operation at all times.

(g) Propane Gas Sensor.

(1) Food trucks and trailers: A propane gas sensor shall be mounted in the area of the propane cylinders and inside of the cooking area.

(2) Nothing contained in this subsection shall limit the authority of the Bureau of Fire Prevention to supplement checklist requirements in a particular case in the interest of public safety.

f. Violations.

1. Violation of any provision of this subsection shall, upon conviction thereof, be punished by a fine not to exceed $2,000, imprisonment for a term not to exceed 90 days, or community service for a period not to exceed 90 days, or any combination thereof, as determined by the Municipal Court of the Township.

2. Each day that a violation of this subsection exists shall be considered a separate offense, and shall be subject to a separate penalty for each day of the violation as determined by the Municipal Court of the Township.

§ 11-3.14 Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Secondary Power Source Identification Label Compliance (CSACMASPSIL).

a. Before any one- and two-family or attached single family structure is sold, leased, or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a certificate of smoke alarm, carbon monoxide alarm, compliance CSACMA, evidencing compliance with N.J.A.C. 5:70-4.19, from the appropriate enforcing agency.

b. The owner, or authorized agent of the owner, shall apply for a CSACMA on a form provided by the enforcing agency. The application shall be accompanied by the appropriate fee, as set forth below.

c. A CSACMA shall not be transferable. If the change of occupancy specified in the application for a CSACMA does not occur within six (6) months, a new application shall be required.

d. The enforcing agency may issue a CSACMA for a seasonal rental unit for a period of up to twelve (12) months, regardless of the number or frequency of changes in tenancy.

e. No CSACMA shall be issued until inspection of the structure indicates compliance with N.J.A.C. 5:70-4.19 and, where applicable, the secondary power source identification requirements imposed by applicable New Jersey law.

f. If the structure contains a secondary power source, including but not limited to a permanently installed generator, solar photovoltaic system, battery energy storage system, or other supplemental source of electrical energy, the owner shall install a secondary power source identification label within 18 inches of the main electrical panel and

within 18 inches of the electric meter, or in such other location as may be required by applicable New Jersey law or regulation.

g. The secondary power source identification label shall contain wording substantially similar to "CAUTION: MULTIPLE SOURCES OF POWER," shall not be handwritten, and shall otherwise conform to P.L. 2025, c.19, N.J.S.A. 52:27D-198.1 et seq., and any applicable regulations or guidance issued by the State of New Jersey.

h. The application fee for a certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance (CSACMA), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

1. Requests for a CSACMA received more than 10 business days prior to the change of occupant: $45.00;
2. Requests for a CSACMA received four to 10 business days prior to the change of occupant: $90.00; and
3. Requests for a CSACMA received fewer than four business days prior to the change of occupant: $161.00.

§ 11-4. IDENTIFICATION AND MARKING OF BUILDINGS OF TRUSS TYPE CONSTRUCTION.

§ 11-4.1 Purpose.

The purpose of this section is to identify and mark buildings of truss type construction in order to safeguard the occupants and emergency personnel in the event of fire or other hazardous conditions. The provisions of this section shall apply to the owner/occupant of any building or structure of truss type construction as determined by the fire official.

§ 11-4.2 Definitions.

BUILDING STRUCTURE shall mean used or intended for supporting or sheltering any and every use or occupancy educational, governmental, residential and any other place of public assembly. FIRE OFFICIAL shall mean the Township of Lyndhurst's fire official or his designated representative as defined by N.J.A.C. 5:70 Uniform Fire Code. OWNER shall mean any natural person, partnership, corporation, governmental agency or any other entity holding title to the property in question. TRUSS TYPE CONSTRUCTION shall mean a single plane framework of individual structural members connected at their ends to form a series of triangles to span a distance greater than would be possible with the individual members on their own.

§ 11-4.3 General Regulations.

a. The section shall be enforced by the fire official as required by the board of commissioners of the Township of Lyndhurst.

b. Upon inspection and identification of a building of truss type construction, the owner shall be notified by the fire official of the requirements of this section in accordance with the Uniform Fire Code of the State of New Jersey.

c. ~~Upon notification, the owner shall be required to permanently affix an approved 12 inch by 18 inch reflective truss construction identification logo on the building. The exact location shall be determined by the fire official. The identification logo shall be properly installed within 10 days of receipt of written notice. The initial identification logo will be supplied by the fire official's office.~~ Upon notification, the owner shall be required to permanently affix an approved 12 inch by 18 inch reflective truss construction identification logo on the building.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

The location of the identification logo shall be in accordance with N.J.A.C. 5:70-2.20(a)2. Placement of any additional signs, if required or desired, shall be determined by the fire official. The exact location shall be determined by the fire official. The identification logo shall be properly installed within 10 days of receipt of written notice. The initial identification logo will be supplied by the fire official's office.

d. The owner shall be required to maintain the identification logo at the designated location on the building. Missing or damaged identification logos shall be reported to the fire official immediately. Replacement shall be made within 10 days of written notice from the fire official.

§ 11-4.4 Fees.

a. One time registration fee shall be $75. b. Replacement logos shall be based on the current cost per unit. c. The board of commissioners by resolution may waive fees for nonprofit and charitable organizations.

§ 11-4.5 Penalties.

a. Penalties shall be assessed in accordance with the Uniform Fire Code, State of New Jersey N.J.A.C. 5:70, "Failure to Comply." b. Noncompliance, $100 per day in addition to initial penalty assessment.

§ 11-5. IDENTIFICATION AND MARKING OF BUILDINGS WITH PHOTOVOLTAIC (PV) SYSTEMS SOLAR PANELS.

§ 11-5.1 Purpose.

The purpose of this section is to identify and mark buildings with PV systems installed on roofs in order to safeguard the occupants and emergency personnel in the event of fire or other hazardous conditions. The provisions of this section shall apply to the owner/occupant of any building or structure of truss type construction as determined by the fire official.

§ 11-5.2 Definitions.

BUILDING STRUCTURE shall mean used or intended for supporting or sheltering any and every use or occupancy educational, governmental, residential and any other place of public assembly. FIRE OFFICIAL shall mean the Township of Lyndhurst's fire official or his designated representative as defined by N.J.A.C. 5:70 Uniform Fire Code. OWNER shall mean any natural person, partnership, corporation, governmental agency or any other entity holding title to the property in question. PHOTOVOLTAIC SYSTEMS shall mean systems which use solar panels to convert sunlight into electricity. A system is made up of one or more solar panels, usually a controller or power converter, and the interconnections and mounting for the other components. A small PV system may provide energy to a single consumer, or to an isolated device like a lamp or a weather instrument. Large grid-connected PV systems can provide the energy needed by many customers.

§ 11-5.3 General Regulations.

a. The section shall be enforced by the fire official as required by the board of commissioners of the Township of Lyndhurst.

b. Upon inspection and identification of a building upon which PV systems are installed, the owner shall be notified by the fire official of the requirements of this section in accordance with the Uniform Fire Code of the State of New Jersey.

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

c. ~~Upon notification, the owner shall be required to permanently affix an approved twelve inch by eighteen inch reflective PV system identification logo on the building. The exact location shall be determined by the fire official. The identification logo shall be properly installed within 10 days of receipt of written notice. The initial identification logo will be supplied by the fire official's office.~~ Upon notification, the owner shall be required to permanently affix an approved 12 inch by 18 inch reflective PV system identification logo on the building. The location of the identification logo shall be in accordance with N.J.A.C. 5:70-2.21(a)2. Placement of any additional signs, if required or desired, shall be determined by the fire official. The exact location shall be determined by the fire official. The identification logo shall be properly installed within 10 days of receipt of written notice. The initial identification logo will be supplied by the fire official's office.

d. The owner shall be required to maintain the identification logo at the designated location on the building. Missing or damaged identification logos shall be reported to the fire official immediately. Replacement shall be made within 10 days of written notice from the fire official.

§ 11-5.4 Fees.

a. One time registration fee shall be $75. b. Replacement logos shall be based on the current cost per unit. c. The board of commissioners by resolution may waive fees for nonprofit and charitable organizations.

§ 11-5.5 Penalties.

a. Penalties shall be assessed in accordance with the Uniform Fire Safety Code, State of New Jersey N.J.A.C. 5:70, "Failure to Comply." b. Noncompliance, $100 per day in addition to initial penalty assessment.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to the inconsistencies only.

SECTION 3. If any part, sections, provisions, or the total of any of the above-mentioned provisions of this Ordinance are held to be invalid or unenforceable in any court of competent jurisdiction, the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Township of Lyndhurst.

SECTION 4. This Ordinance shall become effective in accordance with applicable law.

ATTEST:

_____

Angela White, RMC Township Clerk

TOWNSHIP OF LYNDHURST, a municipal corporation of the State of New Jersey

_____

Robert B. Giangeruso, Mayor

Dated: _____

Note: Underline denotes proposed new language; strikethrough denotes proposed deleted language.

Vote on Introduction:

	Ayes	Nayes	Absent	Abstain
Commissioner De Marco				
Commissioner Jarvis, Sr.				
Commissioner Mateen				
Mayor Giangeruso				

Vote on Adoption:

	Ayes	Nayes	Absent	Abstain
Commissioner De Marco				
Commissioner Jarvis, Sr.				
Commissioner Mateen				
Mayor Giangeruso				

R-1

WHEREAS, the following organizations have applied for Raffle Licenses:

Italian American Club of Lyndhurst
730 5th Street
Lyndhurst, NJ 07071
On-Premise 50/50
On-Premise Raffle
Off-Premise 50/50
March 3, 2027

Our Lady of Mount Carmel Church
197 Kingsland Avenue
Lyndhurst, NJ 07071
Calendar Raffle
January 2026 to December 2026
(First Thursday of each month)

WHEREAS, all requirements of law have been complied with, therefore

BE IT RESOLVED, that the Township Clerk be authorized to issue said licenses to the above mentioned.

Adopted: October 13, 2026

OCTOBER 2026

R-2

BE IT RESOLVED, that the Tax Collector of the Department of Revenue and Finance is authorized to record, process and refund the below amounts:

PAYMENT TO:	*AMOUNT:*	*REASON FOR PAYMENT:*
JOSEPH GARCIA	*CANCEL TAXES 2026 3RD= $2,726.74 2026 4TH= $ 2726.74*	*100% VETERAN EXEMPT BL: 28 L: 26*
VERIZON- NEW JERSEY	*$ 69,001.44 REFUND*	*100% EXEMPT BLOCK 245 LOT 1*
POLITO ASSOCIATES LLC	*$ 65,423.30 REFUND*	*ASSESSMENT LOWERED BL: 226 L: 5.04*
CORELOGIC	*$ 2,974.70 REFUND*	*TAXES PAID TWICE BL: 38 L: 21*
WLIB TOWER LLC	*$ 45,730.00 REFUND*	*BERGEN COUNTY APPEAL BL: 233 L: 9*
TCTANJ	*$ 100.00*	*WEBINARS 9/25/26 & 10/8/26*
545 VALLEY BROOK AVE LLC	*$ 10,626.20*	*STATE COURT APPEAL 2023 BL: 89 L: 6*
CSMH, LLC	*$ 9,400.12*	*STATE COURT APPEAL 2025/2026 BL: 70 L: 14*

R-3

WHEREAS, there exists in the Township of Lyndhurst a need for the services of a Municipal Auditor, Risk Management Consultant, Grants Consultant, Website Management Consultant, Information Technology Consultant, Special Bond Counsel, Board of Adjustment Attorney and Planning Board Attorney; and

WHEREAS, such professional services involve qualified services and knowledge that specifications cannot reasonably be formulated and public biding is not feasible; and

WHEREAS, N.J.S.A:11-5(1)(a) of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, it has been determined that it is in the best interest of the Township that said professional consultants should be appointed under a fair and open process, pursuant to the New Jersey Local Unit Pay to Play law, N.J.S.A. 19:44A-20.4, et. seq. ("Pay to Play Law"); and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Lyndhurst, New Jersey, as follows:

1. For the reasons above stated, the Township Clerk is authorized to issue Requests for Qualifications ("RFQs"), for the professional consultant appointments described above, notice of which shall be publicly advertised as required in the Pay to Play Law.

2. The Mayor shall be authorized to appoint a committee not to exceed two (2) persons, which committee shall consist of Township Commissioners and/or officials, who shall review the responses submitted to the RFQs with respect to the professional consultant appointments, and make a determination whether there has been compliance with all specifications and requirements thereof, and make a recommendation for the appointment to the governing body.

3. Such appointments shall be subject to the preparation and execution of agreements, or memoranda of understanding.

4. A copy of this Resolution shall be published in the *Record Newspaper,* the official newspaper and on the Township of Lyndhurst's official website, within ten (10) days, according to law.

R-4

WHEREAS, there exists a need in the Township of Lyndhurst for contractors to provide mechanical services; and

WHEREAS, it is the intention of the Township of Lyndhurst to authorize the preparation and issuance of Requests for Qualifications for such mechanical services;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Lyndhurst prepare and issue Request for Qualifications for Landscaping Services for Abandoned Property and Such Real Property in Violation of the Property Maintenance Code.

R-5

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Susan Petrillo 219 New Street Lyndhurst, NJ 07071
PROJECT:	# 1070
AMOUNT:	$ 611.38
LOCATION:	219 NEW STREET

R-6

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Harsh Shah 32 Plafsky Drive Edison, NJ 08817
PROJECT:	# 1098
AMOUNT:	$ 648.50
LOCATION:	430 LEWANDOWSKI STREET

R-7

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Michael Schule 612 Third Street Lyndhurst, NJ 07071
PROJECT:	# 1125
AMOUNT:	$ 264.46
LOCATION:	612 THIRD STREET

R-8

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Carolee Pitaccio 230 Copeland Ave Lyndhurst, NJ 07071
PROJECT:	# 1129
AMOUNT:	$ 312.50
LOCATION:	230 COPELAND AVE

R-9

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Todor Donchev Todorov 352 Fourth Street Lyndhurst, NJ 07071
PROJECT:	# 1131
AMOUNT:	$ 150.00
LOCATION:	352 FOURTH STREET

R-10

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	James Calvello 118 Stuyvesant Avenue Lyndhurst, NJ 07071
PROJECT:	# 1109
AMOUNT:	$ 277.50
LOCATION:	118 STUYVESANT AVENUE

R-11

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Paula Tavares 351 Jauncey Avenue Lyndhurst, NJ 07071
PROJECT:	# 1148
AMOUNT:	$ 205.00
LOCATION:	351 JAUNCEY AVENUE

R-12

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Liberty Humane Society Inc. 555 Valley Brook Avenue Lyndhurst, NJ 07071
PROJECT:	# 1122
AMOUNT:	$ 860.00
LOCATION:	555 VALLEY BROOK AVENUE

R-13

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Ryan Adoni 354 Thomas Avenue Lyndhurst, NJ 07071
PROJECT:	# 1137
AMOUNT:	$ 258.74
LOCATION:	354 THOMAS AVENUE

R-14

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Eric Garcia 365 Roosevelt Avenue Lyndhurst, NJ 07071
PROJECT:	# 1149
AMOUNT:	$ 297.50
LOCATION:	365 ROOSEVELT AVENUE

R-15

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	John Montillo 404 Page Avenue Lyndhurst, NJ 07071
PROJECT:	# 1128
AMOUNT:	$ 272.50
LOCATION:	404 PAGE AVENUE

R-16

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Anthony Tinaj 251 Page Avenue Lyndhurst, NJ 07071
PROJECT:	# 1121
AMOUNT:	$ 261.38
LOCATION:	251 PAGE AVENUE

R-17

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	James & Janet Catanese 508 Page Avenue Lyndhurst, NJ 07071
PROJECT:	# 1132
AMOUNT:	$ 136.24
LOCATION:	508 PAGE AVENUE

R-18

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Jon Jamgochian 49 Summit Avenue Lyndhurst, NJ 07071
PROJECT:	# 1134
AMOUNT:	$ 260.50
LOCATION:	49 SUMMIT AVENUE

R-19

WHEREAS, a maternity leave of absence has been requested by Alissa Seibel, employee of the Building Department; and

WHEREAS, upon the recommendation of the Director of the Department of Public Affairs, this leave of absence be approved;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves and grants Alissa Seible a maternity leave of absence from January 4, 2027 through July 12, 2027.

Adopted: October 13, 2026

R-20

WHEREAS, the Township of Lyndhurst shall enter into an agreement for a Public Health Shared-Services Plan with the County of Bergen Health Services for a two-year term commencing January 1, 2027 and ending December 31, 2028.

R-21

RESOLUTION AUTHORIZING EXECUTION OF RETIREMENT SETTLEMENT AGREEMENT AND GENERAL RELEASE

WHEREAS, Sergeant Richard Pizzuti is a member of the Lyndhurst Township Police Department and shall be retiring from the Police Department, effective September 1, 2026; and

WHEREAS, Sergeant Richard Pizzuti and the Township of Lyndhurst wish to enter into an Agreement setting forth the Sergeant Richard Pizzuti's compensation as he retires regarding accumulated leave time and post-retirement issues.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, State of New Jersey that the Township enter into a Retirement Settlement Agreement and General Release with Sergeant Richard Pizzuti, a member of the Lyndhurst Township Police Department, which shall be effective September 1, 2026, which releases any and all claims and causes of action of Sergeant Richard Pizzuti against the Township of Lyndhurst and its officials, employees and agencies. The Township and Sergeant Pizzuti have entered into said agreement, a copy of which is attached and made part of this Resolution.

The Mayor and Township Clerk are hereby authorized to execute said Agreement on behalf of the Township.

R-22

WHEREAS, Michael Carrino presently serves in the capacity of the Chief of Police; and

WHEREAS, Ordinance No, 3265-26 established the annual salary of the Chief of Police; and

WHEREAS, it is necessary for and in the best interests of the Township to enter formal compensation/employment contract for that purpose with the Chief.

NOW, THEREFORE, BE IT RESOLVED that Commissioner Robert B. Giangeruso, Director of the Department of Public Safety, and the Township Clerk be authorized to execute the formal contract with the Chief of Police, Michael Carrino for the purposes described above.

R-23

WHEREAS, there exists in the Township of Lyndhurst a need for Electrician Services; and

WHERAS, Request for Qualifications were issued on July 9, 2026 for which responses were opened on July 21, 2026.

WHEREAS, it has been determined that it is in the best interest of the Township to reject the Requests for Qualifications and resubmit the Electrician Services as a good and services bid pursuant to Local Government Contract Law N.J.S.A. 40A:11-13.2(d).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Lyndhurst to reject the Requests for Qualifications and to substantially revise the specifications and resubmit the Electrician Services as a good and services bid pursuant to Local Government Contract Law N.J.S.A.440A:11-13.2(d), notice of which shall be publicly advertised as required by law.

R-24

WHEREAS, Justin Marmorato, 137 Forest Avenue, Lyndhurst, New Jersey has applied for membership to Valley Brook Engine Company #, Rescue Company #4 of the Lyndhurst Fire Department; and

WHEREAS, he completed the application process and has met the criteria to be a member of the Lyndhurst Fire Department.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Township of Lyndhurst has approved the membership of Justin Marmorato, Valley Brook Engine Company #1, Rescue Company #4 of the Lyndhurst Fire Department effective October 13, 2026.

R-25

TOWNSHIP OF LYNDHURST
NEW JERSEY

RESOLUTION AUTHORIZING THE PURCHASE OF AN 8'x4' DOUBLE SIDED LED ILLUMINATED SIGN CABINET FOR THE TOWNSHIP HALL AS A SHARED PURCHASE WITH THE LYNDHURST PUBLIC LIBRARY FOR AN AMOUNT OF $29,500.00 THROUGH THE BERGEN COUNTY COOPERATIVE PURCHASING CONTRACT # BC 24-38.

WHEREAS, the Township of Lyndhurst (the "Township") has the need for relaying public information to the community for emergency preparedness, community happenings and vital programs and services and;

WHEREAS, the Mayor & Board of Commissioners has determined a need for a 8'x4' double sided LED illuminated display cabinet to be added to the Township Hall's exterior for an amount of $29,500 as its share in a shared purchase agreement with the Lyndhurst Public Library.

WHEREAS, the Township is authorized to participate in cooperative purchasing programs pursuant to the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-10 et seq., and applicable regulations; and

WHEREAS, the Bergen County Cooperative Purchasing System has established cooperative purchasing contract BC-24-38 – Computer Equipment and Peripherals; and

WHEREAS, JCT Solutions, 36 Commerce Street, Springfield, NJ 07081 and 574 Summit Avenue Suite # 401, Jersey City, NJ 07306, is an approved vendor under Bergen County Cooperative Purchasing Contract No. BC-24-38; and

WHEREAS, the Municipality has received a proposal/quotation from JCT Solutions for the purchase and installation of an LED signboard in the total amount of Twenty-Nine Thousand Five Hundred Dollars ($29,500.00); and

WHEREAS, the Qualified Purchasing Agent has reviewed the proposed purchase and determined that the purchase may be made through the Bergen County Cooperative Purchasing System in accordance with the applicable provisions of the Local Public Contracts Law; and

WHEREAS, the Township has determined that purchasing the LED signboard through the Bergen County Cooperative Purchasing System is in the best interests of the Township and provides an efficient and cost-effective means of obtaining the required equipment; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase, subject to the appropriate budgetary and accounting requirements;

NOW THEREFORE BE IT RESOLVED that the Township of Lyndhurst authorizes the Purchase of the goods and services for the Township of Lyndhurst as described herein;

R-26

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Anthony Dacosta 259 Green Avenue Lyndhurst, NJ 07071
PROJECT:	# 1116
AMOUNT:	$ 225.00
LOCATION:	259 GREEN AVENUE

R-27

TOWNSHIP OF LYNDHURST
NEW JERSEY

RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2026 GMC T4C43 – CANYON CREW CAB PICKUP 4x4 – ELEVATION PACKAGE FOR THE DEPARTMENT OF PUBLIC WORKS FROM FRANK'S TRUCK CENTER, INC. IN AN AMOUNT NOT TO EXCEED $49,558.50 THROUGH ESCNJ CO-OP #65MCESCCPS CONTRACT #23/24-11

WHEREAS, the Township of Lyndhurst, through its Department of Public Works, has a need to purchase one 2026 GMC T4C43 – Canyon Crew Cab Pickup 4x4 – Elevation Package; and

WHEREAS, the Township of Lyndhurst is a member of the Educational Services Commission of New Jersey Cooperative Pricing System (ESCNJ) and may purchase vehicles under ESCNJ Contract No. 23/24-11 without separate public bidding by the Township; and

WHEREAS, the Township desires to purchase the following vehicle from Frank's Truck Center, Inc., 325 Orient Way, Lyndhurst, New Jersey 07071, under ESCNJ Contract No. 23/24-11:

Vehicle	Stock/VIN	Amount
2026 GMC T4C43 – Canyon Crew Cab Pick Up 4x4 – Elevation Package	VIN 1GTP2BEK4T1315736	$49,558.50

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Lyndhurst authorizes the purchase of the vehicle identified above from Frank's Truck Center, Inc. through ESCNJ Contract No. 23/24-11, in a total amount not to exceed $49,558.50.

Certification of Availability of Funds

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., and any other applicable requirement, I, Laurie Beaugrand, Assistant CFO of the Township of Lyndhurst, have ascertained that there are available sufficient uncommitted funds in the line item and in the amount specified below. I further certify that I will encumber these funds upon the passage of this resolution.

C-04-000-26-272-310	ORD 3242-26 Vehicles	NTE $49,558.50
Line Item	Description	Amount

Laurie Beaugrand, Assistant CFO — Date

R-28

BE IT RESOLVED, that the Director of the Department of Revenue and Finance be authorized to issue the return of escrow trust account balance for the following:

TO:	Frank Belgiovine 240 W. Passaic Street, #11 Maywood, NJ 07607
PROJECT:	# 1019
AMOUNT:	$ 2,426.50
LOCATION:	205-211 STUYVESANT AVENUE

R-29

TOWNSHIP OF LYNDHURST
NEW JERSEY

RESOLUTION AUTHORIZING THE PURCHASE OF PACKETALK PUBLIC SAFETY INTEROPERABILITY CAMERAS FOR THE LYNDHURST POLICE DEPARTMENT FOR AN AMOUNT NOT TO EXCEED $39,000.00

WHEREAS, the Township of Lyndhurst Police Department (the "Township") requires camera and surveillance equipment for the security, monitoring, protection, and operational needs of municipal facilities and/or public property; and

WHEREAS, the need for increasing coverage with its public safety camera system technology for the purposes of interoperability, homeland security and criminal investigations and;

WHEREAS, the Township currently utilizes a Packetalk camera and surveillance system, including existing cameras, recording equipment, software, network infrastructure, storage equipment, licenses, and related components; and

WHEREAS, the Municipality has determined that the proposed purchase of cameras and surveillance equipment from Packetalk utilizing the Packetalk PTZ IR 180 Degrees Cameras, model PT 8000-HD180 and Packetalk PT14000-ALPR4system is specialized in nature and necessary for the conduct of the Township's affairs; and

WHEREAS, the proposed equipment is specifically compatible with the Township's existing Packetalk camera and surveillance infrastructure, including the existing recording, monitoring, software, networking, storage, and/or management systems;

WHEREAS, the use of equipment from another manufacturer or an incompatible camera platform would require the Township to replace, modify, or substantially reconfigure existing equipment and infrastructure and could result in the loss of existing functionality, interoperability, centralized monitoring capability, system integration, training, technical support, and/or existing investment; and

WHEREAS, the Township has determined that maintaining compatibility and continuity with its existing camera and surveillance infrastructure is necessary to ensure reliable operation, centralized management, system interoperability, and effective security coverage of municipal facilities and public property; and

WHEREAS, pursuant to N.J.A.C. 5:34-9.1, proprietary goods may be designated as such when their specialized nature and necessity for the conduct of the contracting unit's affairs are supported by circumstances specific to the procurement; and

WHEREAS, the Township's Qualified Purchasing Agent has reviewed the proposed procurement and has determined that the proposed Packetalk equipment is proprietary and that the circumstances supporting the proprietary designation are specific to the Township's existing camera and surveillance infrastructure; and

WHEREAS, the governing body is authorized pursuant to N.J.S.A. 40A:11-13(d) to approve the use of proprietary goods when the resolution sets forth the reasons why such goods are specialized in nature and necessary for the conduct of the affairs of the contracting unit;

WHEREAS, the Chief of Police has determined a need for eleven (11) Packetalk PTZ IR 180 Degrees Cameras, model PT 8000-HD180, one (1) Packetalk PT14000-ALPR4 Bullet Camera for an amount not to exceed $39,000.00 to be added to the Township Police Department's current camera network.

NOW THEREFORE BE IT RESOLVED that the Township of Lyndhurst authorizes the Chief of Police to purchase the goods and services for the Township of Lyndhurst as described herein;

R-30

RESOLVED, that the Board of Commissioners of the Township of Lyndhurst enter into a Shared Services agreement with the County of Bergen for the 2026-2028 Snow Plowing/Salting Agreement.

R-31

TOWNSHIP OF LYNDHURST

NEW JERSEY

RESOLUTION AWARDING A CONTRACT FOR ELECTRICAL SERVICES TO KEANE ELECTRIC

WHEREAS, the Township of Lyndhurst (the "Township") determined that there was a need to solicit formal sealed bids for Electrical Services in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Township prepared specifications and publicly advertised for the receipt of sealed bids for the provision of Electrical Services in accordance with applicable law; and

WHEREAS, on October 6, 2026, the Township received four (4) sealed bids for Electrical Services, which were publicly opened and recorded in accordance with the applicable bidding procedures; and

WHEREAS, upon review and evaluation of the bids received, the Township determined that three (3) of the four (4) bids submitted were non-responsive to the requirements of the bid specifications and/or applicable bidding requirements, for the reasons documented in the Township's procurement records; and

WHEREAS, the bid submitted by Keane Electric was determined to be responsive to the bid specifications and applicable bidding requirements; and

WHEREAS, following review of the bid submission, pricing, and applicable responsibility requirements, Keane Electric was determined to be the lowest responsible and responsive bidder in accordance with the bid specifications and N.J.S.A. 40A:11-4; and

WHEREAS, the contract provides for an initial term of October 1, 2026, through September 30, 2028, with an option for a first renewal term of October 1, 2028, through September 30, 2030, and a second renewal term of October 1, 2030, through September 30, 2031, subject to the terms of the bid specifications and applicable law; and

WHEREAS, the contract award shall be based upon the pricing submitted by Keane Electric and the evaluation methodology established in the bid specifications, including the applicable labor rates, parts markup, and evaluated pricing for the initial term and available renewal terms; and

WHEREAS, the Township desires to award the contract to Keane Electric for Electrical Services in accordance with its submitted bid and the requirements of the bid specifications.

NOW, THEREFORE, BE IT RESOLVED the Township of Lyndhurst, New Jersey, as follows:

1. **Award of Contract.** The Township hereby awards a contract for Electrical Services to Keane Electric, having been determined to be the lowest responsible and responsive

bidder in accordance with the bid specifications and the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

2. **Contract Amount and Pricing.** The contract shall be awarded in accordance with the labor rates, parts markup, and other pricing submitted by Keane Electric in its bid. For evaluation purposes, the total evaluated contract price shall include the initial contract term and the available renewal terms, calculated in accordance with the bid specifications. The total evaluated contract price is $555,566. Actual payments shall be based on authorized services performed and materials supplied in accordance with the contract, subject to available appropriations and applicable law.

3. **Contract Term.** The initial contract term shall be October 1, 2026, through September 30, 2028. Any renewal shall be subject to the terms of the bid specifications, mutual agreement where required, governing-body authorization where required, and applicable law.

4. **Non-Responsive Bids.** The Township hereby acknowledges the determination that three (3) bids received were non-responsive and that the basis for each determination shall be maintained in the Township's procurement file.

5. **Authorization to Execute Documents.** The Mayor, Township Administrator, Township Clerk, Purchasing Agent, and/or other appropriate municipal officials, as authorized by law and municipal procedure, are hereby authorized to execute the contract and any necessary documents and to take all actions reasonably necessary to effectuate the award, subject to the terms of the bid specifications and this Resolution.

6. **Certification of Funds.** This award and any resulting expenditures shall be subject to the availability of funds and compliance with all applicable municipal fiscal requirements. The Chief Financial Officer shall certify the availability of funds as required by law.

7. **Compliance with Applicable Law.** The contract shall be administered in accordance with the bid specifications, the submitted bid, the New Jersey Local Public Contracts Law, and all other applicable statutes and regulations.

8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to Keane Electric and retained in the official records of the Township.

R-32

TOWNSHIP OF LYNDHURST
NEW JERSEY

RESOLUTION AUTHORIZING THE PURCHASE OF 19 ATLAS T9 TACTIAL VEST CARRIERS WITH BODY ARMOR PANELS FOR THE LYNDHURST POLICE DEPARTMENT FOR AN AMOUNT OF $69,778.64 THROUGH NEW JERSEY STATE CONTRACT # NJ-FLEET-00778 FROM TURN-OUT UNIFORMS OF 195 PATERSON AVENUE, LITTLE FALLS, NJ 07424 WITH EQUITABLE SHARING FUNDING.

WHEREAS, the Township of Lyndhurst (the "Township") Police Department has the need for replacing body armor for its Emergency Response Team officers and;

WHEREAS, the Mayor & Board of Commissioners has determined a need for 19 Atlas T9 Tactical vest Carriers and its associated body armor.

WHEREAS, the Township is authorized to participate in cooperative purchasing programs pursuant to the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-10 et seq., and applicable regulations; and

WHEREAS, the New Jersey State has established cooperative purchasing contract NJ FLEET #17-FLEET-00778; and

WHEREAS, Turn-Out Uniforms of 195 Paterson Avenue, Little Falls, NJ 07424 is authorized under NJ FLEET #17-FLEET-00778 – Law Enforcement Firearms Equipment and Supplies; and

WHEREAS, the Municipality has received a proposal/quotation from Turn-Out Uniforms for the purchase 19 Atlas T9 Tactical Vest Carriers and its associated body armor in the total amount of Sixty-Nine Thousand Seven Hundred and Seventy-Eight dollars and Sixty-Four cents ($69,778.64); and

WHEREAS, the Qualified Purchasing Agent has reviewed the proposed purchase and determined that the purchase may be made through the New Jersey State Contract system in accordance with the applicable provisions of the Local Public Contracts Law; and

WHEREAS, the Township has determined that purchasing 19 Atlas T9 Tactical Vest Carriers and its associated body armor through the New Jersey State Contract System is in the best interests of the Township and provides an efficient and cost-effective means of obtaining the required equipment; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase, subject to the appropriate budgetary and accounting requirements;

NOW THEREFORE BE IT RESOLVED that the Township of Lyndhurst authorizes the Purchase of the goods and services for the Township of Lyndhurst as described herein;

R-33

RESOLUTION ESTABLISHING A VOLUNTEER SNOW REMOVAL ASSISTANCE PROGRAM FOR QUALIFYING SENIOR CITIZENS AND DISABLED RESIDENTS PURSUANT TO N.J.S.A. 40:65-12.3

WHEREAS, the Township of Lyndhurst recognizes that snow and ice accumulation may present significant challenges to senior citizens and residents with disabilities who are unable to safely remove snow and ice from their residential properties; and

WHEREAS, N.J.S.A. 40:65-12.3 authorizes municipalities to establish volunteer programs providing free snow and ice removal from the entranceways, driveways, and abutting sidewalks of qualified residential properties; and

WHEREAS, the Board of Commissioners desires to establish a community-based volunteer program to assist eligible residents while promoting public safety, volunteerism, and community involvement; and

WHEREAS, the Township intends to initially implement the program on a limited pilot basis during the 2026-2027 winter season, subject to volunteer availability and administrative capacity;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Lyndhurst, County of Bergen, State of New Jersey, as follows:

1. Establishment of Program

The Township hereby establishes the Lyndhurst Volunteer Snow Removal Assistance Program pursuant to N.J.S.A. 40:65-12.3 to provide free snow and ice removal assistance to qualifying senior citizens and disabled residents

2. Program Coordinator

The Board of Commissioners shall appoint an uncompensated Program Coordinator responsible for recruiting volunteers, receiving applications, determining eligibility, assigning volunteers, and overseeing program administration consistent with N.J.S.A. 40:65-12.3.

3. Eligibility

Participation shall be limited to qualified residential properties as defined by N.J.S.A. 40:65-12.3, including dwelling units occupied by senior citizens age 62 or older or disables persons living by themselves or with young children, subject to the exclusions set forth in the statute.

4. Scope of Services

Volunteer assistance may include snow and ice removal from residential entranceways, driveways, and abutting sidewalks.

Services shall be limited to locations and activities authorized by the Program Coordinator and shall be provided subject to weather conditions, volunteer availability, and safety considerations.

5. Volunteer Participation

All volunteers shall serve without compensation. Volunteers shall not be considered employees or agents of the Township and shall not be entitled to workers' compensation, employee benefits, or municipal indemnification by virtue of their participation in the program, consistent with N.J.S.A. 40:65-12.3.

6. Volunteer Assignments

The Program Coordinator shall endeavor to assign the primary volunteer and backup volunteer to each participating party, taking into consideration geographic proximity, availability, and the number of registered volunteers.

7. Pilot Program

The Township shall initially seek to accommodate up to twenty (20) qualifying residential properties during the 2026-2027 winter season. The Program Coordinator may establish a waiting list if applications exceed available volunteer capacity.

8. Administrative Guidelines

The Program Coordinator, in consultation with the Township Attorney and municipal risk manager, is authorized to develop registration forms, volunteer guidelines, safety procedures, confidentiality protocols, and operational procedures consistent with applicable laws.

9. Public Notice

The Township shall publicize the program through its official website, newsletters, community notices, and other appropriate means, and shall provide information to the Board of Education for distribution, as required by N.J.S.A. 40:65-12.3.

10. Liability and Statutory Protections

The program shall be administered in accordance with the protections, limitations, and exceptions, established under N.J.S.A. 40:65-12.3. Nothing herein shall be construed to expand or diminish any rights, responsibilities, or immunities established by law.

11. Effective Date

This Resolution shall take effect immediately upon adoption, with program operations commencing following completion of administrative preparations and reviewed by the Township Attorney.

R-34

WHEREAS, the State of New Jersey has unclaimed assets being held by the New Jersey Unclaimed Property Administration (UPA); and

WHEREAS, as per N.J.S.A. 46:30B-1 et. seq, the State of New Jersey requires municipalities to file an executed Third Party Locator Agreement to proceed with locating claims; and

WHEREAS, Message Maximization, LLC serves as a Third Party Locator that investigates and secures payment of unclaimed assets as authorized by N.J.S.A. 46:30B-1 et. seq; and

WHEREAS, Message Maximization, LLC would process each claim on behalf of the Township of Lyndhurst to meet all requirements to secure payment at a fee up to twenty percent (20%) of the monies recovered by the Township of Lyndhurst.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Lyndhurst shall have the Mayor execute the Third Party Locator Agreement with Message Maximation, LLC to proceed in locating the Township of Lyndhurst's unclaimed property and assets.