

NOTE: FORMAL ACTION MAY BE TAKEN AT REGULAR MEETINGS, WORK SESSIONS OR SPECIAL MEETINGS. AGENDAS ARE PUBLISHED 48 HOURS IN ADVANCE TO THE EXTENT KNOWN.

## **AGENDA**

**COUNCIL MEETING**

**7:30 P.M.**

**OCTOBER 8, 2013**

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **PRESENTATION OF POLICE ACCREDITATION CERTIFICATE**
6. **PROCLAMATION: BREAST CANCER AWARENESS MONTH**
7. **COUNCIL COMMENTS**
8. **ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2294-2013  
(RESOLUTION NO. 343-2013)**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (BERDAN GROVE INCLUSIONARY PLAYGROUND PHASE I)**

- Mayor asks for a motion to read the Resolution of Introduction. Mayor asks for a Mover, Secunder, Roll Call.
  - Municipal Clerk reads the Resolution of Introduction. Mayor asks for a Mover, Secunder, Discussion, Roll Call.
9. **PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**
- Mayor calls for a motion to open time for public comments on Consent Agenda items only. Mayor asks for a Mover, Secunder, Roll Call.
  - Mayor opens time for public comments asking if anyone wishes to be heard.
  - Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
  - Mayor closes the time for public comments.

**10. RESOLUTIONS BY CONSENT #22-2013**

- Municipal Clerk reads Resolutions by Consent.
  - a. Resol. # 344-2013 – Appointment of Flexible Spending Plan Administrator
  - b. Resol. # 345-2013 – Cancelling County Open Space Trust Fund Grant Receivable – Warren Point Skate Park
  - c. Resol. # 346-2013 – Cancel Year 2013 Property Taxes 4-05 2nd Street
  - d. Resol. # 347-2013 – Approval of Minutes:  
Work Session 9/3/13  
Closed Session 9/3/13
  - e. Resol. # 348-2013 – Appointment to Property Maintenance Committee/Facelift Committee
  - f. Resol. # 349-2013 - Authorizing Issuance of Request for Proposals for Auditor
  - g. Resol. # 350-2013 – Authorizing an Agreement with The Rodgers Group, LLC for On-line In-Service Training
- Mayor asks for a Mover, Secunder, Roll Call.

**11. RESOLUTION NO. 351-2013 - CONFIRMATION OF FIRE BOARD ACTIONS**

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

**12. PUBLIC COMMENTS**

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

**13. CLOSED SESSION RESOLUTION – ATTORNEY/CLIENT PRIVILEGE – LACKLAND STORAGE SADDLE BROOK**

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

**14. ADJOURNMENT:**

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

**ORDINANCE NO. 2294-2013**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (BERDAN GROVE INCLUSIONARY PLAYGROUND PHASE I)**

**WHEREAS**, the Borough of Fair Lawn has been approved to receive grant funding from the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund in the amount of \$50,000 for Project Number 13-00360, for the purpose of the Berdan Grove Inclusionary Playground Phase I, and;

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

**WHEREAS** at the direction of the Borough Manager and approval of the Mayor and Council, via this ordinance, the Borough of Fair Lawn's match requirement for the above stated grant will be funded in the 2014 Capital Budget, and;

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

**SECTION 1.** The Borough of Fair Lawn in the County of Bergen shall proceed with Project Number: 13-00360, as detailed in the attached grant for the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund, and

**SECTION 2.** The cost of completing said improvement set forth in Section 1 shall be provided by the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund in the amount of \$50,000 and by the grant required match of the Borough of Fair Lawn 2014 Capital Budget, and;

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

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the whole

cost, as set forth is authorized and available through the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund.

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

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

Attest:

Approved:

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

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John Cosgrove  
Mayor

Introduced: October 8, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 344-2013**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn has contracted with Horizon as administrator of the Borough's Flexible Spending Plan at a cost of \$6.00 per employee; and

**WHEREAS**, the Borough has received price quotes for this service for 2014; and

**WHEREAS**, Horizon's proposal to continue this service at \$6.00 per employee per month is the lowest cost.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that Horizon be contracted as the Borough of Fair Lawn's Flexible Spending Plan Administrator at a cost of \$6.00 per month per employee for the year 2014.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 345-2013**

By

Seconded by

**WHEREAS** on May 14, 2010, the Borough of Fair Lawn was awarded from Bergen County Open Space Trust Fund a 2009 Award of \$ 30,000 for the Warren Point Skate Park; and

**WHEREAS** the above stated capital project has been completed and all funds expended; and

**WHEREAS**, Mayor and Council deemed that the project was not in the best interest of the residents in the area; and

**WHEREAS**, the Borough is no longer eligible for the County Open Space award of \$30,000 referenced above; and

**WHEREAS**, the Borough has unspent monies in prior years ordinances allocated for Improvements to Parks and Playgrounds to fund the cancelled County Open Space Trust Fund award.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Fair Lawn fund the portion of the cancelled County Open Space Trust Fund for the Warren Point Skate Park in the amount of \$26,260 to capital ordinance C-04-01-845-375-508; and

**BE IT FURTHER RESOLVED** that the County Open Space Trust Fund Grant Receivable in the amount of \$30,000 be cancelled.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 346-2013**

By

Seconded by

**WHEREAS**, Jeffrey & Barbara Dube, property location 4-50 2<sup>nd</sup> Street, Block 5407, Lot 44 as of August 23, 2013 transferred ownership to the Borough of Fair Lawn and is now Tax Exempt Borough of Fair Lawn property; and

**WHEREAS**, the Borough of Fair Lawn, Tax Collector's Office billed year 2013 and 2014 property taxes.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen and State of New Jersey, hereby authorize the Borough Tax Collector to cancel year 2013 property taxes in the amount of \$2,227.62 and year 2014 property taxes in the amount of \$4,364.00.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 347-2013**

By

Seconded by

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

Work Session 9/3/13  
Closed Session 9/3/13

are hereby approved.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 348-2013**

By

Seconded by

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn the following named individual be and is hereby appointed to serve at the pleasure of Council subject to termination for three unexcused absences, on the Fair Lawn Property Maintenance/Face Lift Committee:

Grace Palmieri  
23-33 Arcadia Road

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 349-2013**

By

Seconded by

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen and State of New Jersey that requests RFPs for the reassessment of real property for the Borough and its agencies are hereby authorized; and

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

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 350-2013**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn desires to enter into an agreement with The Rodgers Group, LLC, PO Box 831, Island Heights, New Jersey 08732 for a twelve (12) month subscription to the Rodgers Group online in-service training program for the Police Department; and

**WHEREAS**, the Acting Chief of Police wishes to institute such training on October 1, 2013 for twelve months; and

**WHEREAS**, the agreement contains an annual service fee of \$9,673.80 which includes twelve (12) training modules for 56 sworn personnel for October 1, 2013 through September 30, 2014; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn, that upon the recommendation of the Acting Manager and Acting Chief of Police, the Acting Chief of Police is hereby authorized to execute an agreement for the training that The Rodgers Group, LLC, PO Box 831, Island Heights, New Jersey 08732 will provide in accordance with the attached proposal dated October 1, 2013, for a fee not to exceed \$9,673.80.



R3-200  
**Invoice**

Date	Invoice #
10/1/2013	1822

PO Box 831  
Island Heights, NJ 08732  
(732) 279-6657  
frank@roddersgroupllc.com

Bill To
Fair Lawn Police Department Chief Glen Cauwels Borough of Fair Lawn PO Box 376 Fair Lawn, NJ 07410

Project	Terms
Online Training	Net 30

Quantity	Description	Rate	Amount
	12 Month Subscription to the Rodgers Group Online In-Service Training Program  54 @ \$192.00 per Sworn Personnel = \$10,368.00.  Fourth Year Client discount of 10% - \$1,037.00 for total training cost of \$9,331.00  The program consists of Twelve (12) Training Modules; one delivered each month and specifically designed to meet the New Jersey Attorney General's mandatory In-Service requirements. Each module is customized to incorporate the specific business requirements of the Fair Lawn Police Department. Each module includes a bank of test questions which are based on that particular course material.	9,331.00	9,331.00

Thank you for your business. Please make checks payable to The Rodgers Group, LLC.	<b>Total</b>	\$9,331.00
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Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

October 8, 2013

**RESOLUTION NO. 351-2013**

By

Seconded by

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the actions taken by the Board of Fire Commissioners at their meetings be and are hereby confirmed as follows:

**Applications:**

Jack Polan  
8-39 Lake Street  
Co. #2