

12/11/13

**Work Session**

**7:30 P.M.**

**December 17, 2013**

**Closed Session**

1. Pending Litigation - Tax Appeals HADCO
2. Personnel – Chief Financial Officer's Employment Agreement

**Work Session**

**7:50 P.M.**

1. 2014 Budget Overview Presentation  
(Manager Van Kruijning/CFO Palermo)  
(20 minutes)
2. Council Liaison Reports  
(15 minutes)
3. ADA Committee Formation  
(Council Carryover)  
(10 minutes)
4. Fair Lawn Recreation Facilities Review Committee
  - a. Increasing Membership
  - b. Structure  
(Mayor Cosgrove)  
(10 minutes)
5. Supporting "Honor and Remember" Flag Request from Blue Star Mothers of North Jersey Chapter 3  
(Deputy Mayor Trawinski)  
(5 minutes)
6. Fire Department Lock Box Ordinance  
(Manager Van Kruijning)  
(10 minutes)
7. Water Department/Board of Education Garage Cadmus Place  
(Manager Van Kruijning)  
(5 minutes)
8. Local Government Energy Audit  
(Manager Van Kruijning)  
(10 minutes)
9. 2014 Items
  - a. Invocation
  - b. Benediction  
(Municipal Clerk Kwasniewski)  
(5 minutes)

10. Special Meeting
11. Miscellaneous Public Comments

**Closed Session**

1. Pending Litigation – Raymond Vuoncino
2. Personnel – Appointments Various Boards, Commissions, Committees
  - a. Fair Lawn Arts Council
  - b. Historic Preservation Commission
  - c. Planning Board
  - d. Zoning Board- Appointment of Professionals
  - a. Surveyor
  - b. Grant Writer
  - c. Hearing Officer

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**

### **SPECIAL MEETING**

**DECEMBER 17, 2013**

#### **1. MANAGER'S REPORT**

#### **2. RESOLUTIONS BY CONSENT #27-2013**

- Municipal Clerk reads Resolutions by Consent.
  - a. Resol. #407-2013 – Authorizing Renewal of Massage Establishment License: Pure Nails & Spa
  - b. Resol. #408-2013 - Authorizing Renewal of Massage Establishment & Massagist License: Massage/Spa Inc. - Charesse A. Foye
  - c. Resol. #409-2013 – Transfer of Funds
  - d. Resol. #410-2013 – Cancellation of Unexpended Balances
  - e. Resol. #411-2013 - Award of Bid: Chlorine
  - f. Resol. #412-2013 - Establishing COBRA Rates
  - g. Resol. #413-2013 – Establishing Premium Equivalent Rates
  - h. Resol. #414-2013 - Refund of Overpayment of Taxes
  - i. Resol. #415-2013 - Approval of Minutes:
    - Work Session 11/12/13
    - Closed Session 11/12/13

#### **3. RESOLUTION NO. 416-2013 – APPROVAL OF MINUTES: REGULAR MEETING 10/29/13, CLOSED SESSION 11/12/13, SPECIAL MEETING 11/12/13**

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

#### **4. ADJOURNMENT TO WORK SESSION**

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

### CONSENT AGENDA 27-2013

By:

Seconded by:

**WHEREAS,** the following resolutions having heretofore been placed on this Resolutions by Consent Agenda which require no discussion and same having been previously reviewed by each Councilmember, be and are hereby adopted, ratified, and confirmed in their entirety by the Mayor and Council of the Borough of Fair Lawn:

- a. Resol. #407-2013 – Authorizing Renewal of Massage Establishment License: Pure Nails & Spa
- b. Resol. #408-2013 - Authorizing Renewal of Massage Establishment & Massagist License: Massage/Spa Inc. - Charesse A. Foye
- c. Resol. #409-2013 – Transfer of Funds
- d. Resol. #410-2013 – Cancellation of Unexpended Balances
- e. Resol. #411-2013 - Award of Bid: Chlorine
- f. Resol. #412-2013 - Establishing COBRA Rates
- g. Resol. #413-2013 – Establishing Premium Equivalent Rates
- h. Resol. #414-2013 - Refund of Overpayment of Taxes
- i. Resol. #415-2013 - Approval of Minutes:  
Work Session 11/12/13  
Closed Session 11/12/13

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 407-2013**

By:

Seconded by:

**WHEREAS**, Pure Nails & Spa, located at 7-11 Fair Lawn Avenue, Fair Lawn, New Jersey, has made application to the Borough pursuant to RGO144-2 to renew its massage establishment license; and

**WHEREAS**, the applicant has complied with all of the requirements of the aforesaid ordinance, and there has been no just cause shown why the Mayor and Council should reject said application;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that pursuant to RGO 144-2, et. seq., the application for the renewal of a massage establishment license by the aforesaid applicant be and are hereby approved and the Municipal Clerk be and is hereby authorized to issue same.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 408-2013**

By:

Seconded by:

**WHEREAS**, Massage/Spa, Inc. located at 4-06 Fair Lawn Avenue, Fair Lawn, New Jersey, has made application to the Borough pursuant to RGO144-2 to renew its massage establishment license; and

**WHEREAS**, Charesse A. Foye, 174 Palisade Avenue, Unit 105, Garfield, New Jersey 07026 has made application to the Borough pursuant to RGO144-3 to renew her massagists licenses at Massage/Spa, Inc.; and

**WHEREAS**, the applicants have complied with all of the requirements of the aforesaid ordinance, and there has been no just cause shown why the Mayor and Council should reject said applications;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that pursuant to RGO 144-2, et. seq., the application for the renewal of a massage establishment license and the application for the renewal of the massagist license by the aforesaid applicants be and are hereby approved and the Municipal Clerk be and is hereby authorized to issue same.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 409-2013**

By:

Seconded by:

**WHEREAS**, the Borough Treasurer has certified that it has become necessary to expend for the purposes of certain accounts herein set forth, amounts in excess of sums respectively appropriated therefore; and

**WHEREAS**, there is an excess of appropriations in other accounts herein set forth, over and above the amounts deemed to be necessary to fulfill the purposes of such appropriations;

**THEREFORE, BE IT RESOLVED**, that the transfers between appropriations of the 2013 Current and Water Utility Budgets, as per list attached, and are hereby approved by the Borough Council.

BOROUGH OF FAIR LAWN  
2013 BUDGET TRANSFERS

		To	From
Administration	S&W	5,000	
Administration-Mayor and Council			(20,000)
Finance	S&W		(12,000)
Construction Code	S&W	5,000	
Insurance - Health	OE	375,000	
Police	S&W		(10,000)
Dispatchers	S&W		(20,000)
Emergency Management	OE		(3,000)
Fire	OE		(5,000)
Ambulance	OE		(5,000)
Mun Court	S&W		(5,000)
Roads	S&W		(10,000)
Shade Tree	S&W	5,000	
Salary and Wage Adjustment	S&W		(300,000)
Water Utility-	S&W		(50,000)
Water Utility-OE Self Insurance	OE	230,000	
Water Utility-OE Statutory	OE		(180,000)

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 410-2013**

By:

Seconded by:

**WHEREAS**, NJSA 40A:4-60 provides that any unexpended balances of appropriations may, by resolution of the Governing Body, be canceled prior to the end of the fiscal year; and

**WHEREAS**, there are certain unexpended balances as of December 13, 2013, in the Water Department water purchases in the amount of \$100,000 that the Borough Chief Financial Officer recommends be canceled.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the above referenced balance be cancelled.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 411-2013**

By:

Seconded by:

**WHEREAS**, bids were received for Chlorine by the Municipal Clerk on November 26, 2013; and

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

**WHEREAS**, JCI Jones Chemicals, Inc. located at 103 River Street, Warwick, New York 10990 is the lowest responsible bidder at a rate of \$200.00 per cylinder for year one and year two;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Borough Manager and appropriate Department Head, the award be made to JCI Jones Chemicals, Inc. subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

**BE IT FURTHER RESOLVED**, that the award of this bid is subject to the Borough Treasurer executing the appropriate Certificate of Availability of Funds; and

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

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 412-2013**

By:

Seconded by:

**WHEREAS**, the Borough of Fair Lawn is self insured for health benefits for its employees and retirees; and

**WHEREAS**, the Borough of Fair Lawn has entered into an agreement with Insurance Design Administrators on December 10, 2013, per Resolution 396-2013 to be the Borough's Health Benefits Administrator; and

**WHEREAS**, under this agreement the Borough of Fair Lawn does not pay a monthly health insurance premium but pays an administrative fee and actual medical claims to the Health Benefits Administrator; and

**WHEREAS**, self insured medical plans are required to establish a standard for medical benefits costs, from actual costs of health insurance premiums to the "COBRA" rate provided by the Borough's Health Benefits Administrator (IDA), copy attached.

**WHEREAS**, the Borough of Fair Lawn will apply to all calculations including, but not limited to, cost of extended health benefits for former borough employees, personnel costs for grants, FEMA and other agency reimbursements calculations, and for various internal cost analyses.

**WHEREAS**, the "COBRA" rates utilized for the above purposes will be adjusted annually to the current "COBRA" rates provided by the Health Benefits Administrator; and

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Fair Lawn that it is hereby established to use "COBRA" rates for the standard cost of health insurance as provided by IDA (copy attached) for the contract period January 1, 2014-December 31, 2014 under the Borough of Fair Lawn's self insurance plan.

Borough of Fair Lawn  
Development of 2014 Four Tiered Rates - Medical and Rx  
Based on July 31, 2013 IDA Year End Review  
Based on 1.44% Increase - Second Quarter 2013 Annual GDP Implicit Price Deflator

COBRA  
at 102%

PPO

Single	\$534.40
Employee/Spouse	\$1,175.68
Parent/Child(ren)	\$780.21
Family	\$1,421.50

POS

Single	\$442.77
Employee/Spouse	\$974.10
Parent/Child(ren)	\$646.45
Family	\$1,177.77

Rx (Excluding Traditional Plan)

Single	\$267.74
Employee/Spouse	\$589.02
Parent/Child(ren)	\$390.90
Family	\$712.19

Traditional Plan Medical

Single	\$424.33
Employee/Spouse	\$933.52
Parent/Child(ren)	\$619.52
Family	\$1,128.72

# SCHEDULE A

## Individual Rates For Overage Retirees Or Dependents

PPO	\$178.13
POS	\$147.59
Rx	\$267.74

## Husband/Wife Rates Where Only One is Over Age 65

PPO	\$712.53
POS	\$590.36
Rx	\$535.48

## Husband/Wife Rates Where Both Are Over Age 65

PPO	\$356.27
POS	\$295.19
Rx	\$535.48

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 413-2013**

By:

Seconded by:

**WHEREAS**, the Borough of Fair Lawn provides employee health benefits (medical, prescription and dental) through a combination of fully insured (Delta Dental of NJ for dental benefits) and a partially self-funded plan (for medical and prescription benefits) administered by Insurance Design Administrators (IDA), a UHY Advisors Company, located in Oakland, NJ; and

**WHEREAS**, under the legislative requirements set forth by P.L. 2011 c. 78 (commonly known as Chapter 78), the Municipality is required to implement (in accordance with the phase-in schedule incorporated within the law and expanded upon through Local Finance Notice (LFN 2011-20) employee contributions based upon the costs associated with those benefits; and

**WHEREAS**, for the dental benefit calculation, the current premium for the base plan will be used to establish the employee's contribution; and

**WHEREAS**, partially self-insured medical plans require a "Premium Equivalent Rate" be established, which incorporates the cost of claims and administrative costs in order for the Borough to establish a rating structure that fairly represents the true costs associated with the plan, thus ensuring a balance with respect to compliance with the law and fairness to the affected employees;

**WHEREAS**, IDA's Actuary has presented a methodology on the calculation of such premium that incorporates the previous twelve (12) months of actual claims cost and added the administrative costs for the current benefit period to establish the employees' Premium Equivalent Rates, a copy of which is attached hereto.

**WHEREAS**, the Borough of Fair Lawn will apply the established "Premium Equivalent Rate", to all employee calculations including, employee health care costs and employee waiver of health coverage.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn, the methodology implored by the Plan Actuary and expanded upon above is hereby adopted in the calculation of the "Premium Equivalent Rates", for the purpose of calculation of employee health care costs and employee waiver of health coverage as provided by IDA (copy attached) for the period January 1, 2014 – December 31, 2014 under the Borough of Fair Lawn's partially self-insured program; and

**BE IT FURTHER RESOLVED**, the "Premium Equivalent Rates" utilized for the above purposes will be adjusted annually utilizing the actuarial methodology described herein; and

**BE IT FURTHER RESOLVED**, a certified copy of this Resolution shall be provided to the Borough's Chief Finance Officer, Borough Auditor and Benefits Consultant.

Borough of Fair Lawn  
 Development of 2014 Four Tiered Rates - Medical and Rx  
 Based on July 31, 2013 IDA Year End Review  
 Based on 1.44% Increase - Second Quarter 2013 Annual GDP Implicit Price Deflator

	<u>Mo Premium Equivalent</u>
<b>PPO</b>	
Single	\$523.92
Employee/Spouse	\$1,152.63
Parent/Child(ren)	\$764.92
Family	\$1,393.62
<b>POS</b>	
Single	\$434.09
Employee/Spouse	\$955.00
Parent/Child(ren)	\$633.77
Family	\$1,154.68
<b>Rx (Excluding Traditional Plan)</b>	
Single	\$262.49
Employee/Spouse	\$577.47
Parent/Child(ren)	\$383.23
Family	\$698.22
<b>Traditional Plan Medical</b>	
Single	\$416.01
Employee/Spouse	\$915.22
Parent/Child(ren)	\$607.38
Family	\$1,106.58

**Individual Rates For Overage Retirees Or Dependents**

PPO	\$174.64
POS	\$144.70
Rx	\$262.49

**Husband/Wife Rates Where Only One is Over Age 65**

PPO	\$698.56
POS	\$578.79
Rx	\$524.98

**Husband/Wife Rates Where Both Are Over Age 65**

PPO	\$349.28
POS	\$289.40
Rx	\$524.98

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 414-2013**

By:

Seconded by:

**WHEREAS**, the Tax Collector has requested permission from the Borough Council to make refunds of tax/water overpayments in accordance with the directive of the Director of Local Government Services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the Tax Collector be and is hereby authorized to make refunds to the following as listed;

**BE IT FURTHER RESOLVED** that the Treasurer/Chief Financial Officer be and is hereby authorized to make payments upon receipt of proper vouchers.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
5405	27	Maikis, Anton J. III & Rita E. 3-01 Alyson Street Fair Lawn, New Jersey 07410	\$2,510.06

(Refund of overpayment of 2013 taxes as a result of a duplicate payment)

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 415-2013**

By:

Seconded by:

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

Work Session 11/12/13  
Closed Session 11/12/13

are hereby approved.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

December 17, 2013

**RESOLUTION NO. 416-2013**

By:

Seconded by:

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

Regular Meeting 10/29/13  
Closed Session 11/12/13  
Special Meeting 11/12/13

are hereby approved.