

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.

August 20, 2013

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **SWEARING IN OF POLICE OFFICERS**
6. **PRESENTATION OF DARE RECERTIFICATION CERTIFICATES**
7. **PRESENTATION OF DONATION FROM THE GREEN TEAM**
8. **COUNCIL COMMENTS**
9. **MANAGER'S REPORT**
10. **ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2289-2013
(RESOLUTION NO. 275-2013)**

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

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

**ORDINANCE NO. 2290-2013
(RESOLUTION NO. 276-2013)**

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

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

**ORDINANCE NO. 2291-2013
(RESOLUTION NO. 277-2013)**

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

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

**ORDINANCE NO. 2292-2013
(RESOLUTION NO. 278-2013)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED
(WATER TREATMENT PLANT OPERATIONS SPECIALIST, PUBLIC SAFETY
TELECOMMUNICATION TRAINEE, PLUMBING SUBCODE OFFICIAL AND
KEYBOARDING CLERK I)**

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

11. 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, Second, Roll Call.

- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Mayor closes the time for public comments.

12. RESOLUTIONS BY CONSENT #19-2013

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #279-2013 – Authorizing Awarding Contracts with Cranford Cooperative Pricing System
 - b. Resol. #280-2013 – Approval of Minutes:
 - Work Session 6/25/13
 - Special Meeting 6/25/13
 - Closed Session 6/25/13
 - Work Session 7/9/13
 - Closed Session 7/9/13
 - Special Meeting 7/9/13
 - Closed Session 7/9/13
 - c. Resol. #281-2013 – Emergency Veterinary Services
 - d. Resol. #282-2013 – Authorizing Awarding Contracts with Certain Approved State Contract Vendors - Hertrich Fleet Services Inc.
 - e. Resol. #283-2013 - Authorizing Awarding Contracts with Certain Approved State Contract Vendors- Cliffside Body Corporation
 - f. Resol. #284-2013 - Audit Report
 - g. Resol. #285-2013 – Professional Services: Construction Inspection Services Morlot Avenue Water Storage Tank
 - h. Resol. #286-2013 – Refund of Overpayment of Taxes
 - i. Resol. #287-2013 – Award of Bid: Hydrants & Hydrant Parts
 - j. Resol. #288-2013 – DOT Municipal Aid Program Grant Application
 - k. Resol. #289-2013 – Corrective Action Plan
 - l. Resol. #290-2013 - Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee
 - m. Resol. #291-2013 - Authorizing Execution of the Supervisors' Association of Fair Lawn Agreement
 - n. Resol. #292-2013 – Participating in the State of New Jersey Cooperative Purchasing Program
 - o. Resol. #293-2013 – Cancel and Refund Year 2013 Property Taxes Due to 100% Veteran Property Tax Exemption
 - p. Resol. #294-2013 – Authorizing Execution of Settlement Agreement and Mutual Release between the Borough and Thomas Metzler
 - q. Resol. #295-2013 – Authorizing Purchases with National IPA Cooperative

- r. Resol. #296-2013 - Authorizing Access & Use Agreement with the Radburn Association – Farmer's Market

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

13. RESOLUTION NO. 297-2013 – MUNICIPAL PARK IMPROVEMENT GRANT APPLICATION

- Mayor asks Municipal Clerk to read resolution. Mover, Secunder, Discussion, Roll Call.

14. RESOLUTION NO. 298-2013 – HISTORIC PRESERVATION GRANT APPLICATION

- Mayor asks Municipal Clerk to read resolution. Mover, Secunder, Discussion, Roll Call.

15. RESOLUTION NO. 299-2013 – APPROVING OPEN SPACE, RECREATION, FARMLAND & HISTORIC TRUST FUND AGREEMENT PHASE I – BERDAN GROVE INCLUSIONARY PLAYGROUND

- Mayor asks Municipal Clerk to read resolution. Mover, Secunder, Discussion, Roll Call.

16. 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.

17. CLOSED SESSION RESOLUTION – CONTRACT NEGOTIATIONS – SHARED SERVICES CONSTRUCTION DEPARTMENT ATTORNEY/CLIENT PRIVILEGE - VANDERBECK PROPERTY AND RADIO MAINTENANCE CONTRACT

- Mayor asks Municipal Clerk to read resolution. Mover, Secunder, Discussion, Roll Call.

18. ADJOURNMENT TO CLOSED SESSION

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

Aye Nay Abstain

Baratta
Pelosi
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 275-2013

By

Seconded by .

BE IT RESOLVED that Ordinance No. 2289-2013 entitled:

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

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 10th day of September, 2013, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2289-2013

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

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

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

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

SECTION 3. Annual salaries shall be paid in accordance with the executed contract for the Supervisors Association of Fair Lawn Employees hired before August 20, 2013.

SECTION 4. In order to be eligible for retroactive payment, an employee must have been employed by the Borough of Fair Lawn on August 20, 2013.

SECTION 5. This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 20, 2013

Adopted:

Supervisor's Position	2012 Min	2012 Max	2013 Min	2013 Max	2014 Min	2014 Max	2015 Min	2015 Max
Existing Employees								
Supervising Water Treatment Operator	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Fire Official/Fire Protection Sub Code Off	49,467	81,654	50,333	83,083	51,339	84,745	52,238	86,228
Supervising Public Works	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Maint Repairer	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Municipal Court Administrator	53,004	81,972	53,932	83,407	55,011	85,075	55,973	86,564
Supervising Public Works	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Mechanic	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Municipal Recycling Coordinator	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Assistant Superintendent of Public Works				83,083		84,745		86,228
Supervising Trees	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Maint Repairer	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Public Works	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Parks	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Recreation Supervisor					54,645	79,146	55,601	80,531
Assistant Superintendent Recreation					73,712	92,480	75,002	94,099

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 276-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2290-2013 entitled:

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

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 10th day of September, 2013, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2290-2013

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

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

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

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

SECTION 3. Annual salaries shall be paid in accordance with the executed contract for the Supervisors Association of Fair Lawn Employees hired after August 20, 2013.

SECTION 4. In order to be eligible for retroactive payment, an employee must have been employed by the Borough of Fair Lawn on August 20, 2013.

SECTION 5. This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 20, 2013

Adopted:

10% Reduction for New Employees Hired After August 20, 2013

	2013 Min	2013 Max	2014 Min	2014 Max	2015 Min	2015 Max
Supervising Water Treatment Operator	58,551	74,775	59,722	76,270	60,767	77,605
Fire Official/Fire Protection Sub Code Off	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Maint Repairer	58,551	74,775	59,722	76,270	60,767	77,605
Municipal Court Administrator	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Mechanic	58,551	74,775	59,722	76,270	60,767	77,605
Municipal Recycling Coordinator	58,551	74,775	59,722	76,270	60,767	77,605
Assistant Superintendent of Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Trees	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Maint Repairer	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Parks	58,551	74,775	59,722	76,270	60,767	77,605
Recreation Supervisor	58,551	74,775	59,722	76,270	60,767	77,605
Assistant Superintendent Recreation			66,341	83,232	67,502	84,689
			49,180	71,231	50,041	72,478

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 277-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2291-2013 entitled:

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

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 10th day of September, 2013, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2291-2013

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

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

SECTION 1. That there is hereby established a change in title for the classification of certain employees herein set below.

<u>Titles</u>	<u>Effective Jan 1, 2010</u>	<u>Effective Jan 1, 2011</u>	<u>Effective Jan 1, 2012</u>	<u>Effective Jan 1, 2013</u>	<u>Effective Jan 1, 2014</u>
Academy Step	\$ 34,500	\$ 35,190	\$ 35,894	\$ 36,701	\$ 37,527
Field Training Completion	\$ 37,500	\$ 38,250	\$ 39,015	\$ 39,893	\$ 40,790

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

SECTION 3. Annual salaries shall be paid in biweekly installments.

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

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 20, 2013

Adopted:

Aye Nay Abstain -----

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 278-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2292-2013 entitled:

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (WATER TREATMENT PLANT OPERATIONS SPECIALIST, PUBLIC SAFETY TELECOMMUNICATION TRAINEE, PLUMBING SUBCODE OFFICIAL AND KEYBOARDING CLERK I)

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 10th day of September, 2013, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2292-2013

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (WATER TREATMENT PLANT OPERATIONS SPECIALIST AND PUBLIC SAFETY TELECOMMUNICATION TRAINEE)

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

SECTION 1. That there are hereby established salaries ranges for the following classifications of certain employees herein below set:

Titles	Effective Jan 1, 2013		Effective Jan 1, 2014		Effective Jan 1, 2015	
	Min.	Max.	Min.	Max.	Min.	Max.
Public Safety Telecommunication Trainee (up to 480 days or upon successful completion of the mandated training program)	17.00	17.00	17.00	17.00	17.00	17.00
Public Safety Telecommunication Trainee (after 480 days or upon successful completion of the mandated training program)	17.55	20.76	17.86	21.12	18.26	21.60
Water Treatment Plant Operations Specialist	41.95	41.95	41.95	41.95	41.95	41.95
Plumbing Subcode Official	25,473	77,150	46,268	78,500	47,309	80,266
Keyboarding Clerk I	33,599	53,683	34,187	54,622	34,956	66,851

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

SECTION 3. Annual salaries shall be paid in biweekly installments and weekly, hourly and per diem shall be paid for such periods.

SECTION 4. Salary increases are effective only if an employee has not resigned voluntarily or has been terminated with cause. Retired employees are eligible on a prorated basis.

SECTION 5. This Ordinance shall take effect upon passage and publication as required by law.

ATTEST:

APPROVED:

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

John Cosgrove
Mayor

Introduced: August 20, 2013
Adopted:

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

CONSENT AGENDA 19-2013

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. #279-2013 – Authorizing Awarding Contracts with Cranford Cooperative Pricing System
- b. Resol. #280-2013 – Approval of Minutes:
 - Work Session 6/25/13
 - Special Meeting 6/25/13
 - Closed Session 6/25/13
 - Work Session 7/9/13
 - Closed Session 7/9/13
 - Special Meeting 7/9/13
 - Closed Session 7/9/13
- c. Resol. #281-2013 – Emergency Veterinary Services
- d. Resol. #282-2013 – Authorizing Awarding Contracts with Certain Approved State Contract Vendors - Hertrich Services Inc.
- e. Resol. #283-2013 - Authorizing Awarding Contracts with Certain Approved State Contract Vendors- Cliffside Body Corporation
- f. Resol. #284-2013 - Audit Report
- g. Resol. #285-2013 – Professional Services: Construction Inspection Services Morlot Avenue Water Storage Tank
- h. Resol. #286-2013 – Refund of Overpayment of Taxes
- i. Resol. #287-2013 – Award of Bid: Hydrants & Hydrant Parts
- j. Resol. #288-2013 – DOT Municipal Aid Program Grant Application
- k. Resol. #289-2013 – Corrective Action Plan

- l. Resol. #290-2013 - Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee
- m. Resol. #291-2013 - Authorizing Execution of the Supervisors' Association of Fair Lawn Agreement
- n. Resol. #292-2013 – Participating in the State of New Jersey Cooperative Purchasing Program
- o. Resol. #293-2013 – Cancel and Refund Year 2013 Property Taxes Due to 100% Veteran Property Tax Exemption
- p. Resol. #294-2013 – Authorizing Execution of Settlement Agreement and Mutual Release between the Borough and Thomas Metzler
- q. Resol. #295-2013 – Authorizing Purchases with National IPA Cooperative
- r. Resol. #296-2013 - Authorizing Access & Use Agreement with the Radburn Association – Farmer's Market

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 279-2013

By:
Seconded by:

WHEREAS, according to guidelines set forth by the State of New Jersey Department of Community Affairs/Division of Local Government Services allowance is granted to registered members identified in a contract, are subject to the overall terms of a master contract awarded to a cooperative; and,

WHEREAS, the Borough of Fair Lawn is a member of the Cranford Cooperative Pricing System - ID # 47-CPCPS; and

WHEREAS, the Borough of Fair Lawn intends to enter into a purchasing agreement for the purchase of three (3) 2013 Ford Sedan Police Interceptors two-tone black and white paint at \$ 24,187 each, from Beyer Ford, 170 Ridgedale Avenue Morristown, NJ which shall be subject to all the conditions applicable to the current Cranford Police Cooperative Pricing System;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Fair Lawn, pursuant to guidelines set forth by Department of Community Affairs, have allocated for the purchase of Police vehicles in the 2013 Municipal Budget-Police Department Other Expenses, and through this resolution a certification of availability of funds will be made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to purchase the above listed vehicles from Beyer Ford, pursuant to all conditions of the Cranford Police Cooperative Pricing System; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Fair Lawn and the Cranford Police Cooperative Pricing System shall be from January 1, 2013 to December 31, 2013.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 280-2013

By:

Seconded by:

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

Work Session 6/25/13
Special Meeting 6/25/13
Closed Session 6/25/13
Work Session 7/9/13
Closed Session 7/9/13
Special Meeting 7/9/13
Closed Session 7/9/13

are hereby approved.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 281-2013

By:

Seconded by:

WHEREAS, the Borough of Fair Lawn has the need for veterinarian services for the Fair Lawn Animal Control; and

WHEREAS, the Borough of Fair Lawn has requested proposals for veterinarian services on two (2) occasions but has not received any responses.

WHEREAS, until a contract is awarded by the Mayor and Council, the Borough of Fair Lawn will utilize Paul Sova, DVM. 470 McLean Blvd, Paterson, NJ 07513 for emergency veterinarian services for 2013 in an amount not to exceed the bid threshold of \$17,500;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the Police Department and Health Department are hereby authorized to utilize Paul Sova, DVM 470 McLean Blvd, Paterson, NJ 07513 for emergency veterinary services in an amount not to exceed \$17,500.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 282-2013

By:

Seconded by:

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

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

WHEREAS, the Borough of Fair Lawn has the need to purchase one (1) 2014 Chevrolet, Impala Limited 4dr Sedan Fleet 1WF19, at a price of \$17,601.00, under State Contract # T-0099/A83036; and

WHEREAS, the Borough of Fair Lawn intends to enter into a purchase agreement for this purchase with Hertrich Fleet Services Inc., 1427 Bay Road, Milford, DE 19963, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Fair Lawn pursuant to N.J.A.C. 5:30-5.5(b), have allocated in the 2013 Municipal Budget for the purchase of police vehicles, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to purchase the above listed vehicle from Hertrich Fleet Services Inc. 1427 Bay Road, Milford, DE 19963, an approved New Jersey State Contract Vendor, pursuant to all conditions of the State Contract # T-0099/A83036.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 283-2013

By:

Seconded by:

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

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

WHEREAS, the Borough of Fair Lawn has a need for major repairs in the amount of \$20,231 to be performed on Dump Truck # 948, under State Contract # T-73499; and

WHEREAS, the Borough of Fair Lawn intends to enter into an agreement for this service with Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ 07022, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Fair Lawn pursuant to N.J.A.C. 5:30-5.5(b), have allocated in the Capital Ordinance # C-04-03-965-295-103 for the major repairs in the amount of \$20,231, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to authorize the above listed repairs from Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ 07022, an approved New Jersey State Contract Vendor, pursuant to all conditions of the individual State Contract # T-73499.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 284-2013

By:

Seconded by:

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

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

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

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

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

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

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

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

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

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

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 285-2013

By:

Seconded by:

WHEREAS, it is necessary for the Borough of Fair Lawn to engage the professional services for the construction inspection services for the Morlot Avenue Storage Tank Painting; and

WHEREAS, the Borough Manager has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, a proposal for professional services for this project dated July 3, 2013 has been submitted by Utility Service Co., Inc. having an office located at 128 Elm Street, Bridgewater, Massachusetts 02324, a copy of which is attached hereto and made a part hereof as Schedule A;

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

1. That upon recommendation of the Borough Manager that said services are necessary, a contract be awarded to Utility Service Co., Inc. to provide the construction inspection services for the Morlot Avenue Storage Tank Painting for the Borough of Fair Lawn, in accordance with its proposal for professional services aforesaid, which services are to be billed in accordance with the aforesaid proposal's payment schedule upon the completion of work as specified and all charges for said ancillary services shall be submitted to the Mayor and Council for approval prior to the commencement of said work.
2. The term of the contract shall be from August 20, 2013 until the project is completed.

3. No additional services shall be rendered for which the Contractor shall seek additional payment without written authorization by the Borough pursuant to law.
4. The Mayor and Municipal Clerk are hereby authorized to execute an Agreement with Utility Service Co., Inc. 123 Elm Street, Bridgewater, Massachusetts 02324 provided all statutory requirements are met.
5. A notice of this resolution shall be published in The Record as required by law.

BE IT FURTHER RESOLVED that Utility Service Co., Inc. has complied with the Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20-8;

BE IT FURTHER RESOLVED that the Chief Financial Officer has filed a Certificate of Availability of Funds with the Municipal Clerk's office.

	<p>Proposal From UTILITY SERVICE COMPANY, INC. 535 Courtney Hodges Blvd · P O Box 1350 · Perry, GA 31069 Toll-free: 800-223-3695 Fax: 478-987-2991 utilityservice.com</p>
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Date: **July 3, 2013** Submitted by: **David Merithew** Local Phone: **508-279-9965** SFID: CN: SO:

Proposed Submitted To: Borough of Fair Lawn, NJ		Phone Number: 201-794-5360	Fax Number: 201-703-4253	
Street Address: 8-01 Fairlawn Avenue, PO Box 376		Description of Work to be Performed: QC Inspection during Tank Rehabilitation		
City: Fair Lawn	State: NJ	Zip Code: 07410	Tank Name: Morlot Ave Tank	
Billing Contact Name: Kenneth Garrison	Email: kgarrison@fairlawn.org	Job Site Address: Morlot Avenue @ Gordon Place		
Job Contact: Kenneth Garrison	Email: kgarrison@fairlawn.org	County / Parish: Bergen	Tank Size: 1,000,000 Gal.	Tank Style: Elevated

Utility Service Co., Inc. agrees to provide all labor, equipment, and materials needed to complete the following:

Inspection services during the proposed cleaning and painting Project provides for one full time Inspector available on an hourly basis. The Inspector is well versed in the different degrees of surface preparation and coating application techniques as outlined by the Steel Structures Painting Council (SSPC) and the American Water Works Association (AWWA). In addition, all of our Inspection staff is capable of climbing structural steel and maintaining quality control along all accessible areas.

The field inspector's duties will consist of:

- Liaison between the Customer and contractor to clearly define the intent of the specifications and coordinate job progress.
- Monitoring and approval of structural repairs, modifications and other changes for conformance to the specifications.
- Inspection of the abrasive blasting materials, procedures and equipment for conformance with the specifications.
- Inspection and approval of surface preparation, blast quality, mil profile and all critical aspects of painting of steel structures.
- Monitoring paint removal and abatement for conformance to the specifications and environmental regulations.
- Monitoring ambient conditions to ensure a suitable atmosphere for preparation and application of coatings.
- Monitoring the Contractor's mixing and application of the coatings in accordance with the specifications
- Determination of both wet and dry film thicknesses of each coating and total coating system applied.
- Evaluation of cure, re-coating and all critical aspects of painting of steel structures (including holiday and adhesion testing).
- Recording the contractor's progress for adherence to the construction schedule, and authorization of progress payments.
- Submittal of detailed daily and weekly inspection reports, with photographs.
- Final inspection including determination of punch list items and coordinating subsequent corrective action by the contractor.
- Final inspection and acceptance of the Project as well as establishment of a warranty date.

We estimate inspection services as described herein will be required for a total of 580 hours of inspection during all abrasive blasting and recoating operations, including a final inspection of all completed work. At an hourly rate of \$135.00, we estimate a total expected cost of \$78,300.00 for inspections services during this project. Although Merithew feels the proposed time and costs are adequate to bring the project to a successful conclusion, completion within these limits depends not only on daily progress by the Contractor, but also on changes in the direction of the work as dictated by the Customer's needs or desires.

Please sign and date this proposal and fax one copy to our office.

Seventy Eight Thousand Three Hundred and 00/100 Dollars \$78,300.00

Payment to be made as follows: *Invoicing will be performed on a Monthly Basis – plus all applicable taxes*
Remittance Address: Utility Service Co., Inc., P O Box 674233, Dallas, TX 75267-4233

Inspection rates are levied on a portal-to-portal basis from our MA office. Rates are applicable Monday through Saturday up to 10 hours per day. Sundays, holidays and hours in excess of 10 in a day will be levied at a rate of 1.5 times the hourly rate. A minimum of 4 hours per day will be charged for all days in which work is performed. All work to be completed in a substantial workmanlike manner according to specifications submitted. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
 USG Signature David T. Merithew

Note: This proposal may be withdrawn by us if not accepted within Sixty (60) days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Fiscal Yr Beginning Month _____ Signature _____

Date of Acceptance _____ Printed Name _____

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 286-2013

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>
1606	5	Irving & Shirley Bienstock 40-11 Tierney Place Fair Lawn, NJ 07410	\$927.26
(Refund of overpayment of 2013 taxes as a result of a credit received from the State of New Jersey for the Year 2011 Homestead Rebate)			
3726	1	Jonathan F. Donath Esq./for Plaza Rd. Co-op c/o communitySE 350 Kemble Avenue Morristown, NJ 07962	\$2,942.00
4701	7	Joshua D. Novin Esq.for Fair Lawn Medical Arts Bldg. 96 Park Street Montclair, NJ 07042	\$7,355.00

(Refund of overpayment of 2012 taxes as a result of Tax Court Judgment)

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
2708	16	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$2,067.00
3315	39	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$2,207.00
2715	8	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$5,404.00

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

2316	7	Children's Aid & Family Services 200 Robin Road Paramus, NJ 07652	\$2,672.00
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(Refund of overpayment of 2013 taxes as a result of a change of property
Classification as of January 1, 2013 from taxable to exempt)

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 287-2013

By:
Seconded by:

WHEREAS, bids were received for Hydrants and Hydrant Parts by the Assistant Municipal Clerk on July 2, 2013; and

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

WHEREAS, Atlantic Plumbing Supply Corp., having an office located at 702 Joline Avenue, Long Branch, New Jersey 07740 is the lowest responsible bidder in accordance with their proposal attached as Schedule A.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Acting Borough Manager and appropriate Department Head, the award be made Atlantic Plumbing Supply Corp. 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.

Borough of Fair Lawn

BID SUMMARY SHEET

Project No. 2222				Atlantic Plumbing Supply	
Proj. Name : Hydrants and Hydrant Parts					
Bid Date:					
Item #	Description	Unit	Quantity	Unit Price	Amount
1	Eddy Breakaway flange fire hydrant, Model #F2640 for 4'6" buried trench with M.J. hub and retainer gland (see detailed specifications)	Unit	5.00	\$2,063.45	\$10,317.25
2	Eddy Breakaway flange fire hydrant, Model #F2640 for 5' buried trench with M.J. hub and retainer gland (see detailed specifications)	Unit	6.00	\$2,101.00	\$12,606.00
3	Eddy Breakaway flange fire hydrant, Model #F2640 for 5'6" buried trench with M.J. hub and retainer gland (see detailed specifications)	Unit	4.00	\$2,138.59	\$8,554.36
4	Eddy Breakaway flange fire hydrant, Model #F2640 for 6' buried trench with M.J. hub and retainer gland (see detailed specifications)	Unit	4.00	\$2,175.69	\$8,702.76
5	Eddy Breakaway flange fire hydrant, Model #F2640 for 6'6" buried trench with M.J. hub and retainer gland (see detailed specifications)	Unit	3.00	\$2,213.25	\$6,639.75
6	Top Bolts for Bonnet Parts #6, sets of 8	Unit	10.00	\$17.93	\$179.30
7	Safety Flange Repair Kits for F2640 parts	Unit	10.00	\$144.39	\$1,443.90
8	Packing Nut, Part #3	Unit	10.00	\$31.49	\$314.90
9	Packing Nut, Part #4	Unit	10.00	\$10.87	\$108.70
10	Hold Down Nut, Part #1	Unit	10.00	\$3.79	\$37.90
11	Drain Supports, Part #37	Unit	10.00	\$61.39	\$613.90
12	Clevis & Nut, Part #36	Unit	10.00	\$25.00	\$250.00

Schedule A

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 288-2013

By:

Seconded by:

WHEREAS, the Borough of Fair Lawn is requesting funding from the New Jersey Department of Transportation Municipal Aid Program;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn formally approves the grant application for the above stated project;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Fair Lawn Borough-00024 to the New Jersey Department of Transportation on behalf of the Borough of Fair Lawn;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Fair Lawn and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 289-2013

By:

Seconded by:

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Fair Lawn hereby states that it has complied with these regulations, and does hereby approve the Corrective Action Plan for 2012.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 290-2013

By:
Seconded by:

WHEREAS, the Borough of Fair Lawn has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund Municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2013 funding year of September 1, 2013 through July 31, 2014;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby appoint Kenneth Garrison, Borough Engineer as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 291-2013

By:

Seconded by:

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk are hereby authorized to execute the agreement between the Borough and the Supervisors' Association of Fair Lawn.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 292-2013

By:
Seconded by:

WHEREAS, the Borough of Fair Lawn wishes to avail itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the State of New Jersey by the Division of Purchasing and Property in the Department of the Treasury pursuant to N.J.S.A. to 40A: 11-12; and

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

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

HOME DEPOT INC.

LOWES HOME CENTERS INC.

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

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 293-2013

By:
Seconded by:

WHEREAS, Edward H. Babitts residing at 12-64 Orchard Street, Block 4611, Lot 30, applied to the United States Department of Veteran Affairs for a Veteran Property Tax Exemption and was issued a 100% permanent and total exemption effective January 16, 2013; and

WHEREAS, the Borough of Fair Lawn, Tax Collector's Office billed 1st, 2nd and 3rd quarters year 2013 for a total of \$5,912.84; and

WHEREAS, Edward H. Babitts having satisfied his property tax obligation for the 1st, 2nd and 3rd quarter of 2013 and whose account will now reflect a refund.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey hereby authorize the Borough Tax Collector to cancel 1st, 2nd and 3rd quarters year 2013 and refund Edward H. Babitts the amount of \$5,912.84

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 294-2013

By:
Seconded by:

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk are hereby authorized to execute the Settlement Agreement and Mutual Release between the Borough and Thomas Metzler.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 295-2013

By:

Seconded by

WHEREAS, the Borough of Fair Lawn wishes to avail itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the National IPA Co-operative pursuant to P.L. 2011, c.139 which allows local contracting units to utilize national cooperative contracts as a method of procurement; and

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

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

OFFICE DEPOT

CDWG INC.

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

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 296-2013

By:
Seconded by:

WHEREAS, the Borough of Fair Lawn currently operates a Borough sponsored Farmers' Market from the New Song Church parking lot; and

WHEREAS, the New Song Church parking lot will not be available for the Borough sponsored Farmers' Market to be held on August 21, 2013; and

WHEREAS, The Radburn Association, Inc. has agreed to allow the Borough to use the parking lot of The Radburn Association located at 29-20 Fair Lawn Avenue for the Borough sponsored Farmers' Market on August 21, 2013; and

WHEREAS, The Radburn Association has requested that the Borough enter an Access and Use Agreement setting forth the terms and conditions under which the Borough may conduct the Borough sponsored Farmers' Market for August 21, 2013.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the Mayor and the Municipal Clerk be and are hereby authorized to execute the appropriate Access and Use Agreement for the Borough sponsored Farmers' Market approved by the Borough Attorney.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 297-2013

By:
Seconded by:

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Fair Lawn desires to further the public interest by obtaining a matching grant of \$20,000.00 from the County Trust Fund to fund the following project: Columbia Park Passive Park; and,

WHEREAS, the Mayor and Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council received public comments on the proposed park improvements in the application on August 20, 2013; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn.

1. That the Acting Borough Manager is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013 as established by the County; and
2. That in the event of a County Trust Fund award that may be less than the grant amount requested above the Borough of Fair Lawn has or will secure the balance of funding necessary to complete the project or modify the project as necessary; and
3. That the Borough of Fair Lawn is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract or other documentation will be considered eligible for reimbursement.
5. That the Borough of Fair Lawn agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 298-2013

By:
Seconded by:

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Fair Lawn desires to further the public interest by obtaining a matching grant of \$25,000.00 from the County Trust Fund to fund the following project: Preparation of Naugle House Construction Documents; and,

WHEREAS, the Mayor and Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council received public comments on the proposed park improvements in the application on August 20, 2013; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn.

7. That the Acting Borough Manager is hereby authorized to submit the above completed project application to the County by the deadline of August 29, 2013 as established by the County; and
8. That in the event of a County Trust Fund award that may be less than the grant amount requested above the Borough of Fair Lawn has or will secure the balance of funding necessary to complete the project or modify the project as necessary; and
9. That the Borough of Fair Lawn is committed to providing a dollar for dollar cash match for the project; and
10. That only those park improvements identified and approved in the project application, its Trust Fund contract or other documentation will be considered eligible for reimbursement.
11. That the Borough of Fair Lawn agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
12. That this resolution shall take effect immediately.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

August 20, 2013

RESOLUTION NO. 299-2013

By:

Seconded by:

BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn wish to enter into a grant agreement with the County of Bergen for the purpose of using \$50,000.00 grant award from the 2012 Funding Round of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") for the project entitled Berdan Grove Inclusionary Playground Phase I;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize the Borough Manager to be a signatory to the aforesaid grant agreement contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize the Borough Manager to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognize that the Borough of Fair Lawn is liable for a dollar for dollar match for any funds awarded in accordance with the Trust Fund's requirements.