

AGENDA

COUNCIL MEETING

7:30 P.M.

JANUARY 7, 2014

1. Call to Order – Town Crier
2. Presentation of Colors by Emergency Services Honor Guard
3. Flag Salute
4. Invocation by: Father Joseph Doyle
5. Statement of compliance with the Open Public Meetings Act
6. Roll Call
7. Vocal Performance by Fair Lawn High School Chorus
8. Swearing in of Councilmembers: Dunay and Lefkowitz
9. Nominations for Mayor
10. Election of Mayor
11. Nomination for Deputy Mayor
12. Election of Deputy Mayor
13. Nomination for Deputy Mayor of Community Affairs
14. Election of Deputy Mayor of Community Affairs
15. Swearing in of Mayor and Deputy Mayors
16. Newly Elected Mayor assumes the Chair
17. Mayor releases the Honor Guard
18. Remarks of the Mayor
19. Remarks of the Deputy Mayor
20. Remarks of Deputy Mayor of Community Affairs
21. Remarks of Councilmembers
22. MAYOR'S APPOINTMENTS
 - a. Library Trustees –Keely Coffey, Katie Scully, Diane Trawinski (Mayor's Designee)

- b. Environmental Commission Chairperson -Wendy Dabney
- c. Board of Education Shared Service Liaison – Councilmember Dunay, Councilmember Peluso
- d. Planning Board designee – Dan Furphy
- e. Class II Planning Board Member – Benjamin Bontekoe
- f. Historic Preservation Commission - Felice Koplik (Class A), Jayshree Patel Shah (Class C), Richard Ball (Class B), Laura Lander (Alternate 1), Maureen Moriarty (Class C) Michael Rosenberg (Class C), Jasvinder Arjani (Class C)

23. PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

24. RESOLUTIONS BY CONSENT #1-2014 COUNCIL APPOINTMENTS:

- Mayor asks Municipal Clerk to read Resolutions by Consent.
 - a. Resol. No. 1-2014 - Professional Appraisal Services: Value Research Group
 - b. Resol. No. 2-2014 - Professional Appraisal Services: McNerney & Assoc.
 - c. Resol. No. 3-2014 – Professional Bond Counsel Services: Hawkins, Delafield & Woods
 - d. Resol. No. 4-2014 - Borough Attorney: Ronald P. Mondello
 - e. Resol. No. 5-2014 - Professional Surveyor Services: Rigg Associates
 - f. Resol. No. 6-2014 - Professional Grant Writing Services: Capital Alternatives Corp.
 - g. Resol. No. 7-2014 - Professional Risk Management Services: Professional Insurance Associates, Inc. (PIA)
 - h. Resol. No. 8-2014 - Professional Services: Computer Maintenance Service – Edmunds and Associates, Inc.
 - i. Resol. No. 9-2014 - Professional Services: Labor Attorney - Cleary, Jacobbe, Alfieri, Jacobs, LLC
 - j. Resol. No. 10-2014 - Professional Services: Environmental Consulting Services: Arcadis
 - k. Resol. No. 11-2014 - Professional Services: Planner of Record - Taylor Design Group, Inc.
 - l. Resol. No. 12-2014 – Professional Services: Nursing Services – The Valley Hospital
 - m. Resol. No. 13-2014 – Professional Services: Health Educator – The Valley Hospital
 - n. Resol. No. 14-2014 - Fire Officers
 - o. Resol. No. 15-2014 - Liaison to Fire Board

- p. Resol. No. 16-2014 - Liaison to the Community Center
- q. Resol. No. 17-2014 - Senior Citizen Advisory Board
- r. Resol. No. 18-2014 - Rent Leveling Board
- s. Resol. No. 19-2014 - Holiday Celebrations
- t. Resol. No. 20-2014 - Property Maintenance/Facelift Committee
- u. Resol. No. 21-2014 - Insurance Commissioners Self Insurance
- v. Resol. No. 22-2014 - Fair Lawn Borough Garden Committee
- w. Resol. No. 23-2014 - Liaison to Alliance for Substance Abuse Prevention
- x. Resol. No. 24-2014 - Liaisons to RRIC, BIC, EDC
- y. Resol. No. 25-2014 - Loss Control Services – J.A. Montgomery Risk Control
- z. Resol. No. 26-2014 - Child Care Physician - Edward A. Sciano, Jr. MD
- aa. Resol. No. 27-2014- Interlocal Services Agreement with Ridgewood: Health Officer
- bb. Resol. No. 28-2014 - Public Action Compliance Officer
- cc. Resol. No. 29-2014 - Shade Tree Advisory Committee
- dd. Resol. No. 30-2014 - Interlocal Services Agreement with Ho-Ho-Kus: Health Officer
- ee. Resol. No. 31-2014 - Environmental Commission
- ff. Resol. No. 32-2014 - Appointing Joint Insurance Fund Commissioner
- gg. Resol. No. 33-2014 - Green Team Advisory Committee
- hh. Resol. No. 34-2014 - Broker of Medical and Dental: Professional Insurance Associates, Inc. (PIA)
- ii. Resol. No. 35-2014 - Health Care Physician – Dr. Marvin Wisch
- jj. Resol. No. 36-2014 - Volunteer Economic Development Administrator
- kk. Resol. No. 37-2014 - Planning Board
- ll. Resol. No. 38-2014 - Health Advisory Board
- mm. Resol. No. 39-2014 - Fair Lawn Arts Council

- Mayor asks for Mover, Second, Roll Call.

25. RESOLUTION NO. 40-2014 – APPOINTMENTS TO THE ZONING BOARD

- Municipal Clerk reads resolution. Mover, Second, Discussion, Roll Call.

26. RESOLUTION NO. 41-2014 - APPOINTMENTS TO THE OPEN SPACE COMMITTEE

- Municipal Clerk reads resolution. Mover, Second, Discussion, Roll Call.

27. MANAGER'S APPOINTMENTS:

- a. Prosecutor, Public Defender, Rent Leveling Board Attorney and Alternate Public Defender

28. RESOLUTIONS BY CONSENT #2-2014

- Municipal Clerk reads Resolutions by Consent.

- a. Resol. No. 42-2014 - Cash Management Plan

- b. Resol. No. 43-2014 - Official Newspapers
- c. Resol. No. 44-2014 - Temporary Budget - Current Fund
- d. Resol. No. 45-2014 - Temporary Budget - Water Utility Fund
- e. Resol. No. 46-2014 - Petty Cash
- f. Resol. No. 47-2014 - Tax Assessment Interest
- g. Resol. No. 48-2014 - Annual Meeting Dates and Times
- h. Resol. No. 49-2014 - Defending Tax Appeals
- i. Resol. No. 50-2014 - Annual Sale of Delinquent Taxes
- j. Resol. No. 51-2014 - Authorizing the Issuance of Request for Qualifications for Green Acres Planner
- k. Resol. No. 52-2014 - Authorizing Renewal of Massage Establishment - Healthy Way and Massagist License - Wenfei Liu
- l. Resol. No. 53-2014 - Authorizing Renewal of Massage Establishment License - BRC Sauna & Spa, Inc.
- m. Resol. No. 54-2014 - Authorizing Tax Appeal Settlement - Hadco Company, LLC, 18-25 River Road
- n. Resol. No. 55-2014 - Authorizing Renewal of Massagist License - Woojon Han - Pure Nails & Spa
- o. Resol. No. 56-2014 - Authorizing Renewal of Massagist License - Ketevano Leluashvili - Medicine & Rehabilitation, P.C.

- Mayor asks for Mover, Seconder, Roll Call.

29. ORDINANCE ON FIRST READING:

**ORDINANCE NO. 2297-2014
(RESOLUTION NO. 57-2014)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 125 "ZONING" TO ALLOW CERTAIN INCREASES IN MAXIMUM IMPERVIOUS COVERAGE RELATED TO "SWIMMING POOLS AND PERVIOUS PAVERS"

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

30. RESOLUTION NO. 58-2014 - APPROVAL OF MINUTES:

11/26/13 - Regular Meeting

- Municipal Clerk reads resolution. Mover, Seconder, Discussion, Roll Call.

31. MISCELLANEOUS PUBLIC COMMENTS

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

heard.

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

32. BENEDICTION BY: Rabbi Alberto Zeilicovich

33. ADJOURNMENT

- Motion to adjourn. Mayor asks for a Mover, Secunder, Roll Call.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

CONSENT AGENDA 1-2014

By
Seconded by

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

- a. Resol. No. 1-2014 - Professional Appraisal Services: Value Research Group
- b. Resol. No. 2-2014 - Professional Appraisal Services: McNerney & Assoc.
- c. Resol. No. 3-2014 – Professional Bond Counsel Services: Hawkins, Delafield & Woods
- d. Resol. No. 4-2014 - Borough Attorney: Ronald P. Mondello
- e. Resol. No. 5-2014 - Professional Surveyor Services: Rigg Associates
- f. Resol. No. 6-2014 - Professional Grant Writing Services: Capital Alternatives Corp.
- g. Resol. No. 7-2014 - Professional Risk Management Services: Professional Insurance Associates, Inc. (PIA)
- h. Resol. No. 8-2014 - Professional Services: Computer Maintenance Service – Edmunds and Associates, Inc.
- i. Resol. No. 9-2014 - Professional Services: Labor Attorney - Cleary, Giacobbe, Alfieri, Jacobs, LLC
- j. Resol. No. 10-2014 - Professional Services: Environmental Consulting Services: Arcadis
- k. Resol. No. 11-2014 - Professional Services: Planner of Record - Taylor Design Group, Inc.
- l. Resol. No. 12-2014 – Professional Services: Nursing Services – The Valley Hospital
- m. Resol. No. 13-2014 – Professional Services: Health Educator – The Valley Hospital
- n. Resol. No. 14-2014 - Fire Officers

- o. Resol. No. 15-2014 - Liaison to Fire Board
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- t. Resol. No. 20-2014 -Property Maintenance/Facelift Committee
- u. Resol. No. 21-2014 - Insurance Commissioners Self Insurance
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- z. Resol. No. 26-2014 - Child Care Physician - Edward A. Sciano, Jr. MD
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- dd. Resol. No. 30-2014 - Interlocal Services Agreement with Ho-Ho-Kus: Health Officer
- ee. Resol. No. 31-2014 - Environmental Commission
- ff. Resol. No. 32-2014 - Appointing Joint Insurance Fund Commissioner
- gg. Resol. No. 33-2014 - Green Team Advisory Committee
- hh. Resol. No. 34-2014 - Broker of Medical and Dental: Professional Insurance Associates, Inc. (PIA)
- ii. Resol. No. 35-2014 - Health Care Physician – Dr. Marvin Wisch
- jj. Resol. No. 36-2014 - Volunteer Economic Development Administrator
- kk. Resol. No. 37-2014 - Planning Board
- mm. Resol. No. 38-2014 - Health Advisory Board
- nn. Resol. No. 39-2014 - Fair Lawn Arts Council

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

Resolution No. 1-2014

By

Seconded by

WHEREAS, there exists a need for the Borough of Fair Lawn to be represented in tax appeals and for any ancillary services required to be undertaken for property acquisition or sale by the Borough and it is necessary to obtain the services of appraisers for the preparation of appraisal reports of property under appeal, for the preparation of reports of other properties in the Borough, for the appearance in court of the appraiser with regard to the defense of the tax appeals and for any ancillary services required relating to the acquisition or sale of property by the Borough as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; 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 appraisal services for year 2014 as Tax Appraiser with proposed retainer agreement, dated November 19, 2013 has been submitted by Paul Beisser of Value Research Group, LLC, having an office located at 301 South Livingston Avenue, Suite 104, Livingston, New Jersey 07039, 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 and Borough Tax Assessor that said services are necessary, a contract be awarded to Paul Beisser of Value Research Group, LLC, to become the Appraiser for the Borough of Fair Lawn, in accordance with its proposal for professional tax appraisal 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 January 1, 2014 and expiring on December 31, 2014.
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 Paul Beisser of Value Research Group, LLC, 301 South Livingston Avenue, Suite 104, Livingston, New Jersey 07039, 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 Paul Beisser and Value Research Group, LLC have 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.



VALUE RESEARCH GROUP, LLC
REAL ESTATE ANALYSTS AND CONSULTANTS

November 19, 2013

Joanne M. Kwasniewski, RMC/CMC/MMC
Municipal Clerk
Office of the Municipal Clerk
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

Re: Request for Proposal for Tax Appraiser Services

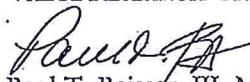
Dear Ms. Kwasniewski:

We are pleased to submit this proposal in response to the Request for Proposal for the Fair Lawn Borough. We have received the RFP and prepared the following proposal, which includes our proposed scope of services, our approach to meeting the Borough's needs, the qualifications and relevant experience of our project team, as well as our proposed fee schedule.

Thank you for providing our firm with the opportunity to submit our qualifications. If you have any questions regarding the proposal or require follow-up information, please call our office at 973-422-9800.

Very truly yours,

VALUE RESEARCH GROUP, LLC.


Paul T. Beisser, III, MAI, CRE

Fair Lawn RFP – Tax Appraiser Services

Scope of Services

Value Research Group, LLC has acted as the real estate tax appeal appraisers to, Jersey City, Rahway, Wayne, New Providence, Berkeley Heights, Hanover, Oakland and others. To meet the Appraisal Services for Tax Court Appeal needs of Fair Lawn, Value Research Group will perform the following services:

1. Determine the fair market value of real property in the Borough of Fair Lawn for Tax Appeals.
2. Services/responsibilities shall include but are not limited to:
 - Inspection of Properties
 - Research of expenses and leases
 - Research of Comparable Sales
 - Conference, calls and meetings
 - Tax Court settlement conferences
 - Trial
3. Provide review services and any other services required by Fair Lawn in accordance with the Standards of Professional Practice of the Appraisal Institute, including, but not limited to, USPAP, the Statements on Appraisal Standards of the Appraisal Foundation, the Code of Professional Ethics of the Appraisal Institute, and the Advisory Opinions of the Appraisal Standards Board. Particular attention will be paid to USPAP Standard 3 and Statement on Appraisal Standards No.1.

Value Research Group will coordinate with Fair Lawn personnel throughout the course of this Contract. To ensure an expeditious exchange of information, we will immediately contact Fair Lawn's Tax Assessor and Special Tax Counsel and construct an efficient means of coordinating and reporting our activities.

Fair Lawn RFP

11/19/2013

Proposed Fee Schedule

Appraisals, Consulting and Support Services

We will stipulate a "not to exceed" fees for specific assignments based on your requirements.

Principal in Charge:	\$150.00/hour
MAI Appraisers	\$150.00/hour
Associates:	\$150.00/hour
Support Staff:	\$150.00/hour

Billing Structure

Our hourly fee includes attendance at any meeting related to the project, appraisals, research, preparing reports and communicating with project participant. The fee will also be applied to time spent attending any commissioner's hearings or trials, depositions and pretrial conferences, whether or not testimony is actually given, and the review of any material submitted by others.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

Resolution No. 2-2014

By

Seconded by

WHEREAS, there exists a need for the Borough of Fair Lawn to be represented in tax appeals and for any ancillary services required to be undertaken for property acquisition or sale by the Borough and it is necessary to obtain the services of appraisers for the preparation of appraisal reports of property under appeal, for the preparation of reports of other properties in the Borough, for the appearance in court of the appraiser with regard to the defense of the tax appeals and for any ancillary services required relating to the acquisition or sale of property by the Borough as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; 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 appraisal services for year 2014 as Tax Appraiser with proposed retainer agreement, dated November 21, 2013 has been submitted by McNerney & Associates, Inc., having an office located at 266 Harristown Road, Glen Rock, New Jersey 07452, 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 and Borough Tax Assessor that said services are necessary, a contract be awarded to McNerney & Associates, Inc., to become the Tax Appraiser for the Borough of Fair Lawn, in accordance with its proposal for professional tax appraisal 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 January 1, 2014 and expiring on December 31, 2014.
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 McNerney & Associates, Inc., 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 McNerney & Associates, Inc. have 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.
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 McNerney & Associates, Inc., 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 McNerney & Associates, Inc. have 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

McNerney & Associates, Inc.

Real Estate Appraisal Services • 266 Harristown Rd., P.O. Box 67, Glen Rock, New Jersey 07452-0067 • (201) 670-8558 • Fax (201) 670-0913

November 21, 2013

Joanne M. Kwasniewski, RMC/CMC/MMC
Municipal Clerk
Borough of Fair Lawn
8-01 Fair Lawn Avenue
Fair Lawn, New Jersey 07410

RE: APPRAISAL SERVICES
Tax Court of New Jersey
Borough of Fair Lawn, New Jersey

RECEIVED
MUNICIPAL CLERK'S OFFICE
2013 NOV 25 A 11:29

Dear Ms. Kwasniewski:

At your request, I am submitting the following proposal for appraisal services relative to the pending Tax Appeals within the Borough of Fair Lawn. The costs for providing the municipality with the appraisals necessary in the defense of these appeals are as follows:

Equalized Property Assessment	Appraisal Fee
Under \$500,000	\$ 1,500
Between \$501,000 and \$1,000,000	\$ 2,000
Between \$1,001,000 and \$2,500,000	\$ 2,500
Between \$2,500,001 and \$5,000,000	\$ 3,500
Properties \$5,001,000 - \$7,500,000	\$ 5,000
Properties \$7,501,000 and Over	To Be Determined

The fee schedule should not be considered a specific proposal for appraisal services but more a guide so that you may estimate the costs associated with the defense of the appeals. In addition to the appraisal fee, court time and conference time will be billed at an hourly rate of \$100.00.

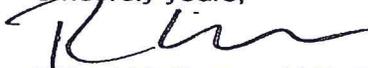
PAGE TWO

There will be no charge for telephone calls to or from the Assessor and Attorney nor will there be a charge for the review of the cases. Typically, we do not provide for a preliminary appraisal as the cost for a preliminary closely resemble the cost of a trial ready appraisal report.

This proposal also includes appraisal services for Green Acres and Blue Acres funding. The cost for such appraisals will be provided upon review of the assignment.

If you have any questions regarding this information, please do not hesitate to contact me.

Sincerely yours,



Robert McNerney, MAI, SRA, CRE
President

McNerney & Associates, Inc.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 3-2014

By
Seconded by

WHEREAS, the Borough of Fair Lawn has a need to acquire certain professional services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Hawkins, Delafield & Wood, LLP having offices at One Gateway Center, Newark, New Jersey 07102, submitted a proposal dated November 19, 2013, attached hereto and made a part hereof as Schedule "A", indicating it will provide the services set forth in its proposal, as Bond Counsel to the Borough;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN as follows:

1. That upon the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid Hawkins, Delafield & Wood, LLP, pursuant to and in accordance with its proposal for professional services aforesaid, which services are to be billed as set forth in its proposal.
2. The term of the contract shall commence on January 1, 2014 and expire on December 31, 2014.
3. No additional services shall be rendered for which Hawkins, Delafield & Wood, LLP shall seek additional payment without written authorization by the Borough pursuant to law.
4. The Mayor and Municipal Clerk are hereby authorized to execute said contract to be prepared by the Borough Attorney, 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 Hawkins, Delafield & Wood, LLP have 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 this resolution is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.



A NEW YORK LIMITED LIABILITY PARTNERSHIP

PHONE (973) 642-8584
FAX (973) 642-6773

ONE GATEWAY CENTER
NEWARK, NJ 07102
WWW.HAWKINS.COM

DIRECT DIAL: (973) 642-1307
E-MAIL: RBEINFELD@HAWKINS.COM

NEWARK
NEW YORK
WASHINGTON
HARTFORD
LOS ANGELES
SACRAMENTO
SAN FRANCISCO
PORTLAND

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ERIC J. SAPIR
CHARLES G. TOTO
KRISTINE L. FLYNN
PATRICIA A. GOINS

MICHELLE A. LOUCOPOLOS
DAVID S. HANDLER
ROBERT A. ERNST
MEGAN I. FELICIANO
ANDREW S. THURMOND

November 19, 2013

Borough of Fair Lawn,
in the County of Bergen, New Jersey

Ms. Joanne M. Kwasniewski
Municipal Clerk
Municipal Building
8-01 Fair Lawn Avenue
Fair Lawn, New Jersey 07410

Dear Joanne:

Thank you very much for your letter of November 15, 2013 inviting Hawkins Delafield & Wood LLP to submit a fee schedule for bond counsel services for the year 2014. As requested, set forth below is our proposed fee schedule. **Please note that the proposed fee schedule for 2014 contains no increases from the 2013 fee schedule and is identical to the fee schedule that has been in effect for the last several years.**

In addition, I am enclosing a proposed form of Professional Services Agreement that contains certain State recommended statutory references and the Mandatory Equal Employment Opportunity Language, the Business Entity Disclosure Certification, the Chapter 271 Political Contribution Disclosure Form, the Stockholder Disclosure Certification, our New Jersey Business Registration Certificate and a copy of our Certificate of Employee Information Report from the State Treasurer.

For work done and responsibilities assumed in connection with municipal bond issues, we would charge a base fee of \$3,500 plus \$1.00 per \$1,000 of bond issue with some additional charges for multi-ordinance bond issues, plus the usual minimal disbursements. For the preparation, review or revision of a draft bond ordinance, we would charge \$500 with some additional charges for multi-purpose ordinances (\$250 per additional purpose), Local Finance Board involvement and other unique issues. For work done and responsibilities assumed in connection with note issues, we would charge a base fee of \$1,000 plus 50¢ per \$1,000 of notes (with a \$1,000 minimum) with some additional charges for multi-ordinance note issues, plus the usual minimal disbursements. Additionally, it is necessary for the Borough to distribute an official statement in connection with the issuance of its bonds (and possibly notes). We use an hourly charge basis in determining the fee for such services (with a \$2,000 minimum) and our

RECEIVED
MUNICIPAL CLERK'S OFFICE
2013 NOV 20 A 9:53

2.

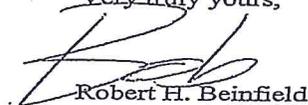
hourly rates for paralegals, associates and partners range from \$95 to \$250. Hourly charges on a typical bond or note issue are usually minimal.

With the present emphasis on federal securities laws, book-entry only securities, municipal bond insurance, initial and continuing disclosure, and arbitrage and rebate regulations, bond and note issues usually require additional attention with some added charges. Similarly, unique financings such as refundings and pooled loan programs usually involve some additional work and charges.

It has been a pleasure for all of us here to work with you, the Borough and its officials and professionals over the course of the past year and I look forward to doing so again next year. Please do not hesitate to contact me if I can do or provide anything further at this time or if either you or others have any questions with regard to the above.

With best regard, I am

Very truly yours,



Robert H. Beinfield

RHB:cls
Enclosures
Federal Express

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

Resolution No. 4-2014

By
Seconded by

WHEREAS, the Borough of Fair Lawn has a need to acquire a Borough Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Ronald P. Mondello having an office located at 0-100 27th Street, Fair Lawn, New Jersey 07410 has submitted a proposal dated November 18, 2013, attached hereto and made a part hereof as Schedule A indicating he will provide the services as Borough Attorney in accordance with said proposal; and

WHEREAS, Ronald P. Mondello has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Fair Lawn in the previous one year, and that the contract will prohibit Ronald P. Mondello from making any reportable contributions through the term of the contract, and

WHEREAS, that the award of this non-fair and open contract is subject to the Borough Treasurer executing the appropriate Certificate of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn authorizes the Mayor and Municipal Clerk to enter into a contract with Ronald P. Mondello, as described herein, provided all statutory requirements are met;

BE IT FURTHER RESOLVED, the term of the contract shall be from January 1, 2014 and expiring on December 31, 2014;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a notice of this resolution shall be published in The Record as required by law.

THIS AGREEMENT made the _____ day of January, 2014, by and between the BOROUGH OF FAIR LAWN, a municipal corporation in the County of Bergen and State of New Jersey, having its offices at 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey 07621 (hereinafter the "Borough") party of the first part; and RONALD P. MONDELLO, ESQ, having offices at 0-100 27th Fair Lawn, Bergen County, New Jersey 07410 (hereinafter designated as the "Borough Attorney"), party of the second part.

WITNESSETH:

WHEREAS, the Mayor and Council of the Borough of Fair Lawn on January _____, 2014 appointed Ronald P. Mondello, Esq., to serve as Borough Attorney pursuant to N.J.S.A. 40A:9-139 for a term of one year commencing January 1, 2014 and terminating December 31, 2014; and

WHEREAS, the Borough Attorney is legally qualified to render the services required of this position and is a member of the New Jersey Bar in good standing; and

WHEREAS, the services to be rendered under this Agreement meet the definition of "Professional Services" as set forth in N.J.S.A. 40A:11-2(6); and

WHEREAS, under the local Public Contracts law, N.J.S.A. 40A:11-1 et seq., it is necessary for the Borough to enter into a written contract with the Borough Attorney specifying the services to be performed and the compensation to be paid: _____

NOW, THEREFORE, in mutual consideration of the covenants, obligations and responsibilities set forth herein, it is agreed by and between the parties as follows:

1. Services to be Rendered. The Borough shall employ Ronald P. Mondello, Esq. as Borough Attorney for the period from January 1, 2014 to December 31, 2014 or until his successor is appointed. Ronald P. Mondello, Esq. agrees to serve as Borough Attorney for the Borough with regard to various legal matters within the Borough of Fair Lawn that might be necessary to represent the Borough as their Attorney. The Borough Attorney shall render the usual professional services that might be necessary to the Borough in accordance with the Ordinance adopted by the Borough of Fair Lawn and the New Jersey Statutes and administrative regulations applicable to municipal attorneys.

2. Compensation. The Borough agrees to pay the Borough Attorney an annual salary of One Hundred Thousand (\$100,000.00) Dollars.

2.1 Scope of Services. The Borough Attorney shall perform the following duties for the above compensation:

- a. Attendance at regularly scheduled meetings of the Borough Council.
- b. Serve as legal advisor to the Mayor, Council, Business Administrator, Department Heads, Administrative boards and agencies appointed by the Mayor and/or Council, except as may otherwise be provided by law or the Borough Code on all matters of Borough business relating to municipal services.
- c. Provide legal advice to the Borough's elected officials and their staff.
- d. Prepare and review ordinances, resolutions and other related documents at the direction of the Mayor and Council.
- e. Assist Borough officers and employees to maintain awareness of ethical standards and appearance of fairness standards and to avoid potential conflicts of interest, prohibited transactions and the appearance of prohibited transactions.
- f. Assist officials and employees to understand the legal roles and duties of their respective offices and interrelationships with others.
- g. Interpretation of the Borough Code; perform and interpret laws, court decisions and other legal authorities in order to prepare legal opinions and to advise the Mayor and Council on legal matters pertaining to borough operations.
- h. Provide the Mayor, Borough Council, and Borough Administration a legal perspective and advice on various governmental issues.
- i. Review, comment, and modify easements, deeds and other Borough land transaction documents. Draw up legal documents covering purchases and sale of land exclusive of contracts.
- j. Consultation and/or assistance to the Borough in obtaining counsel in specialized areas of expertise and/or special projects. Supervise and direct the work of such additional attorneys as the Mayor and/or Borough Council may authorize for special or regular employment in or for the Borough.
- k. When requested by the Mayor and Council, reply to inquiries from residents and/or commercial enterprises.

Any legal services which fall outside of the aforementioned scope of services shall be considered "extraordinary legal work", which shall be paid at the following hourly rates:

Ronald P. Mondello, Esq.	\$100.00
Associate Attorneys	\$ 95.00
Law Clerks/Paralegals	\$ 75.00

2.1.1 Examples of extraordinary legal work

- a. Representation of the Borough in any matter in which the Borough is a party before any division of the Superior Court of New Jersey, the Federal District Court, any appellate courts or administrative boards/tribunals.
- b. The filing of any suit on behalf of the Borough in any court when so directed by the Mayor and/or Borough Council.
- c. Any appeals from orders, decisions or judgments affecting any interest of the Borough.
- d. Serving as attorney for the Borough in any matter before the Court and/or Council on Affordable Housing and any other state agency or instrumentality of the State of New Jersey.
- e. Serving as attorney for the Borough in any alcoholic beverage proceeding, either before the Mayor and Borough Council or before the Alcoholic Beverage Commission.
- f. The maintenance of a record of all actions, suits, proceedings and matters which relate to the Borough's interests and report thereon from time to time as the Mayor and/or Council may require.
- g. Reviewing and negotiating contracts and agreements.
- h. Reviewing and/or drafting bid specification documents.
- i. Performing legal research associated with the performance of extraordinary legal work.
- j. Any mandatory appearances made on behalf of the Borough.

In the event any other associate is utilized on Borough matters, his/her time will be billed in accordance with the rates set forth in the Agreement. In addition, filing fees, postage and other expenditures incurred in the course of rendering legal services to the Borough shall be billed for and reimbursed in accordance with the customary practice. Photocopies will be billed at a rate of ten (.10) cents per page.

3. Affirmative Action Compliance. During the performance of this Agreement, the Borough Attorney agrees as follows: he will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. Further, the Borough Attorney agrees to abide by the terms and conditions stated within the attached documentation by the State of New Jersey, Department of the Treasury, Affirmative Action Office, Public Agency Regulations for Awarding Contracts Pursuant to P.L. 1975, C. 127, (NJAC 17:27), as set forth in Exhibit A attached hereto and made a part hereof.

4. Maintenance of Malpractice Insurance. As counsel for the Borough of Fair Lawn, the Borough Attorney shall maintain in full force and effect professional liability insurance.

5. It is understood that this Agreement is awarded to the Borough Attorney as a "Professional Contract" without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law, and in accordance with a Resolution published in The Record.

6. Entire Agreement. This Agreement constitutes the entire Agreement between the parties pertaining to the subject matter hereof. No supplement, modification, waiver or termination of this Agreement, or any provision hereof, shall be binding unless executed in writing by the parties. No waiver of any of these provision of this Agreement shall constitute a waiver of an other provisions, nor shall such waiver constitute a continuing waiver unless so expressly provided.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, or caused these presents to be signed by the proper officials and agents and caused their seals to be affixed hereto the day and year first above written.

BOROUGH OF FAIR LAWN

ATTEST

Borough Clerk

JOHN COSGROVE, Mayor

WITNESS

RONALD P. MONDELLO, P.C.

RONALD P. MONDELLO, ESQ.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

Resolution No. 5-2014

By

Seconded by

WHEREAS, the Borough Council has deemed it necessary to obtain professional Engineering and Surveying services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, a proposal for professional Engineering and Surveying services for year 2014 with proposed retainer agreement, dated November 26, 2013 has been submitted by Rigg Associates, P.A., having an office located at 1000 Maple Avenue, Glen Rock, New Jersey 07452, 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 and Borough Engineer that said services are necessary, a contract be awarded to Rigg Associates, P.A., to become the Surveyor for the Borough of Fair Lawn, in accordance with its proposal for professional surveying and engineering services aforesaid, which services are to be billed in accordance with the aforesaid proposal's payment schedule upon the completion of work as specified.
2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.
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 Borough Clerk are hereby authorized to execute said contract to be prepared by the Borough Attorney, 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 Rigg Associates, P.A. 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; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

RIGG ASSOCIATES, P.A.
ENGINEERS * SURVEYORS * PLANNERS
1000 Maple Avenue, Glen Rock, N.J. 07452
Tel. (201) 445-0053 Fax (201) 445-6526
E-mail: info@riggassociates.com
www.RiggAssociates.com

**ENGINEERING AND SURVEYING SERVICES
RIGG ASSOCIATES, PA**

MUNICIPAL FEE SCHEDULE-2014

The following outlines the basis for compensation and terms of payment that Rigg Associates, P.A. will be using for billing municipal clients in 2014. Our charges for technical services performed by personnel will be in accordance with the following schedule:

<u>CLASSIFICATION</u>	<u>HOURLY RATE</u>
A. Professional Engineer/Principal	\$ 127.50
B. Design Engineer/Surveyor	\$ 112.00
C. CADD Draftsperson	\$ 86.50
D. Inspector	\$ 76.50
E. Field Surveyor	\$ 62.00
F. Blueprints (in house)	\$ 4.25/Copy

In addition, out of pocket expenses are charged at cost. Out of pocket expenses generally including special reproduction costs paid to outside agencies, etc.

It shall be recognized that any resident engineering/surveying and inspection services performed beyond the conventional working hours (8 hours/day, 40 hours/week) shall be compensated on an overtime basis. The Engineer shall not authorize any overtime work unless it is in case of emergency and/or authorized by the Municipality. (Overtime shall mean time and a half over 40 hour weeks.)

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

Resolution No. 6-2014

By
Seconded by

WHEREAS, the Borough of Fair Lawn has a need to acquire certain the services of a professional grant writer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, a proposal for grant writing services for year 2014, dated November 21, 2013 has been submitted by Capital Alternatives Corporation, having an office located at 618 River Road, New Milford, New Jersey 07646, 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 the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid Capital Alternatives Corporation, pursuant to and in accordance with its proposal for professional grant writing services aforesaid, which services are to be billed as set forth in its proposal.
2. The term of the contract shall commence on January 1, 2014 and expire on December 31, 2014.
3. No additional services shall be rendered for which Capital Alternatives Corporation shall seek additional payment without written authorization by the Borough pursuant to law.
4. The Mayor and Municipal Clerk are hereby authorized to execute said contract to be prepared by the Borough Attorney, 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 Capital Alternatives Corporation have 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 this resolution is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

CONSULTING/GRANT SERVICES AGREEMENT

An agreement is made between **Capital Alternatives Corporation**, a New Jersey Corporation, with the requisite expertise, training and proven reputation conforming to N.J.S.A. 40A:11-5(i) (a) (i) which awards contracts for specialized and un-specifiable services without competitive bid in acquiring government grants, low-interest loans, and passive economic benefits for qualifying government bodies and agencies; private for profit and not-for profit entities, with its principal offices located at Demarest House, 618 River Road, New Milford, NJ 07646, hereinafter **Consultant**, and:

**Borough of Fair Lawn
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410**

a municipal corporation and body politic within the state of New Jersey, County of Bergen, herein after **Municipality**.

1. **Municipality engages Consultant on a specified project basis to:**
 - a. use its professional expertise to determine where and how **Municipality** may be eligible to apply for government grants, low-interest loans, and passive economic benefits for specific projects and needs within the community.
 - b. present from time to time a list of funding programs for which **Municipality** may have interest and authorize **Consultant** to pursue.
 - c. meet and collaborate with **Municipality** and its participating professionals who may have special knowledge and expertise that would contribute to the complete and essential preparation of a Governing Body-authorized application.
 - d. obtain and coordinate all supporting documentation from participating professionals, acquire officials' letters of support, and attend mandatory granting agency program meetings that may be required of the application process.
 - e. complete and file applications authorized by the Governing Body with the appropriate funding agencies and inform **Municipality** periodically of their status and of any new or enhanced programs.
 - f. follow up after an award has been announced to ensure that all steps in the award process are completed in a timely manner.

1.A. **Limitation:** Consultant shall not seek a grant or loan for any government program that **Municipality** is eligible for and for which it has previously submitted an application on its own behalf, unless authorized to do so by the Governing Body as aforesaid. Further, **Consultant** shall only be entitled to contingent fees for applications specifically authorized by resolution of the Governing Body.

2. **Municipality** shall be responsible for engaging the services of other professionals at its own expense in the preparation of documents and the performance of services not included in this agreement (i.e., A&E cost estimates and plans, legal and accounting fees, etc.).

3. **Consultant** waives a retainer fee.

4. As consideration for providing **Municipality** with an approved grant application, **Municipality** shall owe a **Grant Fulfillment Fee** to **Consultant** equivalent to a percentage of the amount of each grant awarded:

- a. 10% up to \$500,000 for each grant award
- b. 8% over \$500,000 for each grant award

5. Municipality shall make payment of each earned **Grant Fulfillment Fee** according to the following payment schedule:

a. 100% of an earned fee applicable to the total value of a grant, a **Direct Economic Benefit**, awarded for a capital improvement, or for capital equipment, shall be paid within thirty (30) days of Municipality providing either temporary financing or committing its own funds by Resolution of the **Governing Body**, and certified by the CFO of the availability of funds.

b. 100% of an earned fee applicable to the total value of an awarded program grant shall be paid within ninety (90) days of Municipality receiving official announcement of an award, and certified by the CFO of the availability of funds.

c. **Exception:** If Municipality is the beneficiary of a **Passive Economic Benefit**, and not a direct grant, for a project within its incorporated limits that provides a use or other benefit for Municipality, a project where financial and/or management responsibility and control are assumed by a third party and not Municipality, and for which **Consultant** was authorized by the **Governing Body** to pursue, then a fee shall be owed to **Consultant** based upon the value assigned, or funds appropriated, by said third party for the acquisition of personal and real property and property improvements within Municipality's incorporated limits and in accordance with the fee structure in paragraph 4., herein.

c.i. Said fee shall be earned and payable when proof of value or appropriation is acceptable to Municipality in form and substance and **Consultant** has submitted an invoice and a signed voucher, and certified by the CFO of the availability of funds.

6. As consideration for providing Municipality with an approved source of funding for a loan (**Direct Economic Benefit**) from a government agency or other funding entity, Municipality shall pay **Consultant** a **Financing Fulfillment Fee** equivalent to the following fee schedule:

- a. 5% of approved financing up to up to \$500K
- b. 4% of approved financing over \$500K

7. Municipality shall make payment of an earned **Financing Fulfillment Fee** according to the following payment schedule, :

a. 20% of an earned fee shall be paid within thirty (30) days of Municipality being officially notified of an award, and certified by the CFO of the availability of funds.

b. any balance of an earned fee shall be payable upon the exchange of funds from the financing source to Municipality, or by a third party for the direct benefit of Municipality, and certified by the CFO of the availability of funds.

8. Municipality acknowledges that all fees are considered earned and owing to **Consultant** as long as Municipality shall be awarded a **Direct Economic Benefit** or **Passive Economic Benefit** as a direct result of a **Governing Body**-authorized application submitted by **Consultant** during the term of engagement. In the event a grant award or financing arrangement has been approved, and a **Grant** or **Financing Fulfillment Fee** is paid pursuant to paragraphs 5. and 7. herein, and is subsequently canceled by the funding party as a result of a failure by Municipality, its employees or agents, to comply with the terms and conditions of the funding process and not through any fault of **Consultant**, any fees paid to **Consultant** shall be considered earned and non-returnable.

a. Municipality further acknowledges that some fees may be earned and owing to **Consultant** from year-to-year for projects and programs where an award is paid over multiple years. In such instance, earned fees shall be based upon the amount of funding from year-to-year.

9. Consultant shall provide its expertise on a best efforts basis and makes no statements or guarantees that submitted applications and supporting documentation will assure project funding. Assurances and guarantees can only be made by the respective sources for grants and loans.

10. Municipality and Consultant understand the term "application" to mean any Governing Body-authorized request for Consultant to pursue a Direct or Passive Economic Benefit in the form of an official application, letter, or verbal request, as long as the form of the request is acceptable to the reviewing agency, funding source, or responsible third party and results in a Direct or Passive Economic Benefit for Municipality.

11. Consultant shall comply with P.L. 1975 C. 127 (N.J.A.C. 17:27) regarding Mandatory Affirmative Action language in Procurement, Professional and Services Contracts.

12. This agreement shall be binding upon the parties hereto, their executors, administrators, heirs and successors.

13. The parties, hereto, have the legal capacity by either Resolution, or Articles of Incorporation, to bind the terms and conditions set forth and to which we hereby acknowledge and accept by legal signature.

14. The term of this agreement shall begin upon execution of this agreement and continue thereafter until December 31, 2014.

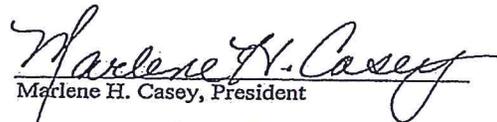
15. Political Contribution Disclosure. This contract has been awarded to Consultant based on the merits and abilities of Consultant to provide the services as described herein. This contract was awarded through a "non-fair and open" process pursuant to N.J.S.A. 19:44A-8 et seq. and Borough Ordinance No. 2056-2006, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19 affect its eligibility to perform this contract, nor will it make a reportable contribution during the time of the contract to any political party committee in the Municipality if a member of that political party is serving in an elective public office of the Municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Municipality when the contract is awarded.

Mayor, Borough of Fair Lawn

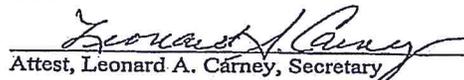
Date

Attest, Municipal Clerk

Date


Marlene H. Casey, President

11-21-13
Date


Attest, Leonard A. Carney, Secretary

11-21-13
Date

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 7-2014

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to engage the services of a professional risk manager; 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 the year 2014 for providing risk management services with proposed retainer agreement, has been submitted by Professional Insurance Associates, Inc., having an office located at 429 Hackensack Street, P.O. Box 818, Carlstadt, New Jersey 07072, 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 that:

1. That upon recommendation of the Borough Manager that said services are necessary, a contract be awarded to Professional Insurance Associates, Inc., for professional risk management consulting services for the Borough of Fair Lawn, in accordance with the attached agreement.
2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.
3. No additional services shall be rendered for which the Professional 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 Professional Insurance Associates, Inc. having an office located at 429 Hackensack Street, P.O. Box 818, Carlstadt, New Jersey 07072.

5. A notice of this resolution shall be published in The Record as required by law.

BE IT FURTHER RESOLVED that Professional Insurance Associates, Inc. have 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

RISK MANAGEMENT CONSULTANT'S AGREEMENT BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

This Agreement entered into this 1st day of January 2014 between the Borough of Fair Lawn (hereinafter referred to as Municipality) and Professional Insurance Associates, Inc., 429 Hackensack Street, P.O. Box 818, Carlstadt, NJ 07072-0818 (hereinafter referred to as the Consultant).

WITNESSETH:

WHEREAS, the Consultant has offered to the Municipality professional risk management consulting services as required in the Bylaws of the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds, and;

WHEREAS, the Municipality desires these professional services pursuant to the resolution adopted by the Mayor & Council of the Municipality at a meeting held and;

NOW THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

The Consultant, for and in consideration of the amount stated hereinafter, agrees to provide services to the Municipality as follows:

- a) The Consultant shall assist the Municipality in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume, or transfer the risk or loss.
- b) Assist the Municipality in understanding the various coverages available from the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.
- c) Coordinate the Municipality's Insurance Program as it applies to the various departments of the Municipality.
- d) Review with the Municipality any additional coverages that the Consultant feels should be carried, but are not available from the Fund, and subject to the Municipality's authorization, place such coverages outside the Fund.
- e) Advise the implications of special events and advise the Municipality of the special events coverage that is required.
- f) Assist the Municipality in the preparation of applications, statements of values and similar documents requested by the Fund, it being understood that this Agreement does not include any appraisal work by the Consultant.

- g) Review Certificates of Insurance from contractors, vendors, and professionals when requested by the Municipality.
- h) Review the Municipality's assessment as prepared by the Fund and advise the Municipality of its annual insurance costs.
- i) Review the loss and engineering reports and generally assist the Safety Committee in its loss containment objectives. Also, attend no less than one per annum Safety Committee Meeting to promote the safety objectives and goals of the Municipality and the Fund.
- j) Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster.
- k) Communicate all important (deadline) dates to the Municipality to avoid surcharges and/or lapses in coverage.
- l) Attend meetings of the Fund and keep the Municipality advised of the operation of the Fund.
- m) Serve on the committees appointed by the Executive Committee of the Fund.
- n) Have a complete understanding and working knowledge of BCMJIF and MEL.
- o) Any other services required by the Fund's Bylaws or by the Municipality.
- p) Prepare and present an annual report for the Mayor & Council outlining the Fund's financial performance, coverages, and services.

The term of this agreement shall be for one (1) year from the 1st day of January 2014, unless terminated as hereinafter provided in this Agreement.

The Municipality authorizes the Fund to pay its Consultant compensation for services rendered, an amount equal to six percent (6%) of the Municipality's annual assessment as promulgated by the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund. Said fees shall be paid within 30 days subsequent to the payment of the quarterly assessment by the Municipality.

For any coverages authorized by the Municipality to be placed outside the Fund by Professional Insurance Associates, Inc. and/or affiliated companies, the Consultant shall receive as his full compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the Fund's assessment in computing the six percent (6%) fee outlined above.

ALTERNATIVE TO FAIR AND OPEN CONTRACT CONTRIBUTION PROHIBITION LANGUAGE

Political Contribution Disclosure. This Contract has been awarded to Professional Insurance Associates, Inc. based on the merits and abilities of Professional Insurance Associates, Inc. to provide the goods or services as described herein. This Contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Professional Insurance Associates, Inc., its subsidiaries, assigns, or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the Contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this Contract, nor will it make a reportable contribution during the term of the Contract to any political party committee in the Borough of Fair Lawn if a member of that political party is serving in an elective public office of the Borough of Fair Lawn when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Fair Lawn when the Contract is awarded.

Either party may cancel this Agreement at any time by mailing to the other written notice calling for termination at any time not less than ninety (90) days thereafter. Fees shall be prorated to the date of termination.

MUNICIPALITY: Borough of Fair Lawn	CONSULTANT: Professional Insurance Associates, Inc.
_____ Authorized Borough Official	 Victor M. Gardella, Secretary/Treasurer

ALTERNATIVE TO FAIR AND OPEN CONTRACT CONTRIBUTION PROHIBITION LANGUAGE

Political Contribution Disclosure. This Contract has been awarded to Professional Insurance Associates, Inc. based on the merits and abilities of Professional Insurance Associates, Inc. to provide the goods or services as described herein. This Contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Professional Insurance Associates, Inc., its subsidiaries, assigns, or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the Contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this Contract, nor will it make a reportable contribution during the term of the Contract to any political party committee in the Borough of Fair Lawn if a member of that political party is serving in an elective public office of the Borough of Fair Lawn when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Fair Lawn when the Contract is awarded.

Either party may cancel this Agreement at any time by mailing to the other written notice calling for termination at any time not less than ninety (90) days thereafter. Fees shall be prorated to the date of termination.

MUNICIPALITY: Borough of Fair Lawn	CONSULTANT: Professional Insurance Associates, Inc.
_____ Authorized Borough Official	 Victor M. Gardella, Secretary/Treasurer

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 8-2014

By
Seconded by

WHEREAS, computer maintenance is required for the finance system; and

WHEREAS, a proposal dated October 4, 2013 was submitted by Edmunds and Associates, Inc. and is attached hereto as Schedule "A"; and

WHEREAS, the contract is for the calendar year 2014, therefore it requires that the Governing Body commit the necessary funds to insure payment of this contracts commitments in the 2014 operating budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids, and the contract itself must be available for public inspection,

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 and Chief Financial Officer that said services are necessary, a contract be awarded to the aforesaid Edmunds and Associates, Inc. having an office located at 301A Tilton Road, Northfield, New Jersey 08225 pursuant to and in accordance with its proposal for professional services aforesaid, the cost not to exceed \$30,000 which services are to be billed in accordance with rates as set forth in the fee schedule incorporated in its proposal. Professional services to be included for 2014 are:
 - a. Annual Software Support Agreement; and
 - b. Minimum Recommended Back-up Procedures; and
 - c. Hardware & System Software Support Agreement.

2. No additional services shall be rendered for which the contractor shall seek additional payment without authorization by the Borough pursuant to law.
3. The Borough Manager is hereby authorized to execute the attached contract.
4. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law because said services are such a qualitative nature as will not reasonably permit drawing of specification or the receipt of competitive bids.
5. A notice of this resolution shall be published in The Record as required by law.

BE IT FURTHER RESOLVED that Edmunds and Associates, 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; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Fair Lawn, hereby and commit Borough funds for the above stated amounts.



2014 Annual Software Support Agreement

To receive continued Application Software Support and MCSJ/SBx/UAx System upgrades from Edmunds & Associates, Inc. (E&A), you must enter into this agreement. The terms of this agreement are listed below:

1. Any defects in the E&A Application Software as determined by E&A will be corrected at no cost to the user provided the said defect is not the result of misuse, operator error, or is beyond the original requirements of the system specifications.
2. E&A is responsible for providing software support under this agreement only for its proprietary application software. This includes all MCSJ/SBx/UAx licensed products. Support for third party products, i.e.; Microsoft Office, UCAARS, etc. are not covered under this agreement and all phone or on-site support is a billable service. Our minimum hourly rate is \$150 with at least one-half hour billable.
3. E&A end user documentation, faq's, helpful hints, video tutorials and chat is available via our website at www.edmundsassoc.com
4. Standard telephone support will be available from 8:00am to 5:00 pm EST, Monday through Friday excluding holidays.
5. Each user of E&A proprietary software is required to have a high-speed connection. E&A will provide support, enhancements and instruction for our application software via the Internet. ~~E&A is not responsible for any hardware or software issues that may occur on the user's system. E&A is not responsible for any hardware or software issues that may occur on the user's system. E&A is not responsible for any hardware or software issues that may occur on the user's system.~~
6. E&A's liability on any claim shall not exceed the original cost of the E&A proprietary software system. In no event shall E&A be held liable for consequential, incidental, special or exemplary damages, for loss, damage or expense directly or indirectly arising from the client's inability to use our products.
7. E&A reserves the right to withdraw without penalty any E&A application software package from coverage at our sole discretion upon thirty (30) days notice.
8. This agreement must be signed and returned by December 31, 2013 for continued support. The effective date of this agreement is January 1, 2014 through December 31, 2014.

Client: _____

Authorized Representative: _____
Signature Date

Printed Name: _____

100213

301A Tilton Road
Northfield, NJ 08225
P: 1.609.645.7333
support@edmundsassoc.com
www.edmundsassoc.com



2014 Minimum Recommended Back-up Procedures

Edmunds & Associates strongly recommends the installation of a tape back up in the fileserver, utilizing third party back up software in addition to any cloud back up. The fileserver should have a high speed Internet connection. If this is not possible, a pc on the network with a high-speed connection will suffice.

If you do not install as recommended we will not be able to view the tape status or restore files remotely. This would result in an unnecessary delay restoring files if we do not have remote access. All on site visits and phone consultations will be billable at our current hourly rate of \$ 150 per hour regardless of hardware maintenance coverage.

As a reminder we would like to review the minimum suggested back up procedures.

- ✓ Daily back up of data files. Five different tapes should be used, one for each day of the week.
- ✓ Tapes should be rotated and stored off site on a daily basis.
- ✓ Complete MCSJ/SBx/UAx system back up should be done at least weekly.
- ✓ Monthly back up tapes should be archived for at least 3 months.

The MCSJ applications verify that Edmunds data files have been successfully backed up every 3 days. It is the responsibility of each client to insure other files/databases, such as pdf's and word processing are being properly backed up.

Client name: _____ Date: _____

Employee signature: _____

Printed name: _____

Please make a copy for your records and distribute as necessary

Please sign and fax back to 609-645-3111.

100213

301A Tilton Road
Northfield, NJ 08225
P: 1.609.645.7333
support@edmundsassoc.com
www.edmundsassoc.com

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 9-2014

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to engage the services of a Labor Attorney; 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 the year 2014 as Labor Attorney with proposed retainer agreement, dated November 25, 2013 has been submitted by Cleary Giacobbe Alfieri Jacobs, LLC, having an office located at 169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436, 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 that:

1. That upon recommendation of the Borough Manager that said services are necessary, a contract be awarded to Cleary Giacobbe Alfieri Jacobs, LLC, to become the Labor Attorney for the Borough of Fair Lawn, in accordance with its proposal for professional labor counsel 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 January 1, 2014 and expiring on December 31, 2014.
3. No additional services shall be rendered for which the Professional 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 Cleary Giacobbe Alfieri Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436.
5. A notice of this resolution shall be published in The Record as required by law.

BE IT FURTHER RESOLVED that Cleary Giacobbe Alfieri Jacobs, LLC have 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

Court of New Jersey. Mr. Alfieri focuses his practice on the representation of public and private entities in land use and tax appeal matters.

F. Compensation Information

Cleary Giacobbe Alfieri Jacobs, LLC proposes to provide legal services at the rate of \$145.00 per hour.

On behalf of Cleary Giacobbe Alfieri Jacobs, LLC I would like to thank you for your consideration. Please do not hesitate to contact me should you have any questions or require additional information. I may be reached at (732) 583-7474 or via e-mail at mgiacobbe@cgajlaw.com. I look forward to hearing from you.

Very truly yours,


MATTHEW J. GIACOBBE

Aye Nay Abstain

Cosgrove
Peluso
Dunay
Lefkowitz
Swain

January 7, 2014

RESOLUTION NO. 10-2014

By
Seconded by

WHEREAS, there exists a need for the Borough of Fair Lawn to obtain the services of an environmental consultant for the preparation of reports of other properties in the Borough as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; 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 environmental consultant services has been submitted by ARCADIS having an office located at 17-17 Route 208, Fair Lawn, New Jersey 07410 for year 2014 has been received on November 26, 2013, 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 and Borough Engineer that said services are necessary, a contract be awarded to Malcolm Pirnie for environmental consulting services for the Borough of Fair Lawn, in accordance with its proposal for professional environmental consulting services aforesaid, which services are to be billed in accordance with the aforesaid proposal's payment schedule upon the completion of work as specified.
2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.

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 ARCADIS, 17-17 Route 208, Fair Lawn, New Jersey 07410, 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 ARCADIS 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.



Section 6 | 6-1
Standard Billing Rates

STANDARD BILLING RATES

ARCADIS would not require a retainer for providing professional engineering services to the Borough of Fair Lawn. We would propose to execute any assignment on a time and material basis in accordance with the Summary of Standard Charges on the next page.



This document describes the basis for compensation and terms of payment. All rates presented apply to services rendered after January 1, 2014 and will be adjusted annually thereafter.

In addition to these fees, clients will also be responsible for any sales or value-added taxes that may apply to engineering services performed.

Hourly Rates: Charges for services provided will be in accordance with the following schedule:

ARCADIS Hourly Rates	
Design Tech II/ Field Technician II	67
Drafter I/ Field Technician III and IV	80
Drafter II/ Field Technician V	91
Document Tech	115
Project Assistant I and II	128
CADD Designer/ Field Supervisor	177
Engineer/ Scientist	119
Staff Engineer/ Scientist/ Architect	134
Senior Engineer/ Scientist/ Architect I	144
Senior Engineer/ Scientist Architect II	149
Principal Engineer/ Scientist/ Architect II	178
Principal Engineer/ Scientist/ Architect I	223
Principal Engineer/ Scientist Architect II	255
Engineer/ Scientist Director	271

Other Direct Costs: All expenses incurred for a project, except in-house services specified below, from outside vendors will be invoiced at cost plus 10% to cover administrative expenses. These items may include, but are not limited to: shipping charges; printing; supplies; equipment; traveling expenses; special insurance; licenses; permits; or subcontractors.

In-house services consist of:

- Transportation - \$0.56 per mile for vehicles.
- Equipment - a schedule of usage rates for specialty equipment is available for field assignments
- Web Hosting - a schedule of monthly web hosting rates is available for client access web sites

Payment: All invoices are due and payable within 30 days of billing date. Any attorney's fees, court costs, or other related expenses incurred in collecting delinquent accounts shall be paid by the client. Delinquent bills are subject to finance charges of 1.5% per month.

CONV

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 11-2014

By
Seconded by

WHEREAS, there exists a need for the Borough of Fair Lawn to obtain the services of a Planner of Record for the Borough as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; 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 Planner of Record services has been submitted by Taylor Design Group, Inc. having an office located at 100 Technology Way, Suite 125, Mount Laurel, New Jersey 08054 for year 2014 has been received on November 20, 2013, 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 Taylor Design Group, Inc. for Planner of Record services for the Borough of Fair Lawn, in accordance with its attached proposal.
2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.
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 Taylor Design Group, Inc. 100 Technology Way, Suite 125, Mount Laurel, New Jersey 08054, 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 Taylor Design Group, 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

Planning & Landscape Architecture	Qualifications & Proposal
--	--------------------------------------

- Participate in meetings, phone conferences and other services as requested.
- Development Ordinance preparation
- Municipal Master Planning
- Affordable Housing (COAH) Consulting
- Redevelopment Planning



Project Fees

We propose to perform the above services on a time and materials basis, based upon the actual hours worked at the hourly rates below.

For development projects which are funded by Developer Escrow accounts, our billing and fees will comply with the applicable requirements of the State Escrow Law. TDG does not charge a flat fee for Board meeting attendance or for drive time.

Written proposals can be prepared on a project basis, as requested by the Municipality.

2014 HOURLY RATE SCHEDULE

Junior Planner/ Landscape Architect (Unlicensed)	\$85.00
Senior Project Landscape Architect- (Amy B. Cieslewicz, LLA, Steven Lennon, LLA)	\$122.00
Senior Project Planner- (Cheryl Bergailo, AICP, PP, LEED Green Assoc.)	\$122.00
Principal- (Michelle M. Taylor, AICP, PP; Scott D. Taylor, LLA, AICP, PP; LEED AP)	\$122.00

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 12-2014

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to obtain professional nursing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, a proposal has been submitted by The Valley Hospital having an office located at 223 N. Van Dien Avenue, Ridgewood, New Jersey 07450, for professional nursing services hereinbefore stated and as further set forth in its proposal, dated November 6, 2013, 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 the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid The Valley Hospital in accordance with its attached proposal;
2. No additional services shall be rendered for which The Valley Hospital shall seek additional payment without written authorization by the Borough pursuant to law.
3. The term of the contract shall be one (1) year, commencing on January 1, 2014 and terminating on December 31, 2014.
4. The Mayor and Municipal Clerk are hereby authorized to execute a contract with The Valley Hospital in a form approved by the Borough Attorney, 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 the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

THE VALLEY HOSPITAL
SERVICE BID A
2014 COMMUNITY PROGRAMS – FAIR LAWN, NJ

CHILD HEALTH CLINICS

One RN to staff two clinics per month, the 1st Thursday, 1:30-4:30pm and the 4th Thursday 1:00-4:00pm.

Proposed Hours:	72	
Hourly Rate:	\$47.43	\$3,414.96

ADULT HEALTH CLINICS

Clinic held the first & third Tuesdays of every month from 9:30am-11:30 staffed by 1 RN.

Total Proposed Hours:	48	
Hourly Rate:	\$47.43	\$2,276.64

BLOOD PRESSURE CLINIC

One clinic per month on the last Monday from 1:30-3:30pm in the Municipal Building staffed by 1 nurse and/or one clinic per month at the Fair Lawn Senior Center, 11-05 Gardiner Road for 2 hours staffed with 2 nurses.

Proposed Hours:	64	
Hourly Rate:	\$47.43	\$3,035.52

SPECIALTY CLINICS/SCREENINGS

Health Fairs screenings (4 hours), flu clinics (10 hours)

Proposed Hours:	14	
Hourly Rate:	\$47.43	\$664.02

COMMUNICABLE DISEASE REPORTING

Proposed Hours:	65	
Visit Rate:	\$47.43	\$3,082.95

SCHOOL AUDITS

Proposed Hours:	45	
Hourly Rate:	\$47.43	\$2,134.35

BOARD OF HEALTH HOME VISITS

Proposed Hours:	10	
Hourly Rate:	\$47.43	\$474.30

DIRECT OBSERVATION THERAPY

Proposed Hours:	10	
Hourly Rate:	\$47.43	\$474.30

EXTRA EMERGENCY NURSING SERVICES

Hourly Rate:	\$47.43	
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TOTAL PROPOSAL**\$15,557.04**

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 13-2014

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to obtain the services of a Health Educator as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, a proposal has been submitted by The Valley Hospital having an office located at 223 N. Van Dien Avenue, Ridgewood, New Jersey 07450, for Health Educator services hereinbefore stated and as further set forth in its proposal, dated November 6, 2013, 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 the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid The Valley Hospital in accordance with its attached proposal;
2. No additional services shall be rendered for which The Valley Hospital shall seek additional payment without written authorization by the Borough pursuant to law.
3. The term of the contract shall be one (1) year, commencing on January 1, 2014 and terminating on December 31, 2014.
4. The Mayor and Municipal Clerk are hereby authorized to execute a contract with The Valley Hospital in a form approved by the Borough Attorney, 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 the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

THE VALLEY HOSPITAL

2014 HEALTH EDUCATION PROGRAM BID – FAIR LAWN

150 Hours @ \$46.82 per hour = \$7,023.00

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 14-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named Officers for the year 2014 as recommended by the Board of Fire Commissioners, be and are hereby approved:

Chief: Howie Londer, 3-36 Hartley Place.

Assistant Chief: Kirk Wolthouse, 8-01 Chester Street

Deputy Chief: Timothy Yuskaitis, 15-39 Eberlin Drive

Battalion Chief: Ralph Rinaldo, 19-13 Saddle River Road

Company No. 1

Captain: Joe Kunz, 12-59 George Street

1st Lieutenant: Jeff Goldberg, 18-15 Kipp Street

2nd Lieutenant: Steven Sulcov, 13-23 20th

Engineer: Chris Hoitsma, 112 Franklin Avenue, Oakland

Company No. 2

Captain: Jacob Mamo, 7-29 Fern Street

1st Lieutenant: John Agnello, 2 Midland Avenue, Hawthorne

2nd Lieutenant: Anthony Guerrieri, 0-75 Pine Avenue

Engineer: Mike Grossi, 126 Heights Avenue

Company No. 3

Captain : Timothy Salvini, 25-29 Urban Place

1st Lieutenant: Nicholas Snyder, 23-14 Arcadia Road

2nd Lieutenant: Richard Van Handel, 0-80 Plaza Road

Engineer: Kevin Goralski, 2-06 32nd Street

Company No. 4

Captain: Scott Noonan, 39-24 Morlot Avenue

1st Lieutenant: Richard Healey, 27-05 Romaine Street

2nd Lieutenant: Benjamin Bontekoe, 3-13 Plaza Road North

Engineer: Rudy Hennecke, 9 Maywood Court

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 15-2014

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Councilmember John Cosgrove be and is hereby appointed as liaison to the Fire Department effective January 1, 2014, for a period of one year.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 16-2014

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Councilmember Amy E. Lefkowitz and Councilmember John Cosgrove be and are hereby appointed as co- liaisons to the Community Center effective January 1, 2014, for a period of one year.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 17-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individuals be and are hereby appointed to the Senior Citizen Advisory Board of the Borough of Fair Lawn to serve at the pleasure of Council:

Joyce Larena, President
St. Anne's Leisure Club
261 John Ochs Drive
Saddle Brook, New Jersey

Al LaCagnina, President
Livewires Club
37-06 Victoria Road

Elaine Meyers, President
Friendship Club
27-19 Urban Place

Ted Schiller, President
Friday Social Club
40-18 Tierney Place

Warren Nelson, President
Happy Seniors
31-03 Garrison Terrace

Karin Krankel
11-05 Gardiner Road

BE IT FURTHER RESOLVED that Councilmember Lefkowitz be and is hereby appointed as liaison to the Senior Citizen Advisory Board for the term of one year, ending December 31, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 18-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are hereby appointed to serve at the pleasure of Council on the Rent Leveling Board of the Borough of Fair Lawn:

TENANT MEMBERS

Arlene Glassman
14-15 Chandler Drive

Amy Sprechman DeBellis
17-14 Chandler Drive

ALTERNATE TENANT

Marilyn Carlin
20-08 Carlton Place

LANDLORD MEMBERS

Michael Aversa
Affiliated Management, Inc.
301 S. Livingston Ave, Suite 201
Livingston, New Jersey 07039

Michael O'Dea
199 Elmwood Avenue
Ho-Ho-Kus, New Jersey 07423

ALTERNATE LANDLORD MEMBER

Anthony Lauro
Affiliated Management, Inc.
301 S. Livingston Ave, Suite 201
Livingston, New Jersey 07039

HOMEOWNER MEMBERS

Saul Rochman
4-52 Bryant Place

Mark Singer
19-11 Angelo Terrace

Robert Waxman
42-29 De Bruin Drive

ALTERNATE HOMEOWNER

Sharon Metzger
18-18 Hunter Place

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 19-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are hereby appointed to serve at the pleasure of Council on the Holiday Celebrations Committee:

Maureen Morrison
3-49 31st Street

Mary E. Bartole
2-01 36th Street

Ron Bartole
2-01 36th Street

George Bate
3-23 17th Street

Keri Gallagher
8-54 Cedar Street

Leon Wender
7-22 Manor Avenue

Michael Ross
15 Ramapo Terrace

Scott David Lippe
7-08 Fair Haven Place

Scott Homa
8-01 Fair Lawn Avenue

James Graff
8-01 Fair Lawn Avenue

Larry Ames
17-04 Elliot Terrace

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 20-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are 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:

Valeriya Avdeev
27-15 Berkshire Road

George Bate
3-23 17th Street

Jim Vanderbeck
0-80 34th Street

Art Cumming

Robert Harris
6-38 Mansfield Drive

Pat Muse
10-15 6th Street

Mark Spindel
395 Plaza Road

Michael Stoll
11-08 Bellaire Avenue

Grace Palmieri
23-33 Arcadia

BE IT FURTHER RESOLVED that George Bate be and is hereby appointed as Chairperson and Councilmember Dunay be and is hereby appointed as liaison to the Fair Lawn Property Maintenance/Face Lift Committee for the term of one year, effective January 1, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 21-2014

By
Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn did establish a Self Insurance Program for general liability; and

WHEREAS, said resolution did establish the terms of the Commissioners of said fund;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are hereby appointed to serve for the term as noted:

<u>Name</u>	<u>Term Commences</u>	<u>Term Expires</u>
Amy E. Lefkowitz	1/1/14	12/31/14
Borough Manager	1/1/14	12/31/14
Karen Palermo, CFO	1/1/14	12/31/14

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 22-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are hereby appointed to serve at the pleasure of the Council on the Fair Lawn Borough Gardens Committee:

Christine Andrews
13 Brighton Place

Eleanor Coles
3-22 4th Street

Marc Coyer
39-08 Van Duren Ave.

Irina Smoller
8-11 Creek Court

Lauren Shepard
21-07 Radburn Road

Jane Spindel
39-08 Plaza Road North

Jane McCrum
35 Koenig Court

Martha Tischler
3 Ruskin Road

Lucy Malka
1 Andover Place

Barbara Vanderbeck
0-80 34th Street

Susan Winston
19-11 Greenwood Drive

Oren Zyndorf
21-19 Greenwood Dr

James Vanderbeck
0-80 34th Street

Marcia Greenwald
16-11 Jordon Road

Afina Broekman
4 Allen Place

Lydia Posner
3-25 Summit Avenue

Nancy Sperling
6 Fayette Place

Jorge Ivan Gomez Wei
13-08 B Sperber Road

Stacia Mosier
16-01 Split Rock Road

Eileen Rocco
33 Ridge Road

Sacha Leigh Vehrkens
7 Brighton Place

Joanne Sayegh
7-08 4th Street

Debora Farkas
12-07 Western Drive

Natalie Herr
8-46 Susan Place

Jonathan Holzager
30-07 Garrison Terrace

BE IT FURTHER RESOLVED that Councilmember Peluso be and is hereby appointed as liaison to the Fair Lawn Borough Gardens Committee for the term of one year, effective January 1, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 23-2014

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Councilmember Lefkowitz be and is hereby appointed as liaison to the Alliance for Substance Abuse Prevention effective January 1, 2014, for a period of one year.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 24-2014

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Councilmember Swain be and is hereby appointed as liaison to the River Road Improvement Corporation effective January 1, 2014, for a period of one year.

BE IT FURTHER RESOLVED by the Mayor and Council that Councilmember Peluso be and is hereby appointed as liaison to the Broadway Improvement Corporation effective January 1, 2014, for a period of one year.

BE IT FURTHER RESOLVED by the Mayor and Council that Councilmember Cosgrove and Councilmember Peluso be and is hereby appointed as co- liaisons to the Economic Development Corporation effective January 1, 2014, for a period of one year.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 25-2014

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to obtain professional loss control consulting services to provide the Borough with a professional safety and loss prevention program for the risks and exposures related to workers compensation and to include Right to Know Inventory & Labeling Survey Compliance for 2013 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, a proposal has been submitted by J.A. Montgomery Risk Control having an office located at 40 Lake Center Executive Park, 401 Route 73 North, Marlton, New Jersey 08053, for the professional loss control consulting and training programs, Right To Know Inventory & Labeling Survey Compliance as hereinbefore stated and as further set forth in its proposal, dated November 5, 2013, 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 the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid J.A. Montgomery Risk Control, in a total amount not to exceed the sum of \$3,213.00, pursuant to and in accordance with its proposals.
2. No additional services shall be rendered for which J.A. Montgomery Risk Control shall seek additional payment without written authorization by the Borough pursuant to law.
3. The term of the contract shall be one (1) year, commencing on January 1, 2014 and terminating on December 31, 2014.

4. The Mayor and Municipal Clerk are hereby authorized to execute a contract with J.A. Montgomery Risk Control in a form approved by the Borough Attorney, 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 the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

J.A. Montgomery

Since 1924 Risk Control

SERVICE FEE AGREEMENT

This Agreement is between J.A. Montgomery Risk Control ("J.A. Montgomery") and Borough of Fair Lawn ("Client") and sets forth the mutual commitment of the parties. J.A. Montgomery agrees to provide Client with Loss Control Services as provided in the attached Statement of Services ("Services"). For the receipt of those services, Client agrees to pay J.A. Montgomery as follows:

Total Fee: \$3,213.00

Payment Terms: Within 30 days of receipt of invoice

The parties agree that J.A. Montgomery is acting as a consultant to Client and is providing the Services to assist the Client in improving its risk management practices. Client agrees that J.A. Montgomery has no ability to adopt policies or procedures or to direct work on behalf of Client. To the fullest extent permitted by law, Client agrees to defend, indemnify and hold harmless J.A. Montgomery and its parents, and affiliated companies, and its and their officers, directors, agents, representatives, and employees, from any and all claims, actions, liability, loss, cost, damage or expense of any nature whatsoever which arise out of, or on account of any and all claims for bodily injury (including but not limited to bodily injury of Client's own employees), property damage or other loss that may arise related to the Services, whether by reason of Client's negligence, misrepresentation, breach or other actions or inactions, or by reason of the negligence, misrepresentation, breach or other actions or inactions of other third-parties. This obligation shall survive the termination of this Agreement.

This Agreement is entered into on this 15th day of November, 2013 and shall remain in full force and effect until completion of the project unless replaced or terminated by a superseding agreement.

Susan Kopec, Assistant Director/Training
Administration Manager

Client Representative (Print Name)

J.A. Montgomery Representative (Print Name)

Client Representative Signature

J.A. Montgomery Representative Signature

Statement of Services

J.A. Montgomery agrees to provide Borough of Fair Lawn with Right To Know Inventory, Labeling and Survey Preparation for 2014, which shall include:

- Services that are in conformity with the New Jersey Administrative Code Title 8, Department of Health and Senior Services and Chapter 59, Worker and Community Right to Know Act for the year 2014;
- A physical inventory of all items containing hazardous substances at each location;
- A computerized listing showing all items containing hazardous substances that are present at the time of the inventory;
- A completion of the NJ Health and Senior Services' Survey; and
- If needed, labels will be provided to Borough of Fair Lawn to attach to appropriate containers.

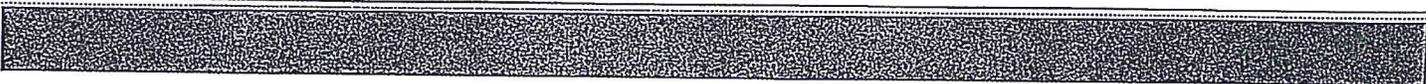
To the extent that the Borough of Fair Lawn does not request J.A. Montgomery to visit a site in whole or in part, J.A. Montgomery shall not be responsible for the inventory of those materials.

J.A. Montgomery shall provide the invoice for the services above as follows:

Carol Wagner
Health Officer
Director of Health & Human Services
Borough of Fair Lawn
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410
201-794-5327
health@fairlawn.org

Contact for Service Appointment:

Ron Conte
Superintendent of Public Works
Borough of Fair Lawn
8-01 Fair Lawn Avenue, Room 211
Fair Lawn, New Jersey 07410
Tel: 201-794-5306
Fax: 201-703-4248
E-Mail: Rconte@fairlawn.org



Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 26-2014

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to obtain professional health care services for the Borough's Child Health Conference and Hepatitis B immunization clinics and Influenza vaccination clinics in the Borough of Fair Lawn as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44A-20.5; and

WHEREAS, the aforesaid services are required in order to proceed with a solution to a problem affecting the public welfare and health; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that a notice of any resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, a proposal for the aforesaid services dated November 13, 2013, attached hereto and made a part hereof as Schedule A, has been submitted by Edward A. Sciano, Jr., MD, having an office located at 74 Bellevue Avenue, Elmwood Park, New Jersey 07407.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN as follows:

1. That upon the recommendation of the Borough Manager that said services are necessary, a contract be awarded to Edward A. Sciano, Jr., MD, pursuant to and in accordance with his proposal for professional health care services aforesaid, at a cost not to exceed \$6,000.00, which services are to be billed at the hourly rate of \$100.00 as set forth in the aforesaid proposal.
2. The term of the contract shall be for a period of one year commencing on January 1, 2014 through December 31, 2014.
3. No additional services shall be rendered for which Edward A. Sciano, Jr., MD shall seek additional payment without written authorization by the Borough pursuant to law.

4. The Mayor and Borough Clerk are hereby authorized to execute said contract to be prepared by the Borough Attorney, 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 the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

Nov 13 13 03:31p

Dr. Sciano

2017967568

P. 2



Edward A. Sciano Jr., MD
74 Bellevue Avenue
Elmwood Park, New Jersey 07407
Phone: 201-796-9212

Fax: 201-796-7568

November 13, 2013

Carol Wagner
Fair Lawn Health Department
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

Re: Child Health Care Conferences

Dear Carol:

In regards to the 2014 Child Health Care Conferences, I agree to provide the following services to the town of Fair Lawn:

2 clinics per month for a total of 24 clinics for the year.
Each clinic shall be 2 1/2 hours at a rate of \$100.00 per hour, for a total of \$250.00 per session, or \$500.00 for the month. All invoices are to be paid on a monthly basis. Overtime, if needed, will be at the same rate.

Hepatitis B vaccination clinics, Influenza vaccination clinics or any additional clinics will be held on an as needed basis. These shall be paid at a rate of \$100.00 per hour.

I hope that you find this agreeable. Please feel free to contact me at my office if you have any questions. Thank you.

Sincerely,

Edward A. Sciano, Jr. MD

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 27-2014

By
Seconded by

WHEREAS, the Village of Ridgewood has requested the Borough of Fair Lawn to provide it with the services of the Health Officer of the Borough of Fair Lawn; and

WHEREAS, providing said service will be beneficial to the residents of Fair Lawn by generating revenue for the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Borough enter into an interlocal government services agreement with the Village of Ridgewood for the purpose of providing the services of the Health Officer for a term commencing on January 1, 2014 and expiring on December 31, 2014 for the sum of \$8,550.00 to be paid by the Village of Ridgewood to the Borough of Fair Lawn;

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

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

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 28-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Joanne M. Kwasniewski be and is hereby appointed Public Action Compliance Officer, effective January 1, 2014 for a one year term.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 29-2014

By
Seconded by

BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the following individuals be appointed to the Shade Tree Advisory Committee to serve at the pleasure of the Council:

Wendy Dabney
13-05 Ivy Lane

Jane Spindel
395 Plaza Road North

Jim Vanderbeck
0-80 34th Street

Walter Neill
8-01 Fair Lawn Avenue

Howard Mark
12-23 Ferry Heights

Lucy Malka
1 Andover Place

Todd Mastrobuoni
2-10 Saddle River Road

Art Cumming

BE IT FURTHER RESOLVED that Councilmember Cosgrove be and is hereby appointed as liaison to the Shade Tree Advisory Committee effective January 1, 2014 for a period of one year.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 30-2014

By
Seconded by

WHEREAS, the Borough of Ho-Ho-Kus has requested the Borough of Fair Lawn to provide it with the services of the Health Officer of the Borough of Fair Lawn; and

WHEREAS, providing said service will be beneficial to the residents of Fair Lawn by generating revenue for the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Borough enter into an inter-local government services agreement with the Borough of Ho-Ho-Kus for the purpose of providing the services of the Health Officer for a term commencing on January 1, 2014 and expiring on December 31, 2014 for the sum of \$6,250.00 to be paid by the Borough of Ho-Ho-Kus to the Borough of Fair Lawn;

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

BE IT FURTHER RESOLVED that this resolution is subject to the condition that the Borough of Ho-Ho-Kus adopt a resolution concurrent herewith for the execution of said agreement.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 31-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are hereby appointed by the Mayor, with the consent of the Council, to serve on the Environmental Commission of the Borough of Fair Lawn for the terms as noted:

<u>NAME AND ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Wendy Dabney 13-05 Ivy Lane	1/1/14	12/31/16
Joseph Mele 15-21 11th Street Class IV	1/1/14	12/31/16
Janice Pessar 321 Plaza Road North	1/1/14	12/31/16
Nancy Sperling 6 Fayette Place	1/1/14	12/31/16

BE IT FURTHER RESOLVED that Councilmember Dunay be and is hereby appointed as liaison to the Environmental Commission for the term of one year, effective January 1, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 32-2014

By
Seconded by

WHEREAS, the Joint Insurance Fund (JIF) requests the Borough of Fair Lawn to appoint a Fund Commissioner; and

WHEREAS, the Borough Manager has been approved for this position by the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn do hereby appoint the Borough Manager as Fund Commissioner for the Joint Insurance Fund (JIF) for the period of January 1, 2014 through December 31, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 33-2014

By
Seconded by

WHEREAS, pursuant to Resolution No. 268-2009 the Mayor and Council established the Green Team Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that all members of the committee as constituted and any additional members to be appointed shall have their terms terminate on December 31, 2014:

Ed Brozek 6 Grover Terrace	Alan Neggia 8-01 Fair Lawn Avenue	Andrea Piazza 12-19 Burbank Street
Kenneth Garrison 8-01 Fair Lawn Avenue	Joan Goldstein 12 Bedford Place	Borough Manager 8-01 Fair Lawn Avenue
Patricia LaRocco 6-02 Morlot Avenue	Michael LaRocco 6-02 Morlot Avenue	Ron Lottermann 8-01 Fair Lawn Avenue
Nancy Sperling 6 Fayette Place	Carol Wagner 8-01 Fair Lawn Avenue	Kim Wei 13-08B Sperber Road
Ronald Durso 464 Division Street Maywood, New Jersey	Han Broekman 4 Allen Place	Jorge I. Gomez Wei 13-08B Sperber Road
Jeffrey D. Klein 0-57 Pine Avenue	Sacha Leigh Vehrkens 7 Brighton Place	Baruch Gadot 41-58 Rys Terrace

BE IT FURTHER RESOLVED that Councilmember Swain be and is hereby appointed as liaison to the Green Team Advisory Committee for the term of one year, effective January 1, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 34-2014

By
Seconded by

WHEREAS, there exists a need for a broker of record for medical and dental matters as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-20.5; and

WHEREAS, a proposal for professional broker of record for medical and dental matters services, dated November 18, 2013 has been submitted by P.I.A. Security Programs, Inc. having an office located at 429 Hackensack Street, P.O. Box 818, Carlstadt, New Jersey 07072, 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 P.I.A. Security Programs, Inc. to provide broker of record for medical and dental matter services for the Borough of Fair Lawn at a cost of \$37,500.00.
2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.
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 P.I.A. Security Programs, Inc., 429 Hackensack Street, Carlstadt, New Jersey 07072, 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 the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution;

BE IT FURTHER RESOLVED that the award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

PRODUCER/CONSULTANT'S AGREEMENT

This agreement entered into this 1st day of January 2014 between the Borough of Fair Lawn (hereinafter referred to as Municipality) and P.I.A. Security Programs, Inc., 429 Hackensack Street, P.O. Box 818, Carlstadt, NJ 07072 (hereinafter referred to as the Consultant).

WITNESSETH:

WHEREAS, the Consultant has offered to the Borough of Fair Lawn Employee Welfare Plan professional management consulting services, and;

WHEREAS, the Municipality desires these professional services pursuant to the resolution adopted by the Mayor and Council of the Municipality.

NOW THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

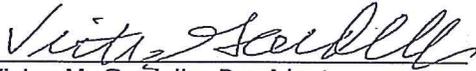
- A) Evaluation of the local unit's exposure.
- B) Explanation of the various coverages and assisting the local unit in the selection of proper coverage, as needed.
- C) Preparation of applications, etc. as required.
- D) Review of the local unit's costs and assisting in the preparation of the local unit's insurance budget.
- E) Assisting the local unit in the claims settlement process and the administration of the program.
- F) Providing assistance to the local unit with respect to negotiating and communicating benefit design with bargaining units and employees, and attendance at employee meetings, as necessary.
- G) Prepare and present an annual report for the Mayor and Council outlining the financial performance and services of the plan.

The term of this agreement shall be for one (1) year from the 1st day of January 2014, unless terminated as hereinafter provided in this Agreement.

ALTERNATIVE TO FAIR AND OPEN CONTRACT CONTRIBUTION PROHIBITION LANGUAGE

Political Contribution Disclosure. This Contract has been awarded to P.I.A. Security Programs, Inc. based on the merits and abilities of P.I.A. Security Programs, Inc. to provide the goods or services as described herein. This Contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that P.I.A. Security Programs, Inc., its subsidiaries, assigns, or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the Contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this Contract, nor will it make a reportable contribution during the term of the Contract to any political party committee in the Borough of Fair Lawn if a member of that political party is serving in an elective public office of the Borough of Fair Lawn when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Fair Lawn when the Contract is awarded.

Either party may cancel this Agreement at any time by mailing to the other written notice calling for termination at any time not less than ninety (90) days thereafter. Fees shall be prorated to the date of termination.

MUNICIPALITY: Borough of Fair Lawn	CONSULTANT: P.I.A. Security Programs, Inc.
<hr/> Authorized Borough Official	 <hr/> Victor M. Gardella, President

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 35-2014

By
Seconded by

WHEREAS, there exists a need for the Borough of Fair Lawn to have a Health Care Physician and it is necessary to obtain such services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; and

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

1. Dr. Marvin Wisch, having an office located at 28-09 Fair Lawn Avenue, Fair Lawn, New Jersey 07410 has submitted a proposal dated November 14, 2013, a copy of which is attached, indicating he will provide the services as Health Services Physician for the Borough of Fair Lawn at a cost of \$5,000.00.
2. The term of the contract shall be from January 1, 2014 and expiring on December 31, 2014.
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 Dr. Marvin Wisch, 28-09 Fair Lawn Avenue, Fair Lawn, New Jersey 07410;
5. A notice of this resolution shall be published in The Record as required by law.

BE IT FURTHER RESOLVED that Dr. Marvin Wisch 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

11/14/2013 02:54 2017968022
11/13/2013 08:49 12014752975

DR. MARVIN WISCH
HEALTH DEPT

PAGE 02/02
PAGE 02/02

Professional Service Agreement

For

Year 2014 Physician Services for Borough of Fair Lawn

All physician services as specified below are inclusive in this professional service agreement for the agreed upon annual stipend. All other unanticipated services needed in the future which would incur additional cost would have to be pre-authorized.

Physician Responsibilities:

Respond to Fair Lawn Police Department for Death Pronouncements and complete all related reports.

Participation in Borough sponsored Immunization Clinics for Adults and Senior Citizens and provide standing orders for the Fair Lawn Public Health Nurse.

Provide physician order for the Borough sponsored blood screenings conducted annually by the Fair Lawn Public Health Nurse for adults.

Provide oversight for physician consultation at a POD (Point of Distribution) if the Borough needs to distribute medication to employees or the general public in response to a large scale disease outbreak or threat of outbreak.

Title: Health Services Physician

Services provided by: Marvin Wisch, MD
28-09 Fair Lawn Ave
Fair Lawn, NJ 07410

Dr. Marvin Wisch agrees to accept payment of \$5,000 per annum; an amount of \$1,250 to be distributed quarterly for the above stated services.


(signature)

11-14-13
(date)

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 36-2014

By
Seconded by

WHEREAS, the Mayor and Council feels that accountability and efficiency will be enhanced by appointing an Economic Development Administrator;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that Don Smartt having an address at P.O. Box 1296, Fair Lawn, New Jersey 07410 is appointed as the Volunteer Economic Development Administrator for the Borough of Fair Lawn effective January 1, 2014 through December 31, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 37-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individuals be and are hereby appointed to the Planning Board of the Borough of Fair Lawn for the terms as noted:

<u>NAME AND ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Larry Metzger 18-18 Hunter Place Class IV	1/1/14	12/31/17
Amy Hummerstone 14 Brearly Crescent Class IV	1/1/14	12/31/17
John Cosgrove 10-05 Plaza Road Class I	1/1/14	12/31/14
Amy Lefkowitz 4 Sheridan Place Class III	1/1/14	12/31/14
Oliver Wilhelm 13-26 Orchard Street Alternate I	1/1/14	12/31/15
James Hughes 14-12 Rose Place Alternate II	1/1/14	12/31/14*

* filling unexpired term

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 38-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individuals be and are hereby appointed to the Health Advisory Board of the Borough of Fair Lawn for the terms as noted:

<u>NAME AND ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Kate Humble 2-13 Morlot Avenue	1/1/14	12/31/17
Roger J. Levitt 3-12 River Road Alternate I	1/1/14	12/31/15
Dale Bellisfield, RN,RH 7 Ballard Place Alternate II	1/1/14	12/31/15

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 39-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individuals be and are hereby appointed to serve at the pleasure of the Council on the Fair Lawn Arts Council:

Adrienne Segal-Kuperberg
2-31 Summit Avenue

Robert Kahn
360 Owen Avenue

Raquel Malinger
5-18 Sixth Street

Art Murrary
7 Ramsey Terrace

Jane Spindel
395 Plaza Road North

Emiliana Tuohey
9-12 Fair Lawn Avenue

Jenna Dunay
30-02 Garrison Terrace

Jon Taner
0-30 Hamlin Court

BE IT FURTHER RESOLVED that Jane Spindel be and is hereby appointed as Chairperson and Councilmember Swain be and is hereby appointed as liaison to the Fair Lawn Arts Council for the term of one year, effective January 1, 2014.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 40-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individuals be and are hereby appointed to the Zoning Board of Adjustment of the Borough of Fair Lawn for the terms as noted:

<u>NAME AND ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Richard Seibel 33-07 Halsey Road Regular Member	1/1/14	12/31/16*
James Lowenstein 22-02 Radburn Road Regular Member	1/1/14	12/31/17
John Gil 40-05 Broadway Regular Member	1/1/14	12/31/17
Frank Sina 13-10 Fair Lawn Avenue Alternate I	1/1/14	12/31/15
Samuel Racenstein 13-12 Lyle Terrace Alternate II	1/1/14	12/31/14 *
Bradford E. Pohlman 37-01 Stelton Terrace Alternate III	1/1/14	12/31/15

* Filling unexpired term

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 41-2014

By
Seconded by

WHEREAS, pursuant to Resolution No. 262-2005 the Mayor and Council established the Open Space Committee; and

WHEREAS, pursuant to Resolution No. 32-2013 the committee's terms was to expire December 31, 2013;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that all members of the committee as reconstituted and any additional members to be appointed shall have their terms terminate on December 31, 2014:

Heather Blecher
38-54 Van Riper Place

Wendy Dabney
13-05 Ivy Lane

Ray Richter
19-15 Jordan Road

Pam Coles
13-34 George Street

Edward Trawinski
3-33 Lyncrest Avenue

Maureen Moriarty
14 Burnham Place

Ronald Barbarulo
10-27 3rd Street

Benjamin Bontekoe
313 Plaza Road North

John Donohue
17-02 Well Drive

Peter Kortright
16-24 Ellis Avenue

Daniel Akkerman
34-03 Barbara Place

James Graff

Borough Manager

BE IT FURTHER RESOLVED that Councilmember Dunay and Councilmember Lefkowitz shall be appointed to serve as co-liaisons.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

CONSENT AGENDA 2-2014

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. No. 42-2014 - Cash Management Plan
- b. Resol. No. 43-2014 - Official Newspapers
- c. Resol. No. 44-2014 - Temporary Budget - Current Fund
- d. Resol. No. 45-2014 - Temporary Budget - Water Utility Fund
- e. Resol. No. 46-2014 - Petty Cash
- f. Resol. No. 47-2014 - Tax Assessment Interest
- g. Resol. No. 48-2014 - Annual Meeting Dates and Times
- h. Resol. No. 49-2014 - Defending Tax Appeals
- i. Resol. No. 50-2014 - Annual Sale of Delinquent Taxes
- j. Resol. No. 51-2014 - Authorizing the Issuance of Request for Qualifications for Open Space Planner
- k. Resol. No. 52-2014 - Authorizing Renewal of Massage Establishment - Healthy Way and Massagist License - Wenfei Liu
- l. Resol. No. 53-2014 - Authorizing Renewal of Massage Establishment License - BRC Sauna & Spa, Inc.
- m. Resol. No. 54-2014 - Authorizing Tax Appeal Settlement - Hadco Company, LLC, 18-25 River Road
- n. Resol. No. 55-2014 - Authorizing Renewal of Massagist License - Woojon Han - Pure Nails & Spa
- o. Resol. No. 56-2014 - Authorizing Renewal of Massagist License - Ketevano Leluashvili - Medicine & Rehabilitation, P.C.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 42-2014

By
Seconded by

WHEREAS, N.J.S. 40A:5-14 requires every municipality to annually adopt a cash management plan and to designate official depositories for the funds of the Borough, and

WHEREAS, the Chief Financial Officer has recommended the attached Cash Management Plan based on consolidation of all major banking activity in one commercial bank located in Fair Lawn;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Fair Lawn, that the following banks along with the State of New Jersey Cash Management Fund, be designated as official depositories of the funds of the Borough of Fair Lawn pursuant to the Cash Management Program:

Valley National Bank
Columbia Savings Bank
JP Morgan Chase Bank
TD Bank

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Fair Lawn that the Chief Financial Officer is authorized to purchase and arrange safe keeping of investments allowed by N.J.S. 40A:5-15.1 from any financial institution within the State of New Jersey offering the best competitive rate.

Cash Management Plan

A) GOALS:

1. Consolidation of all major banking activity.
2. Insure that 100% of all funds are invested or in interest bearing accounts.
3. Reduce operating cost of Finance Department.

B) OBJECTIVES:

1. Safety - only those investments permitted by NJS 40A:5-15.1.
2. Liquidity - meet expenditure requirements without loss of interest.
3. Yield - maximize yield after safety and liquidity considerations have been meet.

C) AUTHORITY AND RESPONSIBILITY:

1. Chief Financial Officer as the individual responsible for collection and disbursement of Borough funds.
2. Chief Financial Officer to advise Council as to maturity, amount, rate and type of investments made in preceding month.
3. Chief Financial Officer to advise Council at meeting following note sale as to principal, interest, maturity, price and purchaser.
4. Chief Financial Officer to monitor banking relationship to determine if the current arrangement is in the best interest of the Borough. CFO to prepare specifications for banking proposals when change is necessary.

D) DEPOSITORY PRACTICES:

1. Consolidation of all major banking activity with one commercial bank located in Fair Lawn.
2. Pooling of all funds into a central account to the extent legally possible.
3. Use of float to meet compensating balance.

E) INVESTMENT PRACTICES:

1. Deposit of all funds on the day following receipt.
2. Accelerate collection and analyze flow of revenues with special attention to state aid payment due dates.
3. Analyze flow of disbursements with special attention to major categories as follows:
 - a) Board of Education
 - b) County of Bergen
 - c) Payroll
 - d) Bergen County Utilities Authority
 - e) NJ Divisions of Pensions and Benefits
 - f) Self Insurance Fund
 - g) Council approved bill lists

4. Decelerate payment of all invoices with specific due dates to utilize grace periods.
5. Maintain investment accounts with the New Jersey Cash Management Fund and other government investment pools such as MBIA as investment alternatives.

F) BORROWING PRACTICES:

1. Widespread distribution of notice of pending bond anticipation note sales.
2. Repayment of debt through short term notes rather than long term bonds to reduce interest and other costs associated with a bond issue on regular improvements.
3. Advance of general funds to meet capital needs to eliminate multiple borrowing in one year.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 43-2014

By
Seconded by

WHEREAS, N.J.S.A. 40:53-1 and 2 covers the designation of official newspapers of the Municipality and the publication of ordinances or other public notices;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that The Record and The North Jersey Herald & News be and are hereby designated as official newspapers of the Borough of Fair Lawn.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 44-2014

By

Seconded by

BE IT RESOLVED by the Borough Council of the Borough of Fair Lawn, County of Bergen, in accordance with the requirements of NJS 40A:4-19 of the Local Budget Law, the following attached temporary budget be adopted for the period between the beginning budget year and the adoption of the final budget.

BOROUGH OF FAIR LAWN	2014
	Temporary Budget
<u>GENERAL GOVERNMENT</u>	
Administrative & Executive	
Salaries and Wages	120,000.00
Other Expenses	25,000.00
Legal Services - Labor Counsel	
Other Expenses	16,000.00
Mayor & Council	
Salaries and Wages	3,000.00
Other Expenses	41,000.00
Municipal Clerk	
Salaries and Wages	62,000.00
Other Expenses	16,000.00
Financial Administration	
Salaries and Wages	81,000.00
Miscellaneous Other Expenses	25,000.00
Collection of Taxes	
Salaries and Wages	32,000.00
Other Expenses	9,000.00
Assessment of Taxes	
Salaries and Wages	56,000.00
Other Expenses	9,000.00
Legal Services and Costs	
Salaries and Wages	
Other Expenses	78,000.00
Engineering	
Salaries and Wages	69,000.00
Other Expenses	3,000.00
Planning Board	
Salaries and Wages	4,000.00
Other Expenses	11,000.00
Zoning Board	
Salaries and Wages	3,000.00
Other Expenses	7,000.00
Self Insurance Program	
Liability Insurance (NJSA 40:10-12 et	244,000.00
Workers Compensation Insurance	218,000.00
Group Insurance for Employees	
Hospital Service Insurance	1,738,000.00
Other Insurance Premiums	170,000.00
Unemployment Compensation Insura	24,000.00
Uniform Construction Code Officials	
Salaries and Wages	224,000.00
Other Expenses	2,000.00

BOROUGH OF FAIR LAWN

2014

Temporary Budget**PUBLIC SAFETY**

Police

Salaries and Wages	2,152,000.00
Other Expenses	95,000.00

Police Dispatch

Salaries and Wages	128,000.00
Other Expenses	

Emergency Management

Salaries and Wages	7,000.00
Other Expenses	30,000.00

Fire

Salaries and Wages	1,000.00
Other Expenses	56,000.00

Ambulance

Other Expenses	25,000.00
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Uniform Fire Safety Act (PL 1983 Ch 38:

Salaries and Wages	74,000.00
Other Expenses	3,000.00

Municipal Prosecutor

Salaries and Wages	5,000.00
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Municipal Court

Salaries and Wages	68,000.00
Other Expenses	8,000.00

Public Defender

Salaries and Wages	2,000.00
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PUBLIC WORKS

Road Repairs and Maintenance

Salaries and Wages	196,000.00
Other Expenses	19,000.00

Shade Tree

Salaries and Wages	146,000.00
Other Expenses	15,000.00

Electrical Services

Salaries and Wages	14,000.00
Other Expenses	2,000.00

Public Buildings and Grounds

Salaries and Wages	80,000.00
Other Expenses	17,000.00

Maintenance Garage

Salaries and Wages	72,000.00
Other Expenses	54,000.00

Community Services Act

Other Expenses	9,000.00
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Administration of Public Works

Salaries and Wages	38,000.00
Other Expenses	3,000.00

BOROUGH OF FAIR LAWN

2014

Temporary Budget**SANITATION****Sewer System**

Salaries and Wages

133,000.00

Other Expenses

27,000.00

Recycling Program

Salaries and Wages

213,000.00

Other Expenses

4,000.00

Garbage & Trash Removal

Contractual

299,000.00

Other Expenses

360,000.00

Passaic Valley Sewer Commission

523,000.00

HEALTH AND WELFARE**Board of Health**

Salaries and Wages

101,000.00

Salaries and Wages-Animal Control

37,000.00

Other Expenses

16,000.00

Administration of Social Services

Salaries and Wages

21,000.00

Other Expenses

3,000.00

Mental Health Program

Other Expenses

3,000.00

RECREATION AND EDUCATION**Recreation Department**

Salaries and Wages

334,000.00

Other Expenses

29,000.00

Parks and Playgrounds

Salaries and Wages

150,000.00

Other Expenses/Aid

22,000.00

Celebration of Public Events

Other Expenses

13,000.00

Veteran's Service Bureau

Other Expenses

1,000.00

Maintenance of Free Public Library

612,000.00

UNCLASSIFIED/UTILITIES**Utilities**

Electricity

131,000.00

Street Lighting

84,000.00

Telephone

35,000.00

Gas

24,000.00

Fuel Oil

4,000.00

Gasoline

140,000.00

Unclassified

Terminal Leave

38,000.00

Salary and Wage Adjustment

132,000.00

Social Security

289,000.00

Postage

17,000.00

Contingent

Grants

26,000.00

Capital Improvement Fund

46,000.00

BOROUGH OF FAIR LAWN

2014

Temporary Budget

DEBT SERVICE

Bonds

Principal

1,850,000.00

Interest

635,000.00

Bond Anticipation Notes

Principal

150,000.00

Interest

120,000.00

BCIA Capital Lease Program

Principal

515,000.00

Interest

401,000.00

TOTAL

14,147,000.00

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 45-2014

By

Seconded by

BE IT RESOLVED by the Borough Council of the Borough of Fair Lawn, County of Bergen, in accordance with the requirements of NJS 40A:4-19 of the Local Budget Law, the following Water Utility temporary budget be adopted for the period between the beginning budget year and the adoption of the final budget:

Water Utility 2014 Temporary Budget

Operating:

Salaries & Wages	\$ 554,000.00
Other Expenses	\$ 905,000.00
Principal on Bonds	\$ 370,000.00
Interest on Bonds	\$ 60,000.00
Principal on Bond Anticipation Notes	\$ 72,950.00
Interest on Bond Anticipation Notes	\$ <u>20,000.00</u>

Total \$1,981,950.00

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 46-2014

By

Seconded by

WHEREAS, in accordance NJSA 40A:5-21 the following petty cash accounts and change funds be reestablished for 2014; and

The following are Authorized Petty Cash Funds for 2014:

Chief Financial Officer, Karen Palermo	\$500.00
Chief of Police, Glen Cauwels	200.00
Recreation Office, James Graff	100.00
Library, Timothy Murphy	100.00

The following are Authorized Change Funds for 2014:

Tax Collector	\$300.00
Recreation	1,000.00
Municipal Court	200.00
Police	25.00
Sanitation	25.00
Building	25.00
Library	80.00

All disbursements made on behalf of the Borough of Fair Lawn, excepting payrolls and the Human Services checks shall be made by checks bearing the signatures of both the Borough Manager, and Karen Palermo, Chief Financial Officer. In every instance, however, all such checks, whether they be signed by the Borough Manager, must also bear the signature of the Chief Financial Officer.

All checks issued for payroll accounts shall require the signature of the Chief Financial Officer.

All checks issued for the Human Services shall be made by checks bearing the signatures of Carol Wagner, Health Officer, and Karen Palermo, Chief Financial Officer. In every instance, however, all such checks, whether they be signed by the Health Officer, must also bear the signature of the Chief Financial Officer.

The Chief Financial Officer shall be the sole authorizing authority for interbank wire transfers for the Borough accounts, Debt Service Payments, State, Federal and Investment Purchases.

Each month, the Chief Financial Officer shall prepare a report for the governing body that consists of the following:

- A summary of all investments made or redeemed.
- Any and all financial institutions holding local unit funds.
- The class or type of securities purchased or funds deposited.
- Income earned on deposits and investments.
- Market value of investments and disclosure and how the value was determined.
- A listing of accounts or deposits that do not earn interest.

The approved cash management policy is an integral part of this document.

Any official involved the selection of depositories, investments; broker/dealers shall disclose any material business or personal relationship to the governing body and to the Local Finance Board.

Any official who in the course of his or her duties deposits or invests in accordance with the plan shall be relieved of any liability for loss of investment.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 47-2014

By
Seconded by

WHEREAS, N.J.S.A. 54:4-66 provides that taxes and Special Improvement District assessments are payable in quarterly installments on February 1st, May 1st, August 1st, and November 1st of each year;

WHEREAS, N.J.S.A. 40:56-32 provides that installments on Assessments are due on the anniversary of the second month following their confirmation; and

WHEREAS, installments become delinquent if not paid on or before those dates; and

WHEREAS, Sewer User charges are payable March 1st, June 1st, September 1st, and December 1st of each year; and

WHEREAS, N.J.S.A. 54:4-67 permits municipalities to provide a grace period not exceeding ten (10) calendar days without additional charge for interest and to fix the rate of interest, not to exceed 8% per annum on the first \$1,500.00 of the delinquency, and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that no interest shall be charged if any installment of taxes is made within ten (10) calendar days after the date upon which the same becomes payable, but when an installment is received after the expiration of the grace period on delinquent balance, shall bear interest from the due date at the rate of 8% per annum on the first \$1,500.00 and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment; and

BE IT FURTHER RESOLVED that when assessment installment is received after the expiration of the grace period, the total assessment shall bear interest at the rate of 8% per annum on the first \$1,500.00 of the delinquency, and 18% per annum on any amount in excess of \$1,500.00 to be calculated from the date the installment was payable until the date of actual payment.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 48-2014

By
Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the attached listing of meetings of Borough Council and Various Boards of the Borough of Fair Lawn for 2014, as published in The Record issue of December 20, 2013.

Reorganization Meeting

January 7, 2014 - Council Chambers – 7:00 p.m.

BOROUGH COUNCIL

Work Sessions - Room 201, Tuesdays, 7:30 p.m., prevailing time unless otherwise indicated.

January 14	June 24
January 28	July 8
February 4	August 12
February 18	September 2
March 4	September 16
March 18	October 7
April 1	October 21
April 22	November 10 (Monday)
May 6	December 2
May 20	December 16
June 10	

Council Meetings - Council Chambers, Tuesdays, 7:30 p.m., prevailing time unless otherwise indicated.

January 21	June 17
February 11	July 15
February 25	August 19
March 11	September 9
March 25	September 23
April 8	October 14
April 29	October 28
May 13	November 25
May 27	December 9

Formal action may be taken at any Work Session or Council Meeting. Agendas are available 48 hours in advance to the extent known.

Environmental Commission - Meetings are held in Room B-5, Wednesdays, beginning at 7:30 p.m., prevailing time unless otherwise noted, first Wednesday of every month unless otherwise noted.

January 8
February 5
March 5
April 2
May 7
June 4

July 2
August 6
September 3
October 1
November 5
December 3

Fire Board - Meetings are held at Fire Company #3, located at 2-05 Plaza Road, on Wednesdays, beginning at 8:00 p.m., prevailing time unless otherwise noted.

January 8
February 12
March 12
April 9
May 14
June 11

July 9
August 13
September 10
October 8
November 12
December 10

Historic Preservation Commission - Meetings are held at the Fair Lawn Community Center, 10-10 20th Street in the Card Room No. 110, on Wednesdays, beginning at 7:30 p.m., prevailing time unless otherwise noted.

January 8
February 12
March 19
April 9
May 14
June 11

July 9
August 13
September 10
October 1
October 8 (Auditorium)
November 12
December 10

Library Board of Trustees - Meetings are held in the Library Director's Office, Maurice Pine Free Public Library, on Wednesdays, beginning at 8:00 p.m., prevailing time unless otherwise noted.

January 29
February 26
March 26
April 30
May 28

June 25
September 17
October 29
November 19
December 17

Rent Leveling Board – Meetings are held in the Municipal Council Chambers, Tuesdays, beginning at 7:30 p.m., prevailing times unless otherwise noted.

January 21 (Room 215)
March 18
May 20

July 15 (Room 215)
September 16
November 18

Planning Board - Work Sessions begin at 7:00 p.m. in Room 201, Regular Meeting begins at 7:30 p.m. or immediately following in the Council Chambers, prevailing time unless otherwise noted.

January 13 (reorganization)
February 3
March 10
April 7
May 12
June 9

July 14
August 11
September 8
October 6
November 3
December 8

Formal action may be taken at any Work Session or Regular Meeting. A Regular Meeting may precede a Work Session, if desired. A Work Session may follow a regular meeting if desired, in the Council Chambers.

Zoning Board – Meetings are held in the Council Chambers, on Mondays, beginning at 7:00 p.m. prevailing time unless otherwise noted.

January 27 (Reorganization)
February 24
March 24
April 28
May 19
June 23

July 28
August 25
September 29
October 27
November 24
December 22

River Road Improvement Corporation – Meetings are held on Thursdays at Columbia Bank, downstairs Conference Room, 14-01 River Road, beginning at 8:30 a.m., prevailing time unless otherwise noted.

February 6
April 3
June 5

September 4
October 2
December 4

Broadway Improvement Corporation – Meetings are held on Thursdays at the Fair Lawn Community Center, 10-10 20th Street, Card Room, beginning at 7:00 p.m. prevailing time unless otherwise noted.

January 9
March 13
April 10

June 12
September 11
November 13

Health Advisory Board – Meetings are held on Wednesdays in Room B-5 of the Municipal Building, beginning at 9:00 a.m. prevailing time unless otherwise noted.

January 15
March 19
June 18

September 17
November 12

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 49-2014

By
Seconded by

WHEREAS, the Borough of Fair Lawn is presently involved in various appeals involving the proper assessment of real estate on its tax rolls; and

WHEREAS, annually, the Tax Assessor and Tax Collector and Borough Attorney or his designee, in the review of the current tax rolls, assessment books and pending appeals, find it necessary to file corrective or protective appeals to the Bergen County Tax Board of the Tax Court of the State of New Jersey; and

WHEREAS, the filing of appeals by a municipality, pursuant to N.J.A.C. 18:12A-1.6) requires that a certified copy of a resolution of the taxing district authorizing the appeal accompany each petition or complaint;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Tax Assessor, Tax Collector and Borough Attorney or his designee, as appropriate, be and are hereby authorized to file as they deem necessary to best protect the citizens of the Borough of Fair Lawn, any appeals to the current tax assessment rolls, any corrective, omitted, added or protective appeal, including the re-filing of appeals on matters now pending, and/or settlement stipulations with the Bergen County Tax Board, the Tax Court of New Jersey or in the Appellate Court of New Jersey, for such causes and cases as they deem appropriate.

BE IT FURTHER RESOLVED that a list of such appeals be certified to this Council as filed; and

BE IT FURTHER RESOLVED that a true and certified copy of this resolution be filed in each of the above cases with the appropriate court or board.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 50-2014

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Collector of Taxes for the Borough of Fair Lawn is hereby authorized to conduct the annual sale of delinquent taxes per N.J.S.A.54:5-19.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 51-2014

By
Seconded by

WHEREAS, it has become necessary for the Borough of Fair Lawn (hereinafter the "Borough") to engage a professional Planner for Green Acres 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 Qualifications (hereinafter the "RFQ") with twenty (20) calendar days notice prior to the receipt of responses to the RFQ; (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 RFQs for the reassessment of real property for the Borough and its agencies are hereby authorized; and

BE IT FURTHER RESOLVED, that the RFQ 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 RFQ, 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

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 52-2014

By
Seconded by

WHEREAS, Healthy Way located at 24-18 C Maple Avenue, Fair Lawn, New Jersey, has made application to the Borough pursuant to RGO144-2 to renew its massage establishment license; and

WHEREAS, Wenfei Liu, 44-15 Colden Street, 4Y, Flushing, New York 11355 has made application to the Borough pursuant to RGO144-3 to renew her massagist license at Healthy Way; 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

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 53-2014

By

Seconded by

WHEREAS, BRC Sauna & Spa, Inc., located at 24-20 Broadway, 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

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 54-2014

By
Seconded by

WHEREAS, Hadco Company, LLC filed real property tax appeals for the years 2011, 2012 and 2013 (Docket Nos. 005838-2011, 010459-2012 & 001381-2013); and

WHEREAS, the real property assessments for the subject premises, located at River Road, (Lot 1.02 in Block 5834 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2011 were as follows:

Land	\$ 2,537,000
Improvements	\$ <u>0</u>
Total	\$ 2,537,000

and;

WHEREAS, for the years 2012 and 2013 the assessments for the subject premises were as follows:

Land	\$ 1,950,000
Improvements	\$ <u>0</u>
Total	\$ 1,950,000

and;

WHEREAS, the 2011 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land	\$ 2,137,000
Improvements	\$ <u>0</u>
Total	\$ 2,137,000

WHEREAS, the 2012 and 2013 tax appeals may be settled by reduction of the aforesaid assessments as follows:

Land	\$ 1,700,000
Improvements	\$ <u>0</u>
Total	\$ 1,700,000

and;

WHEREAS, as part of the settlement agreement the entire refund will be taken as a credit rather against taxes due and owing, and;

WHEREAS, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

WHEREAS, the Mayor and Council have been advised by the Borough's Assessor, Borough Attorney and Special Counsel of the Borough that said settlement is in the Borough's interest;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Attorney or Special Counsel of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

BE IT FURTHER RESOLVED that all actions taken by the Borough Attorney or Special Counsel in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 55-2014

By

Seconded by

WHEREAS, Woojong Han, residing at 206 Hillcrest Avenue, Wyckoff, New Jersey 07481 has made application to the Borough pursuant to RGO144-3 to renew his massagist license at Pure Nails and Spa; 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 the massagist license by the aforesaid applicant be and is hereby approved and the Municipal Clerk be and is hereby authorized to issue same.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 56-2014

By

Seconded by

WHEREAS, Ketevano Leluashvili, residing at 299 Knox Avenue, Cliffside Park, New Jersey 07010 has made application to the Borough pursuant to RGO144-3 to renew her massagist license at Medicine & Rehabilitation, P.C.; 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 the massagist license by the aforesaid applicant be and is hereby approved and the Municipal Clerk be and is hereby authorized to issue same.

Aye Nay Abstain

Cosgrove
Dunay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 57-2014

By
Seconded by

BE IT RESOLVED that Ordinance No. 2297-2014 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 125 "ZONING" TO ALLOW CERTAIN
INCREASES IN MAXIMUM IMPERVIOUS COVERAGE RELATED TO
"SWIMMING POOLS AND PERVIOUS PAVERS"**

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 21st day of January, 2014 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. 2297-2014

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 125 "ZONING" TO ALLOW CERTAIN INCREASES IN MAXIMUM IMPERVIOUS COVERAGE RELATED TO SWIMMING POOLS AND PERVIOUS PAVERS

WHEREAS, the Fair Lawn Zoning Board of Adjustment pursuant to N.J.S. 40:55D-70.1 has reviewed its decisions on the applications and appeals for variances for 2012 and reported the findings in the "2013 Annual Report for the Zoning Board of Adjustment";

WHEREAS, the 2013 Annual Report included recommendations for zoning ordinance amendment revisions with respect to maximum impervious coverage on residential properties;

WHEREAS, the Mayor and Council of the Borough of Fair Lawn publically declare their appreciation and admiration for the volunteers of the Fair Lawn Board of Adjustment and especially extend their gratitude for complying with N.J.S. 40:55D-70.1;

WHEREAS, the Mayor and Council of the Borough of Fair Lawn has sought input from the Fair Lawn Planning Board regarding maximum impervious coverage for single- and two-family residential lots, and the Planning Board agrees that certain relief from maximum impervious coverage is appropriate;

WHEREAS, the Mayor and Council of the Borough of Fair Lawn have reviewed the recommendations from both Boards and determined it has the authority to amend the zoning ordinances under the Municipal Land Use Law in order to better regulate the use of property and improve the Borough's zoning regulations so as to arrive at results that are in the best interests of our residents and of the Borough as a whole;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn that the following amendments be made to Chapter 125:

SECTION I.

Borough Code §125-12 entitled "Schedule of Area, Yard & Building Requirements," is hereby amended to add the footnote symbol "(P)" to the right of the maximum impervious coverage column in the following zoning districts:

- | | |
|---------------------------|-----------------------------|
| R-1-1, R-1-2, R-1-3, R-2: | All housing types |
| R-3-1: | 1 & 2 family dwellings only |
| R-3-2: | 1 & 2 family dwellings only |
| R-5-1, R-5-2: | 1 family dwellings only |

B-1, B-2, B-3:

1 & 2 family dwellings only

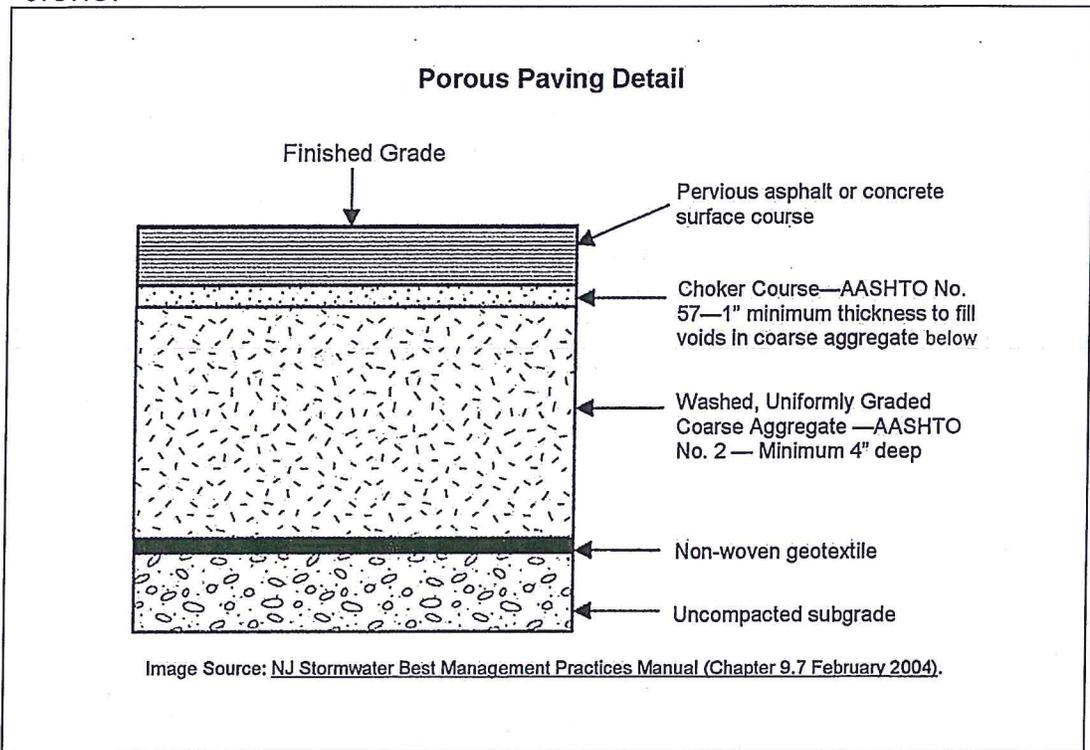
SECTION II.

Borough Code §125-12 entitled "Schedule of Area, Yard & Building Requirements," is hereby amended to add paragraph P as follows:

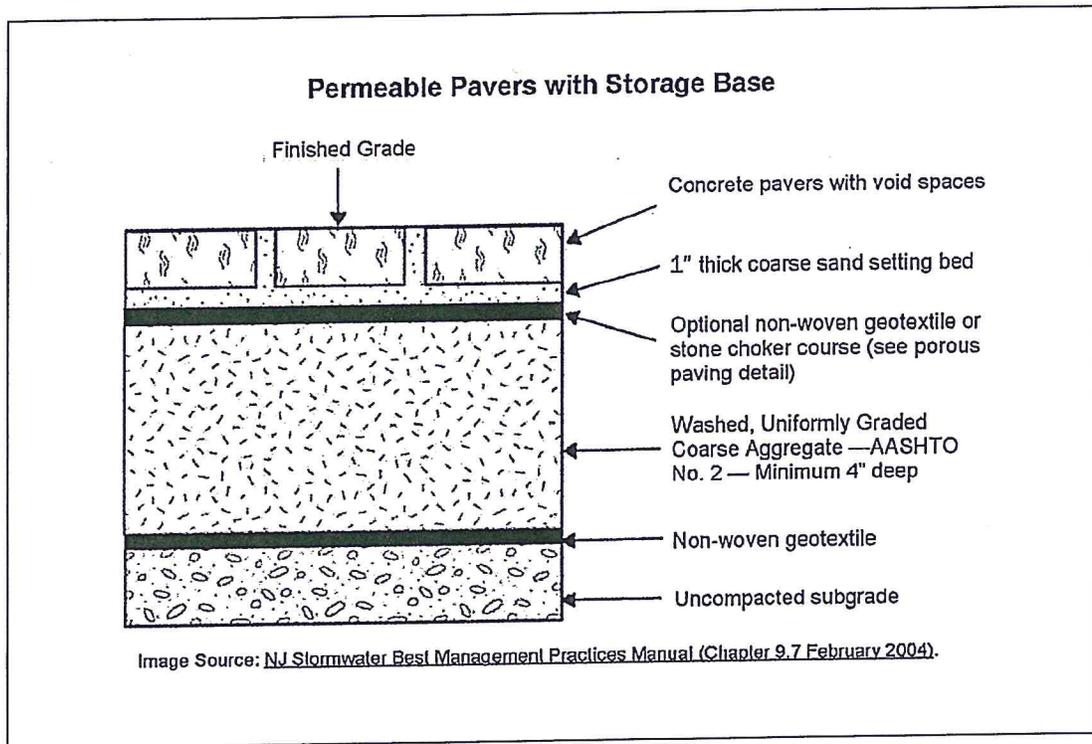
P. Permitted increases in impervious coverage:

1. Up to fifty percent (50%) of the surface area of swimming pools shall be considered pervious; and
2. A coverage increase of up to 10% shall be permitted for permeable pavers or porous paving installed and maintained in accordance with the New Jersey Stormwater Best Management Practices Manual (Chapter 9.7 February 2004), as amended. The two acceptable systems are:

a. Type I: Porous paving - Porous asphalt or concrete paving constructed over runoff storage bed of uniformly graded broken stone.



b. Type II: Permeable pavers with storage bed - Impervious concrete pavers with surface voids constructed over runoff storage bed of uniformly graded broken stone.



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

SECTION IV. 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: January 7, 2014
 Adopted:

Aye Nay Abstain

Cosgrove
Duncay
Lefkowitz
Peluso
Swain

January 7, 2014

RESOLUTION NO. 58-2014

By

Seconded by

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

Regular Meeting 11/26/13

are hereby approved.

