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

AGENDA

COUNCIL MEETING **7:30 P.M.** **MARCH 11, 2014**

1. **Call to Order by Mayor**

2. **Statement of Compliance with the Open Public Meetings Act**

3. **Roll Call**

4. **Flag Salute**

5. **PROCLAMATIONS: WOMEN'S HISTORY MONTH**

6. **COUNCIL COMMENTS**

7. **ORDINANCES ON FIRST READING:**

ORDINANCE NO. 2305-2014
(RESOLUTION NO. 108-2014)

AN ORDINANCE FIXING THE SALARIES OF EXISTING AND NEW OMNIBUS OPERATORS EMPLOYED AND TO BE EMPLOYED BY THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

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

ORDINANCE NO. 2306-2014
(RESOLUTION NO. 109-2014)

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 94, ARTICLE VI, SECTION 160-6C TO REVISE FEES TO ADD A HALF DAY CAMP PROGRAM

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

ORDINANCE NO. 2307-2014
(RESOLUTION NO. 110-2014)

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) CALENDAR YEAR 2014

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

8. ORDINANCES ON SECOND READING:

ORDINANCE NO. 2302-2014
(RESOLUTION NO. 111-2014)

"AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (SENIOR CENTER GREASE TRAP/SEWER LINE)"

- Mayor asks for a motion to open the 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 a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

ORDINANCE NO. 2303-2014
(RESOLUTION NO. 112-2014)

"AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE. (ROAD RESURFACING)"

- Mayor asks for a motion to open the 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 a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

ORDINANCE NO. 2304-2014
(RESOLUTION NO. 113-2014)

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 104 "FIRE PREVENTION" TO ESTABLISH A LOCK BOX SYSTEM

- Mayor asks for a motion to open the 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 a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

9. PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

10. RESOLUTIONS BY CONSENT #5-2014

- Municipal Clerk reads Resolutions by Consent.

a. Resol. #114-2014 – Approval of Minutes:
Work Session 1/14/14
Special Meeting 1/28/14
Regular Meeting 1/28/14

b. Resol. #115-2014 – Refund of Overpayment of Taxes
c. Resol. #116-2014 – Approving Temporary Easement with PSE&G – Banta Place
d. Resol. #117-2014 - Authorizing Renewal of Massage Establishment – CW Bodyworks
e. Resol. #118-2014 – Authorizing the Procurement of the Concession Stand at Memorial Pool by Informal Quotes
f. Resol. #119-2014 – Authorizing Execution of License Agreement with New Song Church
g. Resol. #120-2014 – Use of Municipal Open Space Funds for Environmental Investigation – 4-50 2nd Street
h. Resol. #121-2014 - Multi Year Contract: Police Computer Maintenance
i. Resol. #122-2014 - Authorizing Submission of Recycling Tonnage Grant
j. Resol. #123-2014 - Emergency Temporary Budget
k. Resol. #124-2014 - Award of Bid: Project 2229 Scada System Maintenance
l. Resol. #125-2014 - Supporting PSE&G's Energy Strong Program
m. Resol. #126-2014 - Participation in the National Joint Powers Alliance (NJPA)
n. Resol. #127-2014 - Authorizing Purchases with NAPA Auto & Truck Parts
o. Resol. #128-2014 - Authorizing Purchases with Jack Doheny Companies
p. Resol. #129-2014 - Cancel Taxes on Property Assessed in Error - Domico

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

11. RESOLUTION NO. 107-2014 - ELIMINATION OF MEDICAL BENEFITS FOR ELECTED OFFICIALS

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

12. RESOLUTION NO. 130-2014 - APPROVAL OF MINUTES:
Closed Session 1/14/14
Closed Session 1/14/14

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

13. RESOLUTION NO. 131-2014 - CONFIRMATION OF FIRE BOARD ACTIONS

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

14. RESOLUTION NO. 132-2014 - INTRODUCTION OF BUDGET BY TITLE ONLY

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

15. RESOLUTION NO. 133-2014 - INTRODUCTION OF RIVER ROAD IMPROVEMENT CORPORATION BUDGET BY TITLE ONLY

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

16. RESOLUTION NO. 134-2014 - INTRODUCTION OF BROADWAY IMPROVEMENT CORPORATION BUDGET BY TITLE ONLY

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

17. PUBLIC COMMENTS

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

18. ADJOURNMENT:

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 108-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2305-2014 entitled:

AN ORDINANCE FIXING THE SALARIES OF EXISTING AND NEW OMNIBUS OPERATORS EMPLOYED AND TO BE EMPLOYED BY THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED.

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 25th day of March, 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. 2305-2014

AN ORDINANCE FIXING THE SALARIES OF EXISTING AND NEW OMNIBUS OPERATORS EMPLOYED AND TO BE EMPLOYED BY THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED.

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

SECTION 1. That there is hereby established for the following classification of certain employees herein set below:

Salary Ranges

	Effective April 3, 2014		Effective January 1, 2015	
Title	Minimum	Maximum	Minimum	Maximum
Omnibus Operator – Per Hour	$18.00	$ 25.00	$18.00	$25.00

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

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

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

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

Attest:

_____

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

Approved:

_____

John Cosgrove
Mayor

Introduced: March 11, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 109-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2306-2014 entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 94, ARTICLE VI, SECTION 160-6C TO REVISE FEES TO ADD A HALF DAY CAMP PROGRAM

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 25th day of March, 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. 2306-2014

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 94, ARTICLE VI, SECTION 160-6C TO REVISE FEES TO ADD A HALF DAY CAMP PROGRAM

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

Section 1. Chapter 94 FEES is hereby amended as follows:

ARTICLE VI Schedule of Fees

94-12 Miscellaneous fees is hereby amended as follows:

N. Chapter 160, Parks and Recreation

(4) Section 160-6C. Recreation programs:

Program	Fees
Camp Iroquois - Cherokee	
1st 3-week session – 4 Hours – 9 a.m. to 1:00 p.m. or 1:00 p.m. to 5:00 p.m.	$160
2nd 3-week session - 4 Hours – 9 a.m. to 1:00 p.m. or 1:00 p.m. to 5:00 p.m.	$160

Section 2. Except as herein amended and supplemented, Chapter 94 shall remain in full force and effect.

Section 3. Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

Section 4. All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

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

Attest:

_____

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

Approved:

_____

John Cosgrove, Mayor

Introduced: March 11, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 110-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2307-2014 entitled:

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2014

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 25th day of March, 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. 2307-2014

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2014

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Fair Lawn in the County of Bergen finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to $1,235,253.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Fair Lawn, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Fair Lawn shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to $1,235,253.65 and that the CY 2014 municipal budget for the Borough of Fair Lawn be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be

retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest:

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk /Deputy Manager
Mayor

Approved:

John Cosgrove
Mayor

Introduced: March 11, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 111-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2302-2014 entitled:

"AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (SENIOR CENTER GREASE TRAP/SEWER LINE)"

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

NOW, THEREFORE, BE IT RESOLVED, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

ORDINANCE NO. 2302-2014

"AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (SENIOR CENTER GREASE TRAP/SEWER LINE)"

WHEREAS, the Borough of Fair Lawn has been approved to receive grant funding from the County of Bergen Community Development in the amount of $20,000 for Senior Center Grease Trap/Sewer Line and;

WHEREAS, receipt of the above grant requires no matching funds from the Borough of Fair Lawn, and;

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

SECTION 1. The Borough of Fair Lawn in the County of Bergen shall proceed with the project, referred to as Senior Center Grease Trap/Sewer Line, as detailed in the attached grant Contract No. CN-06-13 in the amount not to exceed $20,000, and:

SECTION 2. The cost of completing said improvement set forth in Section 1 shall be provided by the County of Bergen Community Development in the amount of $20,000 as per Contract No., CN-06-13, and by the grant required a zero match of the Borough of Fair Lawn, and;

SECTION 3. It is hereby determined and stated:

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the whole cost, as set forth is authorized and available through the Bergen County Community Development Block Grant.

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

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

Attest:

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

Approved:

John Cosgrove
Mayor

Introduced: February 25, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 112-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2303-2014 entitled:

"AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE. (ROAD RESURFACING)"

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

NOW, THEREFORE, BE IT RESOLVED, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

ORDINANCE NO. 2303-2014

"AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE. (ROAD RESURFACING)"

WHEREAS, the Borough of Fair Lawn has been approved to receive grant funding from the County of Bergen Community Development in the amount of $104,000 Contract # CN-02-13, for Road Resurfacing and;

WHEREAS, receipt of the above grant requires no matching funds from the Borough of Fair Lawn, and;

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

SECTION 1. The Borough of Fair Lawn in the County of Bergen shall proceed with the project, referred to as Road Resurfacing, as detailed in the attached grant application in the amount not to exceed $104,000, and;

SECTION 2. The cost of completing said improvement set forth in Section 1 shall be provided by the County of Bergen Community Development in the amount of $104,000 as per Contract # CN-02-13 and by the grant required a zero match of the Borough of Fair Lawn, and;

SECTION 3. It is hereby determined and stated:

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the whole cost, as set forth is authorized and available through the Bergen County Community Development Block Grant.

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

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

Attest:

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

Approved:

John Cosgrove
Mayor

Introduced: February 25, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 113-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2304-2014 entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 104 "FIRE PREVENTION" TO ESTABLISH A LOCK BOX SYSTEM

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

NOW, THEREFORE, BE IT RESOLVED, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

ORDINANCE NO. 2304-2014

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 104 "FIRE PREVENTION" TO ESTABLISH A LOCK BOX SYSTEM

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

Section 1. Chapter 104 FIRE PREVENTION is hereby amended as follows:

Add:

ARTICLE III

Lock Box System

§ 104-19. Purpose.

To provide a lock box system to improve the health, welfare and safety of the residents and business owners of the Borough of Fair Lawn, by providing the Fire Department and Police Department with immediate access to all necessary rooms and areas to investigate the cause of a fire alarm activation in order to locate, confine, control and extinguish any hazardous conditions and for any residential calls for medical emergencies, welfare checks or for residents listed on the Borough's Special Needs Registry. To request the installation of lock boxes to certain buildings within the Borough; to provide the location of the lock box, its contents, installation, applications and compliance with this ordinance. To provide for severability, repealer, and penalties.

§ 104-20. Definitions.

As used in this Chapter, the following terms have their meaning set forth in this section:

Lock Box: a high security key vault system approved by the Fire Marshal of the Borough of Fair Lawn for secure containment of access keys and pertinent site information which may assist the fire and police department personnel in an emergency response.

§ 104-21. Lock Boxes Required.

A lock box approved by the Fire Marshal of the Borough of Fair Lawn shall be installed and maintained as directed in N.J.A.C 5:70-3, 506.

§ 104-22. Costs Associated with Lock Box.

Property Owners shall obtain Authorization Order Form from the Fire Marshal and submit the completed form with remittance to the Fire Marshal for approval. The order form and remittance shall be forwarded to the Lock Box vendor. The property owner shall be responsible for cost to purchase, install and maintain the Lock Box.

§ 104-23. Location of the Lock Box.

The location of the lock box shall be approved by the Fire Marshal of the Borough of Fair Lawn.

§ 104-24 Lock Box Installation.

No lock box shall be installed, voluntarily or otherwise, without first obtaining the approval of the Fire Marshal of the Borough of Fair Lawn.

A. An application for installation of a lock box shall be submitted to the Fire Marshal of the Borough of Fair Lawn by the owner or occupant of the building/site.

B. Buildings that choose to connect a lock box to an N.F.P.A. 72A fire alarm system can only obtain lock box installation authorized through licensed fire alarm contractors.

§ 104-25 Lock Box Contents.

The lock box shall contain keys that are labeled and identified to open all doors/rooms that are specified by the Fire Marshal of the Borough of Fair Lawn and other pertinent information that is specified by the Fire Marshal.

§ 104-26 Compliance.

All new or remodeled structures must comply with the requirements of this article prior to occupancy. Required approvals and specifications shall be obtained during the plan review process.

§ 104-27 Master Lock Box Keys.

Master lock box keys shall be held by the Fire Department. The Police Department shall maintain sub-master key(s) to residential lock boxes.

A. The Fire Department shall maintain the master key for the lock box in a secure key box. The master key in the secure key box can only be opened by authorized personnel with a pin number. The secure key boxes are maintained on all apparatus within the Fire Department. The Fire Chief shall authorize the list of personnel with pin numbers on an annual basis.

B. The Fire Marshal has the option of maintaining his Master Key without the secure key box. The Fire Marshal may assign his Master Key to a responsible Fire Prevention Bureau staff member for the purpose of maintaining the Lock Box, updating the building's keys, or verifying the correctness of keys in the Box.

C. The Police Department shall maintain the sub-master key for the lock box in a secure key box. The sub-master key in the secure key box can only be opened by authorized personnel with a pin number. The secure key boxes are maintained in certain police vehicles within the department, as determined by the Chief of Police or his/her designee.

D. Upon opening and securing a key in the secure key box, notification shall be made to the Communications Desk including the following:

(1) Name and badge number of person opening the box

(2) Vehicle of secure key box

E. Downloading of opening key boxes shall be done, when necessary in an investigation.

§ 104-28 Violation and Penalties.

All violations to the forgoing shall be handled procedurally in accordance with the New Jersey Uniform Fire Code. Penalties for unabated violations of the foregoing shall be imposed in accordance with the New Jersey Uniform Fire Code.

§ 104-29 Limitation of Liability.

The Borough assumes no liability for any of the following:

A. Any defects in the operation of the lock box unit, of any of the keys contained within such lock box unit of any information stored within the lock box unit or otherwise provided to the Borough.

B. The failure or neglect to respond appropriately upon receipt of an alarm from an alarm system.

C. The failure or neglect of any owner or person in control of a building or facility required to have a lock box unit to provide access to the lock box unit.

D. The security of any property required to have a lock box unit due to access to the lock box unit by any person.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. If any article, section, subsection, sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions or the ordinance, being the intent of the Borough that this ordinance shall be fully severable.

Attest: Approved:

Joanne M Kwasniewski, RMC/CMC/MMC
Municipal Clerk/Deputy Manager

John C. Cosgrove
Mayor

Introduced: February 25, 2014

Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

CONSENT AGENDA 5-2014

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. #114-2014 – Approval of Minutes:
Work Session 1/14/14
Special Meeting 1/28/14
Regular Meeting 1/28/14

b. Resol. #115-2014 – Refund of Overpayment of Taxes

c. Resol. #116-2014 – Approving Temporary Easement with PSE&G – Banta Place

d. Resol. #117-2014 - Authorizing Renewal of Massage Establishment – CW Bodyworks

e. Resol. #118-2014 – Authorizing the Procurement of the Concession Stand at Memorial Pool by Informal Quotes

f. Resol. #119-2014 – Authorizing Execution of License Agreement with New Song Church

g. Resol. #120-2014 – Use of Municipal Open Space Funds for Environmental Investigation – 4-50 2nd Street

h. Resol. #121-2014 - Multi Year Contract: Police Computer Maintenance

i. Resol. #122-2014 - Authorizing Submission of Recycling Tonnage Grant

j. Resol. #123-2014 - Emergency Temporary Budget

k. Resol. #124-2014 - Award of Bid: Project 2229 Scada System Maintenance

l. Resol. #125-2014 - Supporting PSE&G's Energy Strong Program

m. Resol. #126-2014 - Participation in the National Joint Powers Alliance (NJPA)

n. Resol. #127-2014 - Authorizing Purchases with NAPA Auto & Truck Parts

o. Resol. #128-2014 - Authorizing Purchases with Jack Doheny Companies

p. Resol. #129-2014 - Cancel Taxes on Property Assessed in Error - Domico

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 114-2014

By

Seconded by

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

Work Session 1/14/14
Special Meeting 1/28/14
Regular Meeting 1/28/14

are hereby approved.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 115-2014

By

Seconded by

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

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

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

Block	Lot	Name	Amount
1508	34	S&E Realty 321 Pompton Avenue Pompton Lakes, New Jersey 07442	$2,684.12

(Refund of overpayment of 2013 taxes as a result of a County Board Judgment)

1306	13	Voigt, Elike & Michael T. Ryan 39-10 Pellington Drive Fair Lawn, New Jersey 07410	$1,905.00

(Refund of overpayment of 2014 taxes as a result of a duplicate payment)

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 116-2014

By

Seconded by

WHEREAS, Public Service Electric and Gas Company (PSE&G) owns and operates a public utility on Banta Place which services the residents of the Borough of Fair Lawn and which seeks to do construction work in the area of said property, and wishes, as part of the construction plan, to utilize the property for construction related activities; and

WHEREAS, PSE&G is in need of access over property owned by the Borough to properly and efficiently construct its upgrade and expansion of the electrical substation at Banta Place; and

WHEREAS, PSE&G has petitioned the Borough for a temporary easement over those lands; and

WHEREAS, the completion of the sub-station upgrades and construction is in the public interest;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, New Jersey that a temporary easement over Borough owned property for PSE&G to upgrade and expand its electrical substation at Banta Place be and hereby is approved in accordance with an agreement approved by the Borough Attorney; and

BE IT FURTHER RESOLVED, that the Borough Manager is hereby authorized to execute the agreement.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 117-2014

By

Seconded by

WHEREAS, CW Bodywork located at 7-09 Fair Lawn Avenue, Fair Lawn, New Jersey, has made application to the Borough pursuant to RGO144-2 to renew its massage establishment license; and

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

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 118-2014

By

Seconded by

WHEREAS, the Borough of Fair Lawn desires to award the concession at the Memorial Pool through informal quotes as permitted by N.J.A.C. 5:4-9.4 Local Public Contracts; and

WHEREAS, pursuant to said statute the Borough of Fair Lawn is required to do several things prior to commencing procurement for said concession; and

WHEREAS, the Borough Attorney has provided an opinion that the Borough of Fair Lawn may legally procure said concession through informal quotes; and

WHEREAS, the Borough of Fair Lawn wishes to fulfill the public need to provide food and beverages for summer camp enrollees, pool members and those attending community events; and

WHEREAS, the concession to be awarded will provide food and beverages throughout the pool season, mid-June through Labor Day at Memorial Pool; and

WHEREAS, the Borough of Fair Lawn has carefully considered the benefits and risks prior to make a determination to award the concession determining that the benefits to the residents outweighs the risks considering that the concessionaire is required to supply insurance and take full responsibility of the concession based on a license agreement; and

WHEREAS, it is not possible to estimate the value of the concession since the revenue received by the Borough as well as the Concessionaire's revenue will vary year to year as a result of weather conditions, pool membership and camp enrollment; and

WHEREAS, the award of the concession will be based on the most advantageous price as well as providing the public with the most reliable and

well managed food and beverage concession. Past experience with the concessionaire will also be taken into consideration. Award will be made to the highest responsible concessionaire; and

WHEREAS, the contracting unit will furnish the picnic tables for usage in accordance with the license agreement; and

WHEREAS, procurement of the concession will be completed through the process of informal quotes as the estimated revenue for the concession is estimated below the bid threshold of $17,500.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Borough Manager is hereby authorized and directed to proceed with the procurement of the concession services for Memorial Pool through the informal quotes pursuant to the statute.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 119-2014

By

Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn wish to have a Borough sponsored 2014 Farmer's Market; and

WHEREAS, the New Song Church has agreed to allow the Borough to use the parking lot of the New Song Church in which to conduct the Borough sponsored 2014 Farmer's Market; and

WHEREAS, the New Song Church has requested that the Borough extend the Access and Use Agreement setting forth the terms and conditions under which the Borough may conduct the Borough sponsored 2014 Farmer's Market.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the Mayor and the Municipal Clerk be and are hereby authorized to execute the extension of the Access and Use Agreement for the Borough sponsored 2014 Farmer's Market approved by the Borough Attorney.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 120-2014

By

Seconded by

WHEREAS, the Borough Engineer has confirmed that the property known as 4-50 Second Street has a need for an environmental investigation: and

WHEREAS, in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) the Borough of Fair Lawns has received a proposal to perform said environmental investigation from Arcadis, 17-17 Route 208, Fair Lawn, NJ 07410 for an amount not to exceed $ 35,000; and

WHEREAS, the necessary funds to ensure payment of this contract's commitments are in the Municipal Open Space Trust Fund; and

WHEREAS, the Mayor and Council wish to authorize the reimbursement from said Funds to Capital Ordinance 2254-2012 entitled, "Acquisition of Property 4-50 Second Street" as issued in PO# 14-00704 and PO# 14-00705; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that they authorize and commit Borough funds in the above stated amounts.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 121-2014

By

Seconded by

WHEREAS, the Governing Body of the Borough of Fair Lawn, County of Bergen, New Jersey has a need to contract for Public Safety Software System Maintenance; and

WHEREAS, Spillman Technologies Inc., was awarded a contract on August 7, 2007, by Resolution No. 249-2007, for the Fully Integrated Public Safety Software System; and

WHEREAS, the above awarded contract requires an ongoing partnership for annual warranty, support and maintenance services; and

WHEREAS, this annual service fee for 2014 is $50,384.00, which includes warranty, support and maintenance for the Fully Integrated Public Safety Software System; and

WHEREAS, in accordance with N.J.S.A.40A11-5(1)(dd), the selection and purchase of proprietary software and maintenance can be made using price and other factors as a basis for purchase; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, hereby authorizes the Chief of Police to contract for the warranty, support and maintenance for the Fully Integrated Public Safety Software System, to Spillman Technologies, Inc., 4625 West Lake Park Blvd., Salt Lake City, UT 84120 in an amount not to exceed $50,384.00.

BE IT FURTHER RESOLVED that the authorization of this project has been subject to the availability of funds in the 2014 Municipal Budget - Police Department Other Expenses, supported by Requisition #R4-00576.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 122-2014

By

Seconded by

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Fair Lawn to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Borough of Fair Lawn hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Ron Lottermann to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 123-2014

By

Seconded by

WHEREAS, no adequate provisions have been made in the 2014 Temporary Budget to continue the Borough of Fair Lawn's operating past March 31, 2014; and

WHEREAS, no adequate provisions have been made in the 2014 Temporary Budget for snow removal that exceed the costs of providing services under non-emergency conditions; and

WHEREAS, N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations; and

WHEREAS, N.J.S. 40A:4-45.45(b) provides for the creation of emergency temporary appropriations for the Declared State of Emergency costs for Snow Removal; and

WHEREAS, all emergency temporary budget appropriations will be provided for in the introduced Budget for 2014;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Fair Lawn in accordance with N.J.S. 40A:4-20 of the Local Budget Law, that the following emergency temporary budget appropriations be created.

BE IT FURTHER RESOLVED, that the Borough of Fair Lawn is planning to meet the budget adoption date of April 25, 2014, due to not having final budget numbers, and as a result, are approving the above emergency temporary budget to allow for the necessary budget appropriations due to the extended period;

BE IT FURTHER RESOLVED, that the Borough Clerk forward one certified copy of this resolution to the Director of Local Government Services.

BOROUGH OF FAIR LAWN
EMERGENCY TEMPORARY BUDGET

	2014 Emergency Temp. Budget
GENERAL GOVERNMENT	
Administrative & Executive	
Salaries and Wages	342,450.00
Other Expenses	77,212.50
Legal Services - Labor Counsel	
Other Expenses	45,000.00
Mayor & Council	
Salaries and Wages	7,500.00
Other Expenses	128,850.00
Municipal Clerk	
Salaries and Wages	191,625.00
Other Expenses	47,100.00
Financial Administration	
Salaries and Wages	232,500.00
Miscellaneous Other Expenses	72,750.00
Collection of Taxes	
Salaries and Wages	92,250.00
Other Expenses	25,725.00
Assessment of Taxes	
Salaries and Wages	159,750.00
Other Expenses	26,775.00
Legal Services and Costs	
Salaries and Wages	
Other Expenses	222,750.00
Engineering	
Salaries and Wages	197,250.00
Other Expenses	7,162.50
Planning Board	
Salaries and Wages	12,750.00
Other Expenses	31,237.50
Zoning Board	
Salaries and Wages	7,500.00
Other Expenses	18,600.00
Self Insurance Program	
Liability Insurance (NJSA 40:10-12 et seq.)	487,500.00
Workers Compensation Insurance	412,500.00
Group Insurance for Employees	
Hospital Service Insurance	5,051,475.00
Other Insurance Premiums	80,700.00
Unemployment Compensation Insurance	67,500.00
Uniform Construction Code Officials	
Salaries and Wages	559,875.00
Other Expenses	6,675.00

BOROUGH OF FAIR LAWN
EMERGENCY TEMPORARY BUDGET

PUBLIC SAFETY	
Police	
Salaries and Wages	5,913,750.00
Other Expenses	271,950.00
Police Dispatch	
Salaries and Wages	366,750.00
Other Expenses	
Emergency Management	
Salaries and Wages	19,950.00
Other Expenses	103,912.50
Fire	
Salaries and Wages	2,250.00
Other Expenses	161,775.00
Ambulance	
Other Expenses	68,625.00
Uniform Fire Safety Act (PL 1983 Ch 383)	
Salaries and Wages	175,200.00
Other Expenses	9,900.00
Municipal Prosecutor	
Salaries and Wages	14,925.00
Municipal Court	
Salaries and Wages	192,225.00
Other Expenses	21,600.00
Public Defender	
Salaries and Wages	5,250.00
PUBLIC WORKS	
Road Repairs and Maintenance	
Salaries and Wages	558,750.00
Other Expenses	60,450.00
Shade Tree	
Salaries and Wages	418,500.00
Other Expenses	46,800.00
Electrical Services	
Salaries and Wages	39,375.00
Other Expenses	7,087.50
Public Buildings and Grounds	
Salaries and Wages	228,000.00
Other Expenses	47,812.50
Maintenance Garage	
Salaries and Wages	205,500.00
Other Expenses	155,362.50
Community Services Act	
Other Expenses	26,250.00
Administration of Public Works	
Salaries and Wages	117,750.00
Other Expenses	7,537.50

03/05/2014

BOROUGH OF FAIR LAWN
EMERGENCY TEMPORARY BUDGET

SANITATION	
Sewer System	
Salaries and Wages	380,250.00
Other Expenses	76,312.50
Recycling Program	
Salaries and Wages	607,500.00
Other Expenses	12,150.00
Garbage & Trash Removal	
Contractual	712,500.00
Other Expenses	885,000.00
Passaic Valley Sewer Commission	1,350,000.00
HEALTH AND WELFARE	
Board of Health	
Salaries and Wages	300,750.00
Salaries and Wages-Animal Control	105,750.00
Other Expenses	45,000.00
Administration of Social Services	
Salaries and Wages	59,250.00
Other Expenses	9,300.00
Mental Health Program	
Other Expenses	9,150.00
RECREATION AND EDUCATION	
Recreation Department	
Salaries and Wages	953,100.00
Other Expenses	81,825.00
Parks and Playgrounds	
Salaries and Wages	428,775.00
Other Expenses	62,325.00
Celebration of Public Events	
Other Expenses	34,875.00
Veteran's Service Bureau	
Other Expenses	2,475.00
Maintenance of Free Public Library	
Salaries and Wages	940,650.00
Other Expenses	321,616.50
Health Benefits	487,500.00
UTILITIES	
Electricity	375,000.00
Street Lighting	240,000.00
Telephone	100,500.00
Gas	67,500.00
Fuel Oil	11,250.00
Gasoline	315,150.00

BOROUGH OF FAIR LAWN
EMERGENCY TEMPORARY BUDGET

UNCLASSIFIED	
Terminal Leave	108,750.00
Salary and Wage Adjustment	93,750.00
Postage	47,625.00
Contingent	750.00
Purchase of Vehicles	33,750.00
Grants	71,700.00
Capital Improvement Fund	234,000.00
Recycling Tax	30,375.00
LOSAP	67,500.00
STATUTORY	
Social Security	825,000.00
Public Employ Retirement Sys	1,251,229.00
Cons. Police & Fire Retire	12,750.00
Police & Fire Retirement	1,502,801.00
DCRP	3,975.00
DEBT SERVICE	
Bonds	
Principal	1,387,500.00
Interest	465,000.00
Bond Anticipation Notes	
Principal	112,500.00
Interest	90,000.00
BCIA Capital Lease Program	
Principal	386,250.00
Interest	311,250.00
Temporary Emergency Appropriations	
Declared State of Emergency costs for Snow Removal:	
NJSA 40A:4-46 - Salaries and Wages	158,240.00
NJSA 40A:4-46 - Other Expenses	41,760.00
TOTAL	**34,072,109.00**

03/05/2014

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 124-2014

By

Seconded by

WHEREAS, bids were received for Scada System Maintenance by the Municipal Clerk / Deputy Manager on March 4, 2014; and

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

WHEREAS, Advantech Corporation located at 20 Just Road, Suite 120, Fairfield, New Jersey 07004 is the sole responsible bidder for Year 1 and Year 2 Lump Sum On-Site Maintenance in the amount of $11,735.00, Year 1 and Year 2 Additional Work In-Shop Per Day in the amount of $900.00 and Year 1 and Year 2 Additional Work On-Site Per Day in the amount of $1,100.00;

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

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

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 125-2014

By

Seconded by

BE IT RESOLVED, by the Council of the Borough of Fair Lawn of the County of Bergen and State of New Jersey as follows:

WHEREAS, the State of New Jersey has experienced a series of extreme weather events over the last two years, including but not limited to: Hurricane Irene, the October 2011 snowstorm, Superstorm Sandy and an accompanying Nor'easter;

WHEREAS the Borough of Fair Lawn was impacted by said extreme weather events;

WHEREAS, Public Service Electric and Gas Company ("PSE&G") provides the Borough of Fair Lawn electric and/or gas service;

WHEREAS, said extreme weather events severely damaged PSE&G infrastructure, including but not limited to: flooded electrical substations due to storm surges, downed power lines and poles due to high winds and fallen trees, and the destruction of gas meters due to contact with water.

WHEREAS, said damages to PSE&G infrastructure contributed to Fair Lawn's said impacts;

WHEREAS, the New Jersey Board of Public Utilities ("BPU") issued an order on January 23, 2013 directing the State's electric and gas utilities, including PSE&G, to implement certain recommendations in the areas of: "Preparedness efforts", "Communications", "Restoration and response", "Post event", and "Underlying infrastructure issues";

WHEREAS, PSE&G submitted an infrastructure filing on February 20, 2013 entitled "Energy Strong";

WHEREAS, "Energy Strong" proposes an investment of $3.9B worth of

infrastructure projects over a 10-year period to enhance PSE&G's electrical and gas system, including but not limited to: fortifying electrical stations, replacing and modernizing cast iron gas mains, deploying smart grid technologies, improving pole distribution systems, creating more redundancies, undergrounding of electricity lines, and protecting gas metering stations;

WHEREAS, the Borough of Fair Lawn would benefit from the proposed investments in the "Energy Strong" filing;

WHEREAS, the grid infrastructure hardening as proposed by PSE&'s Energy Strong Program ignores the benefits of energy efficiency, such energy efficiency measures should be considered by PSE&G's Energy Strong program because they can be cost effective by leading to less infrastructure hardening and lower energy costs for residents . Since energy usage is a key drive for climate change, measures to promote energy efficiency would minimize climate change (rather than just manage its effects) by reducing the need for energy.

NOW THEREFORE BE IT RESOLVED, that the Borough of Fair Lawn formally declares its support for PSE&G's "Energy Strong" program.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 126-2014

By

Seconded by

WHEREAS, Governor Christie approved Assembly Bill 2786 in November 2011 modifying New Jersey's procurement code to allow municipalities to purchase such materials, supplies and equipment through a nationally recognized and accepted cooperative purchasing agreement; and

WHEREAS, the National Joint Powers Alliance (NJPA) is such an organization; and

WHEREAS, there is no fee to participate in this optional use program; and

WHEREAS, the Purchasing Agent has recommended the utilization of NJPA where the contracts will result in lower costs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Purchasing Agent is hereby authorized to utilize the National Joint Powers Alliance (NJPA).

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 127-2014

By

Seconded by

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

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

WHEREAS, Chief Financial Officer will certify the availability of funds for the NAPA Auto and Truck Parts contract;

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 128-2014

By

Seconded by

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

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

WHEREAS, Chief Financial Officer will certify the availability of funds for the Jack Doheny Companies;

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 129-2014

By

Seconded by

WHEREAS, an Added Assessment was placed on the property located at 14-18 4th Street, Block 5727, Lot 4, assessed to Leonard Domico, in error by the Tax Assessor's Office for 2013; and

WHEREAS, upon further investigation by the Borough Tax Assessor, the error resulted in an incorrect added assessment of $4,800 for six months of 2013 and an overpayment of $71.74; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey, hereby authorizes the Borough Tax Collector to refund the amount of $71.74 for the overpayment in 2013 and to cancel the 2014 1st and 2nd quarter payments due as the result of the 2013 Added Assessment and waive any interest or penalties that have accrued as the result of the added assessment bill.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 107-2014

By
Seconded by

WHEREAS, the Borough of Fair Lawn periodically reviews the medical plans and health insurance coverage provided there under and it is the responsibility of the Governing Body to review and evaluate salary and benefits provided to Council members; and

WHEREAS, health insurance costs represent a significant portion of the Borough's budget; and

WHEREAS, the Governing Body proposes that it will provide a cost savings to the citizens of Fair Lawn if members of the Governing Body are no longer entitled to receive subsidized health insurance coverage; and

WHEREAS, the Borough desires to eliminate subsidized health insurance coverage for all members of the Governing Body effective December 31, 2014; and

WHEREAS, it is fair and equitable that present members of the Governing Body have the right and the opportunity to obtain and pay for, on their own, health insurance through the Borough for the remainder of their terms.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Fair Lawn hereby eliminates, effective December 31, 2014, the subsidized health insurance benefits provided to any and all elected officials.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 130-2014

By

Seconded by

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

Closed Session 1/14/14
Closed Session 1/14/14

are hereby approved.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 131-2014

By

Seconded by

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

Applications:
Lauren Healy
27-05 Romaine Street
Co. 4

Leave of Absence:
John Cosgrove, Jr.
30-18 Gentner Road
Co. 4

Resignations:
Andrew White
10-02 Essex Street
Co. 1

Res # 132 - 2014-

MUNICIPAL BUDGET NOTICE

March 11, 2014

Section 1.

Municipal Budget of the Borough **of** Fair Lawn **, County of** Bergen **for the Fiscal year 2014**

Be it Resolved , that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014

Be it Further Resolved, that said Budget be published in the The Record, **In the issue of** March 21, 2014 .

The Governing Body of the Borough **of** Fair Lawn **does hereby approve the following as the Budget for the year 2014 .**

RECORDED VOTE

(Insert last name)

Ayes (

Nays (

Abstained (

Absent (

Notice is hereby given that the Budget and Tax Resolution was approved by the Borough Council **of the** Borough **of** Fair Lawn **, County of** Bergen **, on** March 11, **2014**
A hearing on the Budget and Tax Resolution will be held a The Municipal Building **, on** April 8, **2014 at** 7:30 **o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by taxpayers or other interested persons.**

The within Resolution was duly adopted by the Borough Council
at their meeting on March 11, 2014

Sheet 2

Joanne Kwasniewski, RMC/CMC/MMC
Municipal Clerk

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 133-2014

By
Seconded by

NOW, THEREFORE, BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the River Road Special Improvement District Budget for the year 2014;

BE IT FURTHER RESOLVED, that said Budget be published in The Record issue of March 21, 2014;

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn does hereby approve the following as the River Road Special Improvement District Budget for the year 2014;

BE IT FURTHER RESOLVED, that a hearing on this Budget will be held at the Municipal Building on Tuesday, April 8, 2014 at 7:30 p.m. at which time and place objections to said Budget may be presented by taxpayers or other interested persons:

$150,000 River Road Special Improvement District Budget
2014 RIVER ROAD SPECIAL IMPROVEMENT DISTRICT

ANTICIPATED REVENUE	PRIVATE	COUNTY	BOROUGH	SPECIAL ASSESSMENT
Trustees, Fees	2,685	0	0	0
Other	54,375	0	0	150,000
TOTAL REVENUES	57,060	0	0	150,000
APPROPRIATIONS				
Administration Expenses	19,190	0	0	51,085
Other Operating Expenses	7,650	0	0	20,450
Promotional/Marketing Exp	27,490	0	0	73,195
Res for Capital/Contingency	2,730	0	0	5,270
TOTAL APPROPRIATIONS	57,060	0	0	150,000

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

March 11, 2014

RESOLUTION NO. 134-2014

By
Seconded by

NOW, THEREFORE, BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Broadway Special Improvement District Budget for the year 2014;

BE IT FURTHER RESOLVED, that said Budget be published in The Record issue of March 21, 2014;

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn does hereby approve the following as the Broadway Special Improvement District Budget for the year 2014;

BE IT FURTHER RESOLVED, that a hearing on this Budget will be held at the Municipal Building on Tuesday, April 8, 2014 at 7:30 p.m. at which time and place objections to said Budget may be presented by taxpayers or other interested persons:

$118,200 Broadway Special Improvement District Budget
2014 BROADWAY SPECIAL IMPROVEMENT DISTRICT

ANTICIPATED REVENUE	PRIVATE	COUNTY	BOROUGH	SPECIAL ASSESSMENT
Trustees, Fees	2,050	0	0	0
Other	35,120	0	0	118,200
TOTAL REVENUES	37,170	0	0	118,200
APPROPRIATIONS				
Professional & Clerical Exp	16,600	0	0	52,775
Other Operating Expenses	5,090	0	0	16,160
Promotional/Marketing Exp	8,030	0	0	25,570
Res for Capital/Contingency	7,450	0	0	23,695
TOTAL APPROPRIATIONS	37,170	0	0	118,200