

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.

APRIL 29, 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: HONORING JOE MEER
MENTAL HEALTH MONTH
MUNICIPAL CLERK'S WEEK**
6. **MANAGER'S REPORT**
7. **COUNCIL COMMENTS**
8. **ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2313-2014
(RESOLUTION NO. 167-2014)**

AN ORDINANCE FIXING THE SALARIES OF EXISTING AND NEW SHARED SERVICES - CONSTRUCTION OFFICIAL EMPLOYED OR 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, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Introduction. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2314-2014
(RESOLUTION NO. 168-2014)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS", MORE PARTICULARLY SECTION 160-13 ENTITLED "RESTRICTED AREAS FOR EATING, SMOKING AND USE OF

BEACH UMBRELLAS; FIRE PERMITS" AND TO AMEND CHAPTER 162 ENTITLED "PEACE AND GOOD ORDER" TO PROHIBIT THE USE OF ANY IGNITION SOURCE, INCLUDING FIREWORKS, LIGHTERS, MATCHES, AND SMOKING MATERIALS WITHIN THE BOROUGH'S PARKS

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

9. PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

10. RESOLUTIONS BY CONSENT #9-2014

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #169-2014 – Approval of Minutes:
 - Work Session 3/4/14
 - Closed Session 3/4/14
 - Regular Meeting 3/11/14
 - Regular Meeting 3/25/14
 - b. Resol. #170-2014 - Authorizing Execution of Vegetative Waste Disposal Contract
 - c. Resol. #171-2014 – Authorizing Multi-Year Contract for Maintaining NJSACOP Accreditation
 - d. Resol. #172-2014 – Cancellation of Unexpended Grants
 - e. Resol. #173-2014 – Authorizing Execution of Shared Services Agreement – Hawthorne
 - f. Resol. #174-2014 - Accepting the Re-write of the Plan Documents for the PPO and POS Plan Design
 - g. Resol. #175-2014 - Affirming the Borough's Civil Rights Policy
 - h. Resol. #176-2014 – Adopting Policy & Procedures Manual
 - i. Resol. #177-2014 - Interlocal Agreement with the Borough of Haledon for the Use of Memorial Pool

- j. Resol. #178-2014 - Extending the Time to Lease the Hadco/Kem Property
- k. Resol. #179-2014 - Waive Interest Charge for 2 Katherine Avenue
- l. Resol. #180-2014 - Appointment to the Green Team
- m. Resol. #181-2014 - Supporting the Formation of a Stigma Free Zone

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

11. RESOLUTION NO. 182-2014 - APPROVAL OF MINUTES:

BUDGET MEETING 2/22/14

REGULAR MEETING 2/25/14

CLOSED SESSION 2/25/14

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

12. RESOLUTION NO. 183-2014 - APPROVAL OF MINUTES:

WORK SESSION 3/18/14

CLOSED SESSION 3/18/14

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

13. PUBLIC COMMENTS

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

14. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 167-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2313-2014 entitled:

AN ORDINANCE FIXING THE SALARIES OF EXISTING AND NEW SHARED SERVICES - CONSTRUCTION OFFICIAL EMPLOYED OR 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 13th day of May 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. 2313-2014

AN ORDINANCE FIXING THE SALARY OF EXISTING AND NEW SHARED SERVICES - CONSTRUCTION OFFICIAL EMPLOYED OR 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			
<u>Title</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Shared Services - Construction Official	\$22,500	\$22,500	\$22,500	\$22,500

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:

Approved:

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

John Cosgrove
Mayor

Introduced: April 29, 2014

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 168-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2314-2014 entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS", MORE PARTICULARLY SECTION 160-13 ENTITLED "RESTRICTED AREAS FOR EATING, SMOKING AND USE OF BEACH UMBRELLAS; FIRE PERMITS" AND TO AMEND CHAPTER 162 ENTITLED "PEACE AND GOOD ORDER" TO PROHIBIT THE USE OF ANY IGNITION SOURCE, INCLUDING FIREWORKS, LIGHTERS, MATCHES, AND SMOKING MATERIALS WITHIN THE BOROUGH'S PARKS

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 13th day of May 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 2314-2014

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS", MORE PARTICULARLY SECTION 160-13 ENTITLED "RESTRICTED AREAS FOR EATING, SMOKING AND USE OF BEACH UMBRELLAS; FIRE PERMITS" AND TO AMEND CHAPTER 162 ENTITLED "PEACE AND GOOD ORDER" TO PROHIBIT THE USE OF ANY IGNITION SOURCE, INCLUDING FIREWORKS, LIGHTERS, MATCHES, AND SMOKING MATERIALS WITHIN THE BOROUGH'S PARKS

WHEREAS, the Governing Body may prohibit the use of fireworks and other ignition sources especially when hazardous environmental conditions necessitate controlled use; and

WHEREAS, the Governing Body finds that banning certain fireworks, open fires and other potential sources of fire within Borough's Parks is in the public interest.

BE IT ORDAINED by the Borough Council that the following amendments be made to Chapter 160-13:

SECTION 1.

Borough Code §160-13 entitled "Restricted areas for eating, smoking and use of beach umbrellas; fire permits" is amended to change the title and delete the following sentence:

§160-13 Restricted areas for eating and use of beach umbrellas; fire permits.

The smoking of any form of cigarette, cigar or pipe is hereby prohibited except in designated areas where smoking is permitted.

SECTION 2.

Borough Code §162-2 is amended as follows:

§162-2. Prohibiting the Use of any Ignition Source, Including Fireworks, Lighters, Matches, and Smoking Materials within the Borough's Parks

A. Purpose.

This ordinance prohibits open fires and the use of any ignition source, including fireworks, lighters, matches, and smoking materials, in all parks within the Borough of Fair Lawn.

B. Definitions.

"Hazardous environmental conditions" means extreme dryness or lack of moisture, windy conditions, the presence of dry weeds, other vegetation, any combination thereof and second hand smoke.

"Ignition source" means fireworks, lighters, matches, smoking materials, and similar means used to ignite fire.

"Fireworks" shall have the same meaning as found in Title 21, Chapter 3 of the New Jersey State Statutes.

C. Areas Affected.

The Governing Body has determined that the subject areas of the prohibition shall be all parks.

D. Exceptions.

This ordinance is not intended to prohibit the outdoor, permanently installed grills located at Memorial Pool or to prohibit the use of fireworks wherein the proper permits and/or licenses have been secured.

SECTION 3.

REPEAL AND SEVERABILITY

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4.

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

Attest:

Approved:

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

John Cosgrove, Mayor

Introduced: April 29, 2014
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

CONSENT AGENDA 9-2014

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. #169-2014 – Approval of Minutes:
 - Work Session 3/4/14
 - Closed Session 3/4/14
 - Regular Meeting 3/11/14
 - Regular Meeting 3/25/14
- b. Resol. #170-2014 - Authorizing Execution of Vegetative Waste Disposal Contract
- c. Resol. #171-2014 – Authorizing Multi-Year Contract for Maintaining NJSACOP Accreditation
- d. Resol. #172-2014 – Cancellation of Unexpended Grants
- e. Resol. #173-2014 – Authorizing Execution of Shared Services Agreement – Hawthorne
- f. Resol. #174-2014 - Accepting the Re-write of the Plan Documents for the PPO and POS Plan Design
- g. Resol. #175-2014 - Affirming the Borough's Civil Rights Policy
- h. Resol. #176-2014 – Adopting Policy & Procedures Manual
- i. Resol. #177-2014 - Interlocal Agreement with the Borough of Haledon for the Use of Memorial Pool
- j. Resol. #178-2014 - Extending the Time to Lease the Hadco/Kem Property
- k. Resol. #179-2014 - Waive Interest Charge for 2 Katherine Avenue
- l. Resol. #180-2014 - Appointment to the Green Team
- m. Resol. #181-2014 - Supporting the Formation of a Stigma Free Zone

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 169-2014

By

Seconded by

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

Work Session 3/4/14
Closed Session 3/4/14
Regular Meeting 3/11/14
Regular Meeting 3/25/14

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 170-2014

By

Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn desire to enter into a multi-year agreement for the disposal of yard waste that the Borough picks up;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk are hereby authorized to execute an agreement with S. Rotundi & Sons, Inc., P.O. Box 1407, Summit, New Jersey 07902 for mixed comingled grass/leaves/brush, said prices as per attached Schedule A, to apply for the contract period of June 1, 2014 through May 31, 2019 in a form approved by the Borough Attorney of the Borough of Fair Lawn.

May 31, 2014-May 31, 2017

Compacted Mixed Yard Waste-	17.50/cubic yard
Compacted Grass-	17.50/cubic yard
Compacted Leaves-	9.95/cubic yard
Compacted Brush-	9.95/cubic yard
Compacted Logs/Stumps-	9.95/cubic yard
Compacted Wood Chips-	9.95/cubic yard

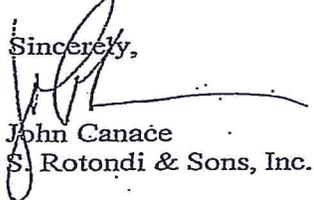
Uncompacted Mixed Yard Waste-	14.95/cubic yard
Uncompacted Grass	14.95/cubic yard
Uncompacted Leaves	9.95/cubic yard
Uncompacted Brush	9.95/cubic yard
Uncompacted Logs/Stumps	9.95/cubic yard
Uncompacted Wood chips	9.95/cubic yard

June 1, 2018-June 1, 2019

Compacted Mixed Yard Waste-	17.95/cubic yard
Compacted Grass-	17.95/cubic yard
Compacted Leaves-	9.95/cubic yard
Compacted Brush-	9.95/cubic yard
Compacted Logs/Stumps-	9.95/cubic yard
Compacted Wood Chips-	9.95/cubic yard

Uncompacted Mixed yard Waste-	14.95/cubic yard
Uncompacted Grass-	14.95/cubic yard
Uncompacted Leaves-	9.95/cubic yard
Uncompacted Brush-	9.95/cubic yard
Uncompacted Logs/Stumps-	9.95/cubic yard
Uncompacted Wood Chips-	9.95/cubic yard

Sincerely,



John Canace
S. Rotondi & Sons, Inc.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 171-2014

By

Seconded by

WHEREAS, pursuant to N.J.A.C. 5:30-14.5(c)4, multi-year contracts entered into for periods in excess of twelve (12) months shall be certified and charged to the respective budgets in accordance with the time(s) at which the respective work or services are performed or liability for payment is otherwise incurred. Accordingly, commitments and payments required in excess of the initial twelve (12) months are contingent upon necessary funds being appropriated in future budgets by a subsequent Governing Body; and

WHEREAS, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, the Chief Financial Officer of the Borough of Fair Lawn has ascertained that there are appropriations in the 2014 Municipal Budget to award a contract to The Rodgers Group, LLC, P.O. Box 831, Island Heights, New Jersey 08732 for Maintenance of the New Jersey State Police Association Chief of Police Accredited Agency Status in the amount of \$18,000.00. Funds for certification are therefore being made available and certified against the appropriation for the Department of Police, Account Number 401-25-240-000-771; and

Contract Period: 24 months

Total Amount of Contract: \$18,000.00

Amount Certified for Initial Eight (8) months: \$ 6,000.00

Outstanding Balance(s) to be certified for the remainder of the contract for the:

Second Year: 2015 \$ 9,000.00

Third Year: 2016 \$ 3,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, hereby authorizes the contract for Maintenance of the New Jersey State Police Association Chief of Police Accredited Agency Status to The Rodgers Group, LLC in accordance with the RFP dated March 31, 2014.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 172-2014

By

Seconded by

WHEREAS, the Borough of Fair Lawn was awarded grants; and

WHEREAS, the below project has been completed and all funds expended yet balances remain on the books; and

WHEREAS, the Borough has unspent monies, monies funded in operations and receivables in prior years allocated this purpose should be cancelled; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the below stated grant receivables and offsetting budget appropriations be cancelled.

Grant Appropriated Reserves- Recycling	14,197.85
Grant Appropriated Reserves - MRAP	605.41
Grant Appropriated Reserves - Body Armor	926.25
Grant Appropriated Reserves - OEM	181.00
Grant Appropriated Reserves - Pandemic Influenza	2,241.48
Clean Communities- Receivable	37,941.34

BE IT FURTHER RESOLVED that the grant receivables of \$37,941.34 and grant appropriations in the amount of \$18,151.99 be cancelled.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 173-2014

By

Seconded by

WHEREAS, the Borough of Hawthorne has requested the Borough of Fair Lawn provide it with the maintenance and repair of its fire apparatus; 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 Hawthorne for the purpose of providing maintenance and repair of the Borough of Hawthorne's fire apparatus for a term commencing on May 1, 2014 and expiring on April 30, 2015 at an hourly rate of \$80.00 to be paid by the Borough of Hawthorne to the Borough of Fair Lawn within thirty (30) days of receipt of an invoice for said service;

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 Hawthorne adopt a resolution concurrent herewith for the execution of said agreement.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 174-2014

By

Seconded by

WHEREAS, the Borough of Fair Lawn (hereinafter, the Borough) provides a comprehensive health benefits program to eligible employees, dependents and post-retirement benefits for those hired prior to 1988; and

WHEREAS, the Borough negotiated higher co-pays for all non-PBA active employees, effective January 1, 2014, which negated the non-conformity relief ("grandfathered") status for the existing plan designs in accordance with the Affordable Care Act of 2010 (ACA); and

WHEREAS, more specifically, under the ACA, compliant ("non-grandfathered") plans must include 100% coverage for specific preventive services and the re-written Plan Document developed by the Health Plan's Third Party Administrator (TPA) and reviewed by the Borough's Health Benefits Consultant provides full compliance in addition to memorializing the co-pay change negotiated and accepted.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey, the re-written plan design as presented by the TPA and on file in the Municipal Clerks Office, incorporates the negotiated co-pay change with the non-PBA employees and memorialized by contract; and

BE IT FURTHER RESOLVED, such re-written Plan Document satisfies the requirements for a compliant health care plan in accordance with the provisions promulgated by the Affordable Care Act of 2010; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough CFO, Auditor and PIA Security Programs, Inc., 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Health Benefits Consultant to the Borough.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 175-2014

By

Seconded by

WHEREAS, it is the policy of Borough of Fair Lawn to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Borough of Fair Lawn has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Mayor and Council of the Borough of Fair Lawn that:

Section 1: No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Borough Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Manager shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 176-2014

By

Seconded by

WHEREAS, it is the policy of Borough to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn have determined that there is a need for personnel policies and procedures and handbook to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Personnel Policies and Procedures Manual and the Borough of Fair Lawn Employee Handbook that is on file in the office of the Municipal Clerk is hereby adopted; and

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual and handbook is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual and handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council of the Borough of Fair Lawn.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Borough Attorney and/or Labor Attorney appointed by the Mayor and Council of the Borough of Fair Lawn will advise the Borough in personnel matters.

BE IT FURTHER RESOLVED that the Borough Manager is responsible for the implementation of the policies and procedures in this manual and employee handbook.

BE IT FURTHER RESOLVED that all managerial/supervisory personnel of the Borough are responsible for these employment practices.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 177-2014

By

Seconded by

WHEREAS, the Borough of Haledon has requested that the Borough of Fair Lawn permit the usage of Memorial Pool to their residents and families for the season beginning June 25, 2014 through September 1, 2014; 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 hereby enter into an interlocal government services agreement with the Borough of Haledon; and

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

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 178-2014

By
Seconded by

WHEREAS, the Borough and Fair Lawn Senior Housing, L.P. (hereafter "FLSH") did enter into that certain Agreement for Development of Senior Housing (the "Agreement") effective January 7, 2013 for the development of senior affordable housing on a portion of the former Hadco/Kem property, commonly known as 18-25 River Road {the "Property"}, and

WHEREAS, pursuant to the Agreement, the Borough was obligated to enter into a Ground Lease (the "Lease") with the not for profit general partner of FLSH, Fair Lawn Housing, a N J Non Profit Corporation for the Property, and to cooperate with FLSH applications to achieve grant funding, Low Income Housing Tax Credits ("LIHTC") , and other financing, and

WHEREAS, The Borough has, through its prior acts and resolutions, complied with its obligations under the Agreement, and does, for the purpose of further evidencing its approval and authorization of same, has determined that a more formal approval, adoption and ratification of its compliance with the Agreement and the entering into such necessary and subordinate agreements, the Lease and amendments thereto, as signed by its Mayor, is appropriate, the Borough now proceeds to take additional formal action,

NOW, THEREFORE, BE IT RESOLVED that the above recitals shall be deemed a part of this Resolution; and

BE IT FURTHER RESOLVED, that the Borough of Fair Lawn approves, adopts and ratifies the entering into the Ground Lease between the Borough of Fair Lawn and Fair Lawn Housing, a NJ Non Profit Corporation, pursuant to the terms of the Agreement with Fair Lawn Senior Housing, L. P., a true copy of said Lease to be filed with the Municipal Clerk; and

BE IT FURTHER RESOLVE, that the Borough hereby approves, adopts, and ratifies the First Amendment to Lease, a true copy of which shall be filed with the Municipal Clerk.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 179-2014

By

Seconded by

WHEREAS, Reina I. Valenzuela residing at 2 Katherine Avenue experienced a cracked pipe that was leaking into the road causing an icing condition; and

WHEREAS, the Borough contracted to have the repairs made and billed Ms. Valenzuela \$3,500.00 the amount the Borough paid to have the repairs made; and

WHEREAS, the Borough placed a lien on her property for said \$3,500.00 and

WHEREAS, due to financial difficulties Ms. Valenzuela has been unable to pay the lien amount resulting in interest charges of \$616.00; and

WHEREAS, Ms. Valenzuela has indicated that she will pay the \$3,500.00 charge by the end of May 2014 and has requested that the Council waive the interest due to the financial hardship the lien and interest has caused;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that Ms. Valenzuela be given until the end of May 2014 to pay the \$3,500.00 owed and that the \$616.00 interest be waived.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 180-2014

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:

Luis A. Lopez Wei
13-08 B Sperber Road

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 181-2014

By
Seconded by

WHEREAS, the Mayor & Council of the Borough of Fair Lawn are in support of a **Fair Lawn Stigma Free Zone Task Force**, and agrees with their mission, which is to improve the lives of those affected by mental illness and to offer public education and awareness; and

WHEREAS, the Care Plus Foundation, Inc. is recognized for their role in helping to champion this initiative, for providing community education on mental health and advocacy on behalf of those who suffer from mental illness; and

WHEREAS, mental illness affects one in five people in the United States and the experience can be devastating for individuals and families with little knowledge or access to mental health services; and

WHEREAS, with proper treatment of and services to people with mental illness can lead productive, fulfilling lives that can enrich our society, and

WHEREAS, the Borough of Fair Lawn will declare itself as a "Stigma Free Zone" and post signs throughout the Borough of Fair Lawn stating the declaration; and

WHEREAS, events will be scheduled and decided by the **Fair Lawn Stigma Free Task Force**, intended to bring together all major constituents of Fair Lawn, such as the Mayor and Council, Health and Human Services, Police Department, Mental Health Providers, Mental Health Advocates, Local Businesses, Prospective Employers, Public Schools, Private Schools.

NOW THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey recognize the community needs and supports the efforts of the **Fair Lawn Stigma Free Zone Task Force** to ensure public awareness; and, by this Resolution expresses its commitment to the success of the events to be scheduled for the Borough of Fair Lawn.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 182-2014

By

Seconded by

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

Budget Meeting 2/22/14
Regular Meeting 2/25/14
Closed Session 2/25/14

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 29, 2014

RESOLUTION NO. 183-2014

By

Seconded by

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

Work Session 3/18/14
Closed Session 3/18/14

are hereby approved.