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.** **OCTOBER 14, 2014**

1. **Call to Order by Mayor**

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

3. **Roll Call**

4. **Flag Salute**

5. **POLICE PROMOTIONS - SERGEANTS**

6. **PROCLAMATIONS: BREAST CANCER AWARENESS MONTH**

7. **COUNCIL COMMENTS**

8. **ORDINANCES ON FIRST READING:**

ORDINANCE NO. 2322-2014
(RESOLUTION NO. 345-2014)

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

- 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. 2323-2014
(RESOLUTION NO. 346-2014)

AN ORDINANCE TO AMEND CHAPTER 170 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 ENTITLED "PROPERTY MAINTENANCE" AND CHAPTER 208 ENTITLED "STREETS AND SIDEWALKS"

- 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. 2324-2014
(RESOLUTION NO. 347-2014)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 173 ENTITLED "PUBLIC HEALTH NUISANCES", SUBSECTION 173-2, PROHIBITED CONDITIONS

- 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. 2325-2014
(RESOLUTION NO. 348-2014)

AN ORDINANCE TO AMEND CHAPTER 170 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 2 ENTITLED "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" AND MORE PARTICULARLY ARTICLE II ENTITLED "THE COUNCIL" BY ADDING SECTION 2-20 TO BE ENTITLED ELIMINATION OF BOROUGH-FUNDED HEALTH BENEFITS"

- 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.

9. ORDINANCES ON SECOND READING:

ORDINANCE NO. 2321-2014
(RESOLUTION NO. 349-2014)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-9, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS AND SUBSECTION 232-13, PARKING TIME LIMITED ON CERTAIN STREETS

- 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.

10. 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.

11. RESOLUTIONS BY CONSENT #19-2014

- Municipal Clerk reads Resolutions by Consent.

a. Resol. #350-2014 – Approval of Minutes:
Work Session 9/16/14
Closed Session 9/16/14
Regular Meeting 9/23/14

b. Resol. #351-2014 – Amending Professional Services Agreement with Garbarini & Co., PC - Continuing Disclosure Requirements

c. Resol. #352-2014 – Participating in the Bergen County Cooperative Pricing System

d. Resol. #353-2014 – Participating in the State of New Jersey Cooperative Purchasing Program

e. Resol. #354-2014 – Cancel Year 2013 & 2014 Property Taxes Due to Property Change Classification – 18-35 River Road

f. Resol. #355-2011 – Authorizing Application for NJACCHO Grant

g. Resol. #356-2014 – Professional Services – HMR Architects – Naugle House Construction Documents

h. Resol. #357-2014 – Refund of Overpayment of Taxes

i. Resol. #358-2014 – Confirmation of Fire Board Actions
j. Resol. #359-2014 – Professional Services – The Ives Architecture Library Restroom Renovation
k. Resol. #360-2014 – Authorizing Participation in the "Gaining Ground" Initiative
l. Resol. #361-2014 – Authorizing Application for Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Grant - Memorial Park and Pool Improvements
m. Resol. #362-2014 - License Agreement - 2 Beekman Place
n. Resol. #363-2014 - Appointment to the Green Team Advisory Committee
o. Resol. #364-2014 - Requesting Approval of a Special Item of Revenue - NJACCHO Grant

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

12. RESOLUTION NO. 365-2014 - Approval of Minutes: Regular Meeting 9/9/14

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

13. RESOLUTION NO. 366-2014 - Endorsement of Community Development Block Grant Application - JerseyOn

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

14. 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.

15. ADJOURNMENT:

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 345-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2322-2014 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

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 28th day of October, 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. 2322-2014

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

WHEREAS, the Borough of Fair Lawn has been approved to receive grant funding from the Bergen County Open Space Trust Fund in the amount of $25,000 for Contract #14-00322, for the preparation of historic preservation construction documents for the Naugle-Vanderbeck House 49-19 Dunkerhook Road; and

WHEREAS, receipt of the above grant requires an equal match of funding from the Borough of Fair Lawn; and

WHEREAS, at the direction of the Borough Manager and approval of the Mayor and Council, via this ordinance, the Borough of Fair Lawn's match requirement for the above stated grant was funded in the 2014 Capital Program in Borough Ordinance #2310-2014; and

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

SECTION 1. The Borough of Fair Lawn in the County of Bergen shall proceed with the preparation of the historic preservation construction documents for the Naugle Vanderbeck House, as detailed in the grant award dated September 9, 2014; and

SECTION 2. The cost of completing said improvement set forth in Section 1 shall be provided by the County of Bergen Open Space Trust Fund in the amount of $25,000 and by the grant required match of the Borough of Fair Lawn as provided in Ordinance #2310-2014 in an equal amount of $25,000; and

SECTION 3. It is hereby determined and stated:

(a) That said purposes are not a current expense. That the same is project 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

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cost, as set forth is authorized and available through the Bergen County Open Space Trust Fund and Borough of Fair Lawn's Capital Fund.

SECTION 4. It is hereby determined and stated that the supplemental debt statement has been made and signed in connection with said purpose, as defined under the Local Bond Law.

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

Attest:

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

Approved:

John Cosgrove, Mayor

Introduced October 14, 2014
Adopted:

\

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 346-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2323-2014 entitled:

AN ORDINANCE TO AMEND CHAPTER 170 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 ENTITLED "PROPERTY MAINTENANCE" AND CHAPTER 208 ENTITLED "STREETS AND SIDEWALKS"

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 28th day of October, 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. 2323-2014

AN ORDINANCE TO AMEND CHAPTER 170 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 ENTITLED "PROPERTY MAINTENANCE" AND CHAPTER 208 ENTITLED "STREETS AND SIDEWALKS"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN AS FOLLOWS:

Chapter 170 PROPERTY MAINTENANCE is hereby amended as follows:

SECTION 1: Section 170-3 entitled "Definitions" is hereby amended as follows:

Add:

DAYS – Days shall be considered calendar days in all cases. Days will be counted from the date of the notice.

SECTION 2: Section 170-19 entitled "Enforcement Procedure" is amended as follows:

Add:

C. In the event that conditions require immediate action, posting said notice on the property will serve as the only legal notice required to proceed.

D. If after the time set forth in said notice the owner of such property does not comply, the Construction Official or his designee may notify the Borough Manager to request that the Borough perform necessary maintenance so as to protect public health safety and welfare. The construction official or his designee shall provide the Borough Manager with a written description of the necessary maintenance.

E. The Borough Manager may, after the request has bene made by the Construction Official or his designee or any person directed by the Borough Manager arrange to perform such maintenance, charging the actual costs of same, plus 25% to the property owner. This cost shall become a lien on the property and shall be filed by the Borough with the appropriate recording or municipal officer to reflect the nature and amount of the lien.

SECTION 3: Section 170-20 entitled "Emergency conditions" is hereby deleted and replaced with the following:

§ 170-20. Emergency Conditions; violation of article.

A. Whenever the enforcement officer finds that an emergency condition in violation of this article exists, which condition requires immediate attention in order to protect the public health or safety, he may issue an order by service of notice as set forth in § 170-19, reciting the existence of such an emergency condition and requiring that such action be taken by the violator as soon as is reasonably necessary to meet the emergency.

B. Notice to the property owner may be made by sending a letter by certified mail, return receipt requested and regular mail to the property owner's last known address, by posting said notice on the property or by sending such notice to such other known individuals or entities or agents of the property owner or who have an interest in the property. In the event that the property is in foreclosure, notice may also be sent to the mortgagee in the manner set forth herein.

C. In the event that conditions require immediate action, posting notice on the property will serve as the only legal notice required to proceed.

SECTION 4: Section 170-21 entitled "Nonemergency conditions; violation of article" is hereby deleted and replaced with the following:

§ 170-21. Nonemergency Conditions; violation of article.

A. Whenever the Enforcement Officer finds that a condition in violation of this article exists, he may issue an order by service of notice as set forth in § 170-19, reciting the existence of such condition and requiring that such action be taken by the violator within a reasonable time set forth in said notice. Notwithstanding any other provision of this article, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith within the time frame set forth.

B. Notice to the property owner may be made by sending a letter by certified mail, return receipt requested and regular mail to the property owner's last known address, by posting said notice on the property or by sending such notice to such other known individuals or entities or agents of the property owner or who have an interest in the property. In the event that the property is in foreclosure, notice may also be sent to the mortgagee in the manner set forth herein.

C. Clearing of Litter, Brush, Debris, Snow; Notice to Remove

Such notice shall contain a description of the property affected sufficiently definite in terms to identify it, and a notice that unless the

property is brought into compliance with the ordinances within a reasonable time set forth in said notice after service of notice the Borough will proceed to maintain the property, including the mowing of the lawn or removing snow from the sidewalk and shall cause the cost of such removal and maintenance to be charged as a municipal lien against the premises.

SECTION 5: Chapter 208 entitled "Streets and Sidewalks" is amended as follows:

Delete:

208-1. Duty to remove snow, ice, grass and weeds from sidewalks and gutters; time permitted.

Add:

208-1. Duty to remove snow and ice from sidewalks and gutters; time permitted.

SECTION 6: 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 7: All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

SECTION 8: This Ordinance shall take effect upon passage and publication as required by law.

Attest: Approved:

_____ _____

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

John Cosgrove, Mayor

Introduced October 14, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 347-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2324-2014 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 173 ENTITLED "PUBLIC HEALTH NUISANCES", SUBSECTION 173-2, PROHIBITED CONDITIONS

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 28th day of October, 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. 2324-2014

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 173 ENTITLED "PUBLIC HEALTH NUISANCES", SUBSECTION 173-2. PROHIBITED CONDITIONS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN AS FOLLOWS:

Chapter 173 PUBLIC HEALTH NUISANCES is hereby amended as follows:

SECTION 1: Section 173-2 Prohibited conditions is deleted in its entirety and replaced with the following:

§ 173-2. Prohibited conditions.

In addition to those nuisances set forth in the Public Health Nuisance Code of New Jersey (1953), the following are hereby declared to be nuisances and injurious to residents of the Borough:

A. Any matter, thing, condition or act which after investigation by the health officer or other enforcing official that annoys, injures or endangers the safety, health, welfare, comfort, or repose of the public; offends public decency or aesthetic sensibilities; interferes with, obstructs or render dangerous any street, highway or other public way; or in any way renders the public insecure in life or property of this Borough is hereby declared to be a public nuisance and shall include but not be limited to the following:

(1) Pollution or existence of a condition or conditions which cause or threaten pollution of any waters in this municipality in such manner as to cause or threaten injury to any of the inhabitants of this municipality either in their health, comfort or property.

(2) The escape into the open air from any stack, vent, chimney or any entrance to the open air or from any fire into the open air of such quantities of smoke, flash, dust, fumes, vapors, mists or gases as to cause injury, detriment or annoyance to the inhabitants of this municipality or endanger their comfort, repose, health or safety.

(3) The growth, existence or presence of ragweed on any plot of land, lot, highway, right-of-way or any other public or private place.

(4) The growth, existence or presence of poison ivy within 20 feet of any property line.

(5) The existence or presence of any water or other liquid in which mosquito larvae breed or exist.

(6) The existence or presence of any accumulation of garbage, refuse, manure or animal or vegetable matter which may attract flies and to which flies may have access or in which fly larvae or pupae breed or exist.

(7) Depositing, accumulating or maintaining any matter or thing which serves as food for insects or rodents and to which they may have access or which serves or constitutes a breeding place or harborage for insects or rodents in or on any land, premises, building or other place.

B. It shall be unlawful for any person or persons to commit, maintain or allow any nuisance, as declared and described in this section.

SECTION 2: All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

SECTION 3: This Ordinance shall take effect upon passage and publication as required by law.

Attest: Approved:

_____ _____

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

John Cosgrove, Mayor

Introduced October 14, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 348-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2325-2014 entitled:

AN ORDINANCE TO AMEND CHAPTER 170 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 2 ENTITLED "ADMINISTRATION, DEPARTMENS AND BUDGET AND FISCAL PROCEDURES" AND MORE PARTICLARLY ARTICLE II ENTITLED "THE COUNCIL" BY ADDING SECTION 2-20 TO BE ENTITLED ELIMINATION OF BOROUGH-FUNDED HEALTH BENEFITS"

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 28th day of October, 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. 2325-2014

AN ORDINANCE TO AMEND CHAPTER 170 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 2 ENTITLED "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" AND MORE PARTICLARLY ARTICLE II ENTITLED "THE COUNCIL" BY ADDING SECTION 2-20 TO BE ENTITLED ELIMINATION OF BOROUGH-FUNDED HEALTH BENEFITS"

WHEREAS, the Mayor and Council of the Borough of Fair Lawn unanimously adopted Resolution No. 107-2014 – Elimination of Medical Benefits for Elected officials on February 25, 2014 and is hereby incorporated by reference; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn wishes to codify the passage of said Resolution; and

WHEREAS, the State of New Jersey has determined that, as part of its Local Government Best Practices program, elected officials should be excluded from Borough-funded Health Benefits; and

WHEREAS, the Mayor and Council have traditionally been afforded the opportunity to participate in the Borough sponsored Borough's Health Benefits program, at Borough expense, without an official policy statement, via resolution or ordinance, providing for such participating in the Borough's Health Benefits program; and

WHEREAS, in order to continue its mission of full compliance with the State's Local Government Best Practices program and to maximize State aid contingent on successful participation in that program, it is necessary to amend Chapter 2, Article II of the Borough Code governing "The Council".

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN AS FOLLOWS:

Chapter 2 ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES is hereby amended as follows:

SECTION 1: Article II entitled "The Council" is hereby amended as follows:

Add:

§ 2-20. Elimination of Borough-Funded Health Benefits

A. All elected, newly elected or newly re-elected members of the Borough Council shall not be eligible for Borough subsidized health benefits, specifically including but not limited to hospital, medical, dental, major medical insurance benefits and prescription benefits.

B. Elected, newly elected or newly re-elected members of the Borough Council may obtain health benefits through the Borough by contributing one hundred percent (100%) of the costs of the hospital, medical, dental, major medical insurance benefits and prescription benefits and may also obtain hospital, medical, dental, major medical insurance benefits and prescription benefits for his/her dependents through the Borough by contributing one hundred percent (100%) of the cost of the hospital, medical, dental, major medical insurance benefits and prescription benefits for said dependents.

SECTION 2: 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 3: All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

SECTION 4: This Ordinance shall take effect upon passage and publication as required by law.

Attest: Approved:

_____ _____

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

John Cosgrove, Mayor

Introduced October 14, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 349-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2321-2014 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-9, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS AND SUBSECTION 232-13, PARKING TIME LIMITED ON CERTAIN STREETS

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. 2321-2014

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-9, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS AND SUBSECTION 232-13, PARKING TIME LIMITED ON CERTAIN STREETS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN AS FOLLOWS:

SECTION 1: 232-9 Parking prohibited at all times on certain streets is hereby amended as follows:

Add:

Name of Street	Side	Location
Banta Place	West	From the southerly curbline of Watkins Avenue to a point 130 feet southerly therefrom
Banta Place	West	From the northerly curbline of Watkins Avenue to a point 190 feet northerly therefrom
Banta Place	West	From the southerly curbline of Watkins Avenue to a point 310 feet southerly therefrom

SECTION 2: 232-13 Parking time limited on certain streets is hereby amended as follows:

A. Two-hour time limit: 8:00 a.m. to 6:00 p.m.

Delete:

Name of Street	Side	Location
Banta Place	West	From a point 150 feet south of the southerly curbline of Morlot Avenue

		Avenue to a point 744 feet southerly thereof; from a point 837 feet south of the southerly curbline of Morlot Avenue to a point 190 feet north of the northerly curbline of Rosalie Street

Add:

Banta Place	West	From a point 310 feet south of the southerly curbline of Morlot Avenue to a point 190 feet north of the northerly curbline of Watkins Avenue; from a point 130 feet south of the southerly curbline of Watkins Avenue to a point 190 feet north of the northerly curbline of Rosalie Street

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: Approved:

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

John Cosgrove
Mayor

Introduced: September 23, 2014
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

CONSENT AGENDA 19-2014

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. #350-2014 – Approval of Minutes:
Work Session 9/16/14
Closed Session 9/16/14
Regular Meeting 9/23/14

b. Resol. #351-2014 – Amending Professional Services Agreement with Garbarini & Co., PC - Continuing Disclosure Requirements

c. Resol. #352-2014 – Participating in the Bergen County Cooperative Pricing System

d. Resol. #353-2014 – Participating in the State of New Jersey Cooperative Purchasing Program

e. Resol. #354-2014 – Cancel Year 2013 & 2014 Property Taxes Due to Property Change Classification – 18-35 River Road

f. Resol. #355-2011 – Authorizing Application for NJACCHO Grant

g. Resol. #356-2014 – Professional Services – HMR Architects – Naugle House Construction Documents

h. Resol. #357-2014 – Refund of Overpayment of Taxes

i. Resol. #358-2014 – Confirmation of Fire Board Actions

j. Resol. #359-2014 – Professional Services – The Ives Architecture Library Restroom Renovation

k. Resol. #360-2014 – Authorizing Participation in the "Gaining Ground" Initiative

l. Resol. #361-2014 – Authorizing Application for Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Grant - Memorial Park and Pool Improvements

m. Resol. #362-2014 - License Agreement - 2 Beekman Place

n. Resol. #363-2014 - Appointment to the Green Team Advisory Committee

o. Resol. #364-2014 - Requesting Approval of a Special Item of Revenue - NJACCHO Grant

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 350-2014

By

Seconded by

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

Work Session 9/16/14
Closed Session 9/16/14
Regular Meeting 9/23/14

are hereby approved.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 351-2014

By

Seconded by

WHEREAS, by Resolution No. 389-2013 the Mayor and Council appointed Garbarini & Co., P.C. as the Auditor for the Borough for a term from December 1, 2013 through December 31, 2014; and

WHEREAS, it is necessary to amend said contract to add an audit of continuing disclosure requirements;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that said contract be amended to include audits of continuing disclosure requirements from 2008 through 2012 for a onetime fee of $1,500.00.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 352-2014

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 County of Bergen Division of Purchasing Registered Cooperative Pricing System #11-BeCCP; AND

WHEREAS, the Purchasing Agent has recommended the utilization of these contracts for 2014 on the grounds that it represents the best price available, and

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

Rachele/Michele Oil
Signal Control Products
Tilcon NY Inc.
Trius Inc.
Wilfred MacDonald

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 353-2014

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 State of New Jersey by the Division of Purchasing and Property in the Department of the Treasury pursuant to N.J.S.A. to 40A: 11-12; and

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

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

AAA Emergency Supply
A.J. Abrams Co.
A & K Equipment Co.
Air & Gas Technologies
Atlantic Tactical, Inc.
Beyer Bros. Corp.
Beyer Fleet
Beyer Ford
CDW Government Inc.
Cliffside Body Corp.
Commercial Recreation
Consolidated Steel & Aluminum
David Weber Oil
Dell Marketing
DEMCO Co.
Eagle Point Gun
Foley Inc.
Galls LLC
Motorola Solutions
N.J. Fire Equipment
Northeastern Arborist Supplies
Old Dominion Brush
Olympic Glove & Safety
P & A Auto Parts
Pinnacle Wireless
PPC Lubricants, Inc.
Promedia Technology Services
Qscend Technologies Inc.
Riccardi Bros.
Rug & Floor Store
Safe T – Skylands Area Fire
Sanofi Pasteur
Sherwin Williams
SHI International Corp.
Staples Business Advantage
State Line Fire & Safety

General Recreation Inc.
Grainger, WW
Hach, Co.
Hertrich Fleet Services, Inc.
HOK, Inc.
Inter City Tire
Jewel Electric
Kyocera Mita America
Lawmen Supply Co. of NJ
Lawson Products
Lowes Home Centers LLC
Major Police Supply
Montage Enterprises
Stewart & Stevenson Power Products
Stone Industries
Storr Tractor
Superior Distributors
10-75 Emergency Lighting
Tilcon NY Inc.
Trico Equipment
Trius Inc.
Tycar Automotive LLC
United Motor Parts
United Rentals
Winner Ford

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			

October 14, 2014

RESOLUTION NO. 354-2014

By

Seconded by

WHEREAS, Hadco Company, LLC, located at 18-35 River Road, Block 5834, Lot 1.02 as of December 10, 2013 had transferred ownership to the Borough of Fair Lawn, and is now Tax Exempt Borough of Fair Lawn property; and

WHEREAS, the Borough of Fair Lawn, Tax Collector's Office billed year 2013 and 2014 property taxes to Hadco Company, LLC;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, County of Bergen, and State of New Jersey, do hereby authorize the Borough Tax Collector to cancel year 2013 property taxes in the amount of $3,421.25 and year 2014 property taxes in the amount of $30,216.00.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 355-2014

By

Seconded by

WHEREAS, the New Jersey Association of County and City Health Officers is starting a program to assist local health departments in accreditation; and

WHEREAS, the Borough Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey recognizes the need for achieving Public Health Accreditation; and

WHEREAS, the Borough Council further recognizes that the Board of Health has applied and been approved for a grant for the New Jersey Association of County and Health Officials, NJACCHO, in the amount of $1,200.30, to be used for training sessions in achieving Public Health Accreditation Board accreditation for the Borough of Fair Lawn's Health department.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Fair Lawn, County of Bergen, State of New Jersey hereby recognizes the NJACCHO Grant in the amount of $1,200.30 and acknowledges the terms and conditions for administering the NJACCHO grant, including the administrative compliance and audit requirements.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 356-2014

By
Seconded by

WHEREAS, the Borough of Fair Lawn has a need to engage the services of a professional architect to provide architectural services for the Naugle House as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, a proposal for said architectural services has been submitted by HMR Architects, having an office located at 821 Alexander Road, Suite 115, Princeton, New Jersey 08540, a copy of which is attached hereto and made a part hereof as Schedule A;

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

1. That upon the recommendation of the Borough Manager that said services are necessary, a contract be awarded to HMR Architects, for professional architectural services for the Borough of Fair Lawn, in accordance with the attached proposal.

2. The term of the contract shall commence on October 14, 2014 and expiring on October 31, 2015.

3. No additional service shall be rendered for which The Ives Architecture Studio shall seek additional payment without written authorization by the Borough pursuant to law.

4. The Mayor and Municipal Clerk are hereby authorized to execute an Agreement with HMR Architects having an office located at 821 Alexander Road, Suite 115, Princeton, New Jersey 08540.

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

BE IT FURTHER RESOLVED that HMR Architects, P.A. have complied with the Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20.8.

BE IT FURTHER RESOLVED that this resolution is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

HMR ARCHITECTS

12 September, 2013

HMR Architects
Architectural Services Fee Proposal Worksheet
Naugle House Rehabilitation

PROPOSED WORK

Estimated Construction Cost from Preservation Plan:

Immediate work	$ 212,892
Short term work	197,034
Long Term work	99,717
	$ 509,643

ARCHITECTURAL FEE CALCULATION

HMR Fee for Preparation of Construction Documents

10% of Immediate	21,289
10% of Short Term	19,703
10% of Long Term	9,972

(Note: Construction Phase Services are not included)

Allowance for reimbursable expenses:	2,000
Total Fee:	**$ 52,964**

Notes:

1. Fee is for limited architectural services, as described in HMR letter dated 9/12/13 (attached).
   Fee is for preparation of construction documents including drawings and specifications. Construction and Bid Phase services are not included.
2. Scope of work will be based on recommendations of the Preservation Plan, prepared by HMR Architects
3. Structural and Mechanical (MEP) consultants are included. Other consultants are not included or anticipated. If required they can be provided as an additional service.
4. Site Engineering is not included. If engineer is required for Site Plan Approval, or if extensive subsurface work is required, Site Engineer will be an additional cost.
5. Informal meetings with Building Inspector or Zoning Official are included.
6. Presentation material including rendered drawings are not included. Plan and elevation drawings will be provided for meetings.

HMR Architects Rates for Additional Work:

Principal	$ 185 / hr
Project Manager / Historic Preservation Specialist	$ 130 / hr
Architectural Staff	$ 100 / hr

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 357-2014

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
3324	13	Chang, Charles & Helen Lee 1-08 Grunauer Place Fair Lawn, New Jersey 07410	$2,098.89
3726	4.01	Crane, Jackie 2 Horizon Road, Apt G20 Fort Lee, New Jersey 07024	$1,570.44
6902	14	Grambone, Adolfo & Maira 52 Bogert Street Fair Lawn, New Jersey 07410	$1,665.96
(Refund of overpayment of 2014 taxes as a result of a duplicate payment)			
3609	3	Michael A. Vespasiano Attorney For 13-08 Plaza Land Trust 331 Main Street Chatham, New Jersey 07928	$1,222.25
(Refund of 2011 taxes as a result of Tax Court Judgment)			

Block	Lot	Name	Amount
2816	7	Gleb Kardash Attorney for Ragolsky, Alexander & Ellen 30 Hillsborough Court Rockaway Valley, New Jersey 07866	$1,241.52

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 358-2014

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:

Don Santangelo
123 Hancox Avenue
Nutley, New Jersey 07110
Co. 1

John Kurz
248 Windsor Road
Wood Ridge, New Jersey 07075
Co. 1

Resignations:

John Cosgrove, Jr.
30-18 Gentner Road
Fair Lawn, New Jersey 07410
Co. 4

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 359-2014

By
Seconded by

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

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

WHEREAS, a proposal for said architectural services, dated September 26, 2014 has been submitted by The Ives Architecture Studio, having an office located at 14-25 Place Road, Fair Lawn, New Jersey 07410, a copy of which is attached hereto and made a part hereof as Schedule A;

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

1. That upon the recommendation of the Borough Manager that said services are necessary, a contract be awarded to the aforesaid The Ives Architecture Studio, pursuant to and in accordance with its proposal for professional architectural services aforesaid, which services are to be billed as set forth in its proposal.

2. The term of the contract shall commence on October 14, 2014 and expire upon completion of the project.

3. No additional services shall be rendered for which The Ives Architecture Studio shall seek additional payment without written authorization by the Borough pursuant to law.

4. The Mayor and Municipal Clerk are hereby authorized to execute said contract to be prepared by the Borough Attorney, provided all statutory requirements are met.

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

BE IT FURTHER RESOLVED that The Ives Architecture Studio has complied with the Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20.8.

BE IT FURTHER RESOLVED that this resolution is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's Office.

The Ives
Architecture Studio
14-25 Plaza Rd. Suites 3-5
Fair Lawn, New Jersey 07410
(201) 773-9111 Fax (201)773-9110
e-mail: jives@ives-arch.com
website: www.ives-arch.com

September 26. 2014

Mr. Ken Garrison

Borough Engineer

Borough of Fair Lawn
Municipal building
8-01 Fair Lawn Avenue
Fair Lawn, New Jersey 07410

RE: TOILET RENOVATIONS - Maurice M. Pine Free Public Library
10-01 Fair Lawn Avenue, Fair Lawn, New Jersey

Dear Mr. Garrison;

The Ives Architecture Studio (TIAS) is pleased to submit our combined proposal and agreement to provide these architectural services. The scope of work is to renovate the existing toilets in the Maurice M. Pine Free Public Library. The architectural services proposed here include: design, construction documents, bidding and construction services.

Our office is located in the Radburn Building in Fair Lawn; where I have practiced architecture for many years. I live in Fair Lawn and my family uses the Public Library. I believe that I have a very good insight into the project requirements and objectives of the Library.

AGREEMENT BETWEEN:

THE IVES ARCHITECTURE STUDIO & THE BOROUGH OF FAIR LAWN

Our goal is to produce an esthetically pleasing, economical, and functional design without changing the existing layout. All finish materials, toilet accessories, lighting and toilet fixtures shall be replaced as part of this project. Since the layout will not be changed, we have not have included engineers as part of our team.

We propose that the specifications shall be included on the architectural drawings.

General Conditions and Instructions to Bidders shall be provided by Borough of Fair Lawn.

PHASE I – MEASURING & REVIEWING EXISTING DCONDITIONS and DRAWINGS

- We shall review the exist documents and take confirming field measurements to prepare as-built CADD drawings that shall be used for the remainder of the project.

PHASE II - DESIGN

- Develop architectural plans and details.
- Selection of interior finishes and materials.
- Coordination with manufacturers of toilet accessories
- Preliminary Interior elevations and details.
- Lighting design and fixture selection.
- Meeting with Town Engineer to review the Design Development package.

PHASE III – CONSTRUCTION DOCUMENT SERVICES

Construction drawings and specifications required to obtain competitive bids and Building Department approval. The services shall include the following:

- Detailed Architectural Plans and Specifications.
- Prepare signed and sealed prints for Building Department.

PHASE IV – BID PHASE SERVICES

- Assist Town Engineer in soliciting bids.
- Answer technical questions from contractors.
- Issue addenda to the bid documents if required.
- Assist with bid analysis.

PHASE V – LIMITED CONSTRUCTION CONTRACT ADMINISTRATION

1. Attend pre-construction conference with Town Engineer and contractors to establish procedures, site access and schedules.

3. Sample and shop drawing review.

4. Six (6) visits to the site to observe the progress of the work and to ensure compliance with the Contract Documents.

5. Prepare Final Punch List

WORK NOT INCLUDED:

1. Environmental work of any kind.
2. Evaluation of building ADA.
3. Phasing Plans.

4. Work outside of the Toilet spaces.

5. Mechanical and electrical and plumbing engineering. (It is assumed that the fixtures can be replaced at the current location.)

COMPENSATION:

The Fixed Fee for the above services is listed below. Hourly rates for additional services are shown in the attached terms and conditions:

PHASES I & II	Measuring & Concept Design	$ 3500.00
PHASE III	Construction documents	$ 3000.00
PHASE IV	Bidding	$ 500.00
PHASE V	Construction Administration	$ 1,500.00

TOTAL COMPENSATION:

Fee---------- $ 8,500.00

Note: In the event that additional services are requested, an estimate of time and cost will be provided and shall be approved prior to commencement of work.

TERMS AND CONDITIONS

See attached document.

This document constitutes the entire agreement between the parties for this project and may only be amended in writing; signed by both parties. Should this proposal meet with your approval, please sign a copy and return it to our office. Your signature authorizes agreement to this document and the attached terms and conditions.

Thanking you in advance for your confidence.

Very Truly Yours,

The Ives Architecture Studio LLC

Joel Ives, AIA, NCARB, PP Partner

Name & Title ..... Date.....

Encl.: Terms & Conditions

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 360-2014

By

Seconded by

WHEREAS, *Gaining Ground* is a two-year initiative, managed by the National Network of Public Health Institutes (NNPHI) and supported by the Robert Wood Johnson Foundation (RWJF) and;

WHEREAS, *Gaining Ground* will develop sustainable, statewide systems to support performance improvement in local, tribal and state health departments in seven states; and

WHEREAS, the New Jersey Association of County and City Health Officials has been awarded grant funding from the RWJ Foundation to support this project; and

WHEREAS, training and education will be provided to local health departments over a 20-month time frame which will include classroom sessions, webinars, and independent work assignments and;

WHEREAS, the staff of the Fair Lawn Health Department is desirous of participating in the gaining ground learning initiative;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn hereby supports the Fair Lawn Health Department and its staff to participate in the Gaining Ground Initiative sponsored by the New Jersey Association of County and City Health Officials.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 361-2014

By

Seconded by

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

WHEREAS, the Mayor and Council of the Borough of Fair Lawn desires to further the public interest by obtaining a matching grant of $50,000 from the County Trust Fund to fund the following project: Improvements to Memorial Park and Pool; and,

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

WHEREAS, as part of the application process, the Mayor and Council received public comments on the proposed park improvements in the application on October 14, 2014; and,

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

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

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of October 31, 2014, as established by the County; and,

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Fair Lawn has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,

3. That the Borough of Fair Lawn is committed to providing a dollar for dollar cash match for the project; and,

4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.

5. That the Borough of Fair Lawn agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,

6. That this resolution shall take effect immediately.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

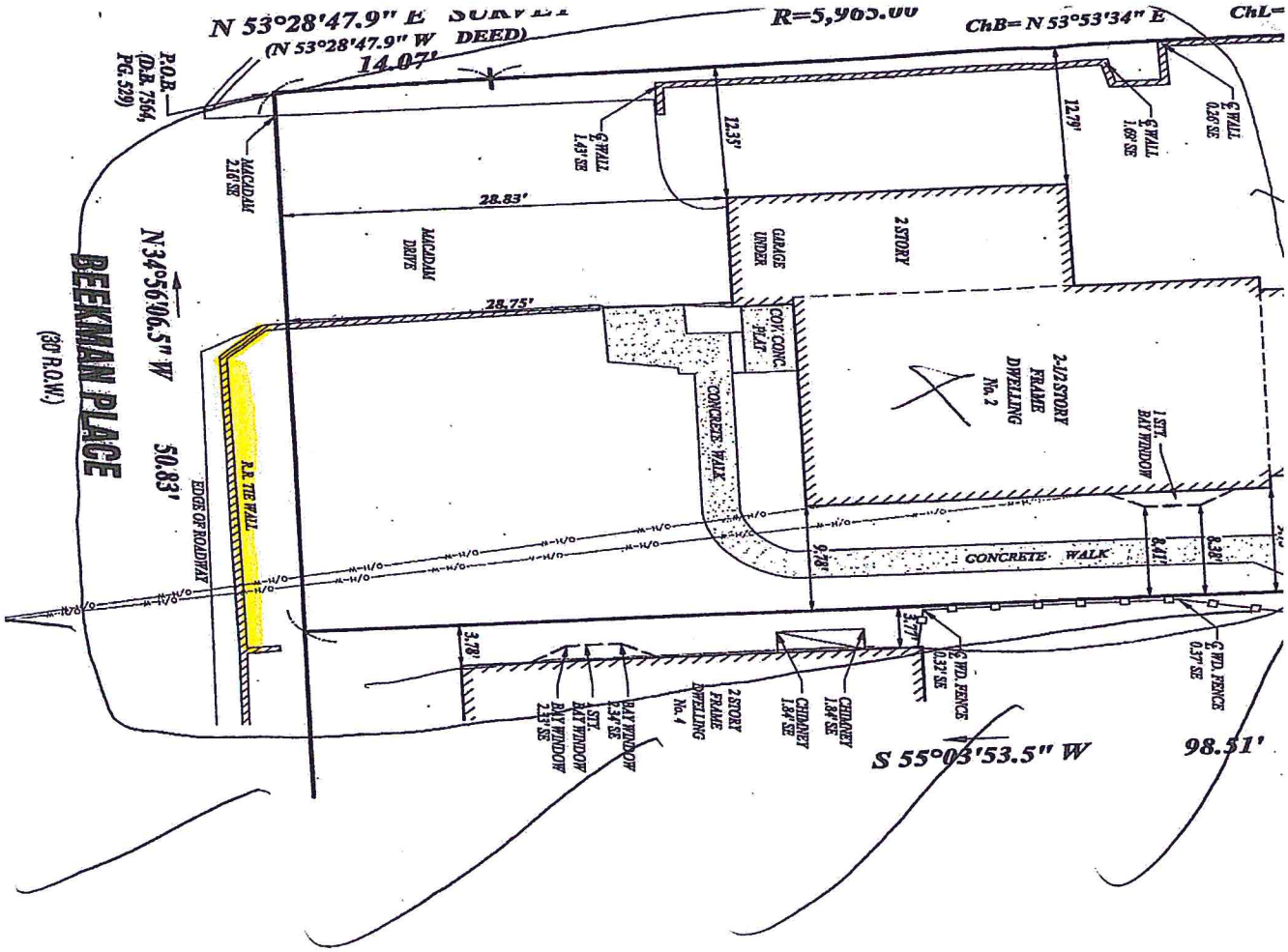
RESOLUTION NO. 362-2014

By

Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn does hereby grant to Beth Hurley and Mark Ramirez, residing at 2 Beekman Place (Lot 1 in Block 3807 on the Tax Assessment Map of the Borough of Fair Lawn), the right to construct a fence across the Borough's right of way, as shown more particularly on Schedule "A", attached hereto and made a part hereof, and which shall be done pursuant to and in accordance with all statutes, ordinances, rules and regulations of the State of New Jersey, County of Bergen and Borough of Fair Lawn.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk be and they are hereby authorized to execute a License Agreement with Beth Hurley and Mark Ramirez, to be prepared by the Borough Attorney.



MAP E
No. 8-1
CITY H
BORO
COUN
FILED:

SURVE
MARK
HUSB
ALLIE
FIRST
COMP
JOSEP
AMER
CORP
AND/
MAY.
*SEE

REVI
DATI

BE

SCALE:

BLOCK

Schedule "A"

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 363-2014

By

Seconded by

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the following individual be appointed to the Green Team Advisory Committee effective October 14, 2014 and expiring on December 31, 2014:

Sam Polyak
5-11 Eugene Street

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 364-2014

By

Seconded by

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the Budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2014 in the sum of $1,200.30, which is now available from the New Jersey Association of County and City Health Officers, NJACCHO, in the amount of $ 1,200.30; and

BE IT FURTHER RESOLVED that the like sum of $ 1,200.30 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "NJACCHO Grant"; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Association of County and City Health Officials, in the amount of $1,200.30.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 365-2014

By

Seconded by

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

Regular Meeting 9/9/14

are hereby approved.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

October 14, 2014

RESOLUTION NO. 366-2014

By

Seconded by

WHEREAS, a Bergen County Community Development grant of $ 25,000 has been proposed by JerseyOn to bring home connectivity to the residents of central Bergen County; and

WHEREAS, pursuant to the State Inter-local Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Fair Lawn and surrounding communities; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.