

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 27, 2015**

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **PROCLAMATIONS: WORLD PANCREATIC CANCER DAY**
6. **COUNCIL COMMENTS**
7. **MANAGER'S REPORT**
8. **MAYOR'S APPOINTMENT: FAIR LAWN HISTORIC PRESERVATION COMMISSION  
JOSEPH E. PETTA (CLASS C)**
9. **ORDINANCES ON SECOND READING:**

**ORDINANCE NO. 2367-2015  
(RESOLUTION NO. 408-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-54 ENTITLED "TRAFFIC CONTROL SIGNALS"**

- Mayor asks for a motion to open the time for public comments. 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.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, 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, 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.

**11. RESOLUTIONS BY CONSENT #21-2015**

- Municipal Clerk reads Resolutions by Consent.
  - a. Resol. #409-2015 - Resolution Approving Settlement: Timmins vs. Borough of Fair Lawn
  - b. Resol. #410-2015 - Authorizing Issuance of Massage Establishment License: Healthy Foot Reflexology Spa
  - c. Resol. #411-2015 - Auction of Surplus Items: Additional Items
  - d. Resol. #412-2015 - Authorizing Purchases with P & L Custom Body & Equipment Co. through the Houston - Galveston Area Council
  - e. Resol. #413-2015 - Authorizing Awarding of Contract with P & L Custom Body Equipment Co. (Ambulance)
  - f. Resol. #414-2015 - Tax Appeal Settlement: Sandvik, Inc.
  - g. Resol. #415-2015 - Tax Appeal Settlement: Fair Lawn Industries, L.P.
  - h. Resol. #416-2015 - Tax Appeal Settlement: 17-17 Broadway, LLC
  - i. Resol. #417-2015 - Tax Appeal Settlement: Metroscope, LLC
  - j. Resol. #418-2015 - Approval of Minutes:
    - Work Session 10/6/15
    - Closed Session 10/6/15
  - k. Resol. #419-2015 - Authorizing Execution of Memorandum of Agreement with the Bargaining Units
  - l. Resol. #420-2015 - Appointment to Fair Lawn Open Space Committee
  - m. Resol. #421-2015 - Authorizing Issuance of Request for Qualifications
  - n. Resol. #422-2015 - December Holiday

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

**12. RESOLUTION NO. 423-2015 - APPROVAL OF MINUTES:  
Closed Session 10/6/15**

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

**13. PUBLIC COMMENTS**

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

**14. ADJOURNMENT:**

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 408-2015**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2367-2015 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-54 ENTITLED "TRAFFIC CONTROL SIGNALS"**

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 2367-2015**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-54 ENTITLED "TRAFFIC CONTROL SIGNALS"**

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

**SECTION 1.** Section 232-54 entitled "Traffic control signals" is hereby amended as follows:

**§ 232-54. Traffic control signals.**

B. No person shall make a right turn on red at any of the following described locations:

(3) Fair Lawn Avenue and Pollitt Drive

Add:

(b) From southbound on Pollitt Drive to westbound onto Fair Lawn Avenue from 7:00 a.m. to 8:00 pm.

Add:

(7) Fair Lawn Avenue and Orchard Street from 7:00 a.m. to 8:00 pm.

(a) From northbound on Orchard Street to eastbound onto Fair Lawn Avenue

**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 thereto 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 13, 2015

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**CONSENT AGENDA 10-2014**

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. #409-2015 - Resolution Approving Settlement: Timmins vs. Borough of Fair Lawn
- b. Resol. #410-2015 - Authorizing Issuance of Massage Establishment License: Healthy Foot Reflexology Spa
- c. Resol. #411-2015 - Auction of Surplus Items: Additional Items
- d. Resol. #412-2015 - Authorizing Purchases with P & L Custom Body & Equipment Co. through the Houston - Galveston Area Council
- e. Resol. #413-2015 - Authorizing Awarding of Contract with P & L Custom Body Equipment Co. (Ambulance)
- f. Resol. #414-2015 - Tax Appeal Settlement: Sandvik, Inc.
- g. Resol. #415-2015 - Tax Appeal Settlement: Fair Lawn Industries, L.P.
- h. Resol. #416-2015 - Tax Appeal Settlement: 17-17 Broadway, LLC
- i. Resol. #417-2015 - Tax Appeal Settlement: Metroscope, LLC
- j. Resol. #418-2015 - Approval of Minutes:  
Work Session 10/6/15  
Closed Session 10/6/15
- k. Resol. #419-2015 - Authorizing Execution of Memorandum of Agreement with the Bargaining Units
- l. Resol. #420-2015 - Appointment to Fair Lawn Open Space Committee

- m. Resol. #421-2015 - Authorizing Issuance of Request for Qualifications
- n. Resol. #422-2015 - December Holiday

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 409-2015**

By

Seconded by

**WHEREAS**, John Timmins, a former employee of the Borough of Fair Lawn, has brought legal action against Carol Wagner, Joanne Kwasniewski, Ed Trawinski and Jim Van Kruijningen, all current or former employees/officials of the Borough of Fair Lawn, in the United States District Court, District of New Jersey, under Civil Action No. 14-cv-7333, alleging various employment related claims in connection with the elimination of his position with the Borough of Fair Lawn; and

**WHEREAS**, a tentative settlement was reached before Magistrate Judge Leda Dunn Wettre, U.S.M.J., to resolve the matter in the amount of \$13,500.00; and

**WHEREAS**, the parties are desirous of bringing an end to all disputes between them by entering into a settlement agreement and terminating all litigation between the parties; and

**WHEREAS**, the MEL/JIF, which has defended the litigation on behalf of the Borough and its employees/officials, has recommended acceptance of the settlement proposal not on the basis of liability, but on the basis of ending risk and reducing legal fees and costs for which the Borough would be responsible; and

**WHEREAS**, the Mayor and Council of the Borough of Fair Lawn declare that such settlement is limited to the particular facts and circumstances surrounding the instant matter and further declares that same does not create a precedent or practice among the parties and that such one-time payment is complete and final settlement of all disputes among the parties; and

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

1. That the Mayor and Council of the Borough of Fair Lawn hereby approve said settlement and authorizes acceptance of a General Release and Waiver in the above matter and a one-time payment in the amount of \$13,500.00 to John Timmins and his counsel, representing a complete and final settlement of all disputes among the Borough and its employees/officials and John Timmins.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 410-2015**

By

Seconded by

**WHEREAS**, Healthy Foot Reflexology Spa located at 23-53 Fair Lawn Avenue, Fair Lawn, New Jersey, has made application to the Borough pursuant to RGO144-2 for 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 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

October 27, 2015

**RESOLUTION NO. 411-2015**

By

Seconded by

**WHEREAS**, by Resolution No. 379-2015 dated September 29, 2015 the Mayor and Council authorized the sale of surplus property on GovDeals.com; and

**WHEREAS**, there are additional items to be included in said sale;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the items listed on "Schedule A" be added to the auction authorized by Resolution No. 379-2015.

## Schedule A

	Minimum Bid:
1) Year: 2002 Make: GMC 2500 HD Pickup Serial #: 69568 Mileage: 119,078	\$2,000.00
2) Year: 2004 Make: GMC Canyon Serial #: 03337 Mileage: 127,350	\$2,500.00
3) Year: 2001 Make: GMC 2500 HD Pickup Serial #:31018 Mileage: 78,351	\$2,000.00
4) Year: 1995 Make: Chevy Suburban Serial #: 95366 Mileage: 80,841	\$500.00
5) Year: 2006 Make: Ford Crown Victoria Serial #: 04312 Mileage: 89,808	\$300.00
6) 30 cubic yard roll off dumpster with Heil dead lift connection	\$500.00
7) Two ( )2 platforms (approximately 22 feet long, 7 feet wide, 4 feet high) 5 steps to platform, side rails included	\$500.00 each
8) Miscellaneous Fire Apparel: 7 fire jackets 12 pants 15 sets of boots	\$50.00
9) Miscellaneous Fire Equipment: Fire Hose	\$50.00

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 412-2015**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn wishes to avail itself of the right to obtain emergency services equipment under contracts for such materials, supplies and equipment entered into on behalf of the Houston - Galveston Area Council Cooperative Purchasing Program pursuant to P.L. 2011, c.139 which allows local contracting units to utilize national cooperative contracts as a method of procurement; and

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

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

P & L Custom Body & Equipment Co.

**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 27, 2015

**RESOLUTION NO. 413-2015**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn, pursuant to P.L. 2011, C139 may by resolution and without advertising for bids, purchase any goods or services utilizing National Cooperative Contracts; and

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

**WHEREAS** the Borough of Fair Lawn has the need to purchase one (1) 2016 Ford E-450/PL Custom Medallion Ambulance under Houston-Galveston Area Council Cooperative Purchasing Program #AM10-14 for a total of \$199,995,00; and

**WHEREAS**, the Borough of Fair Lawn intends to enter into contract for this purchase with P & L Custom Body & Equipment Co. having an office located at 2201 Atlantic Avenue, Suite 2, Manasquan, New Jersey 08736 through this resolution and properly executed purchase agreement, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Fair Lawn pursuant to N.J.A.C. 5:30-5.5(b), has allocated in the 2015 Municipal Budget for the purchase of a emergency services equipment, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer.

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to purchase the above listed equipment from P & L Custom Body & Equipment Co. an approved National Cooperative Vendor, pursuant to all conditions of the Contract # AM10-14.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 414-2015**

By

Seconded by

**WHEREAS**, Sandvik, Inc. filed real property tax appeals for the years 2012 through 2015 (Docket Nos. 019319-2012, 000072-2013, 000703-2014 & 000425-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at 17-02 Nevins Road (Lot 2 in Block 4902 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2012 through 2015 were as follows:

Land:	\$ 6,278,100
Improvements:	<u>\$ 4,417,900</u>
Total:	\$10,696,000

and;

**WHEREAS**, as part of the settlement agreement the 2012 through 2015 appeals filed by the plaintiff will be withdrawn; and

**WHEREAS**, as part of the settlement agreement the 2015 counterclaim filed by the Borough of Fair Lawn will also be withdrawn; and

**WHEREAS**, as part of the settlement agreement the 2015 assessment will be increased to \$16,500,000 by way of a twelve (12) month Added Assessment to account for the new construction at the property, with the breakdown of the assessments as follows:

Land:	\$ 6,278,100
Improvements:	<u>\$10,221,900</u>
Total:	\$16,500,000

and;

**WHEREAS**, as part of the settlement agreement no 2014 Omitted Added Assessment will be levied against the property; and

**WHEREAS**, as an integral part of the settlement agreement the 2016 total assessment will be \$16,500,000 and that there will be no freeze of this assessment, and that the Plaintiff is permitted to pursue tax appeals in 2016 and forward; and

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

**WHEREAS**, since no refunds are due as a result of this settlement agreement, no action is required by the Borough Tax Collector upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

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

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

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 415-2015**

By

Seconded by

**WHEREAS**, Fair Lawn Industries, LP filed real property tax appeals for the years 2013 through 2015 (Docket Nos. 007581-2013, 005067-2014 & 007458-2015); and

**WHEREAS**, the total real property assessments for the fifteen (15) properties that make up the subject premises, located at Maple Avenue and Wagaraw Road (Lots 1, 3, 4, 5, 6, 6.01, 8, 11, 12, 13, 15 and 19 in Block 6801 and Lots 1 and 7 in Block 6802 and Lot 22 in Block 6803 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2013 through 2015 were as follows:

Land:	\$ 8,425,400
Improvements:	<u>\$ 9,516,000</u>
Total:	\$17,941,400

and;

**WHEREAS**, as part of the settlement agreement the 2013 and 2014 matters will be withdrawn; and

**WHEREAS**, the 2015 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$ 8,425,400
Improvements:	<u>\$ 9,067,500</u>
Total:	\$17,492,900

and;

**WHEREAS**, as an integral part of the settlement agreement the 2016 assessments will be reduced to a total of \$17,044,300; and

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

**WHEREAS**, the settlement results in an approximate total tax refund for tax years 2013 through 2015 in the amount of \$14,307.15, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

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

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

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$14,307.15 upon issuance of the judgments; and

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 416-2015**

By

Seconded by

**WHEREAS**, 17-17 Broadway, LLC filed a real property tax appeal for the year 2011 (Docket No. 010376-2011); and

**WHEREAS**, the real property assessments for the subject premises, located at 17-17 Broadway (Lot 18 in Block 4305 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2011 were as follows:

Land:	\$ 548,800
Improvements:	<u>\$ 495,800</u>
Total:	\$1,044,600

and;

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

Land:	\$548,800
Improvements:	<u>\$276,200</u>
Total:	\$825,000

and;

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

**WHEREAS**, the settlement results in a total refund for tax year 2011 in the amount of \$5,296.75, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

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

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

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$5,296.75 upon issuance of the judgment; and

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 417-2015**

By

Seconded by

**WHEREAS**, Metroscope, LLC filed real property tax appeals for the years 2014 and 2015 (Docket Nos. 015207-2014 & 011612-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at Broadway & 26<sup>th</sup> Street (Lot 18 in Block 3318.01 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2014 and 2015 were as follows:

Land:	\$340,800
Improvements:	<u>\$318,900</u>
Total:	\$659,700

and;

**WHEREAS**, the 2014 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$340,800
Improvements:	<u>\$284,200</u>
Total:	\$625,000

and;

**WHEREAS**, the 2015 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$340,800
Improvements:	<u>\$259,200</u>
Total:	\$600,000

and;

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

**WHEREAS**, the settlement results in an approximate total tax refund for tax years 2014 and 2015 in the amount of \$2,962.41, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

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

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

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$2,962.41 upon issuance of the judgments; and

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 418-2015**

By

Seconded by

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

Work Session 10/6/15  
Closed Session 10/6/15

are hereby approved.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 419-2015**

By  
Seconded by

**WHEREAS**, the Borough of Fair Lawn has proposed offering a reasonably equivalent health benefit and prescription coverage from the New Jersey State Health Benefits program instead of providing health benefits and prescription coverage from IDA/AmeriHealth; and

**WHEREAS**, the collective bargaining units have reviewed the proposed plans and have agreed to accept the health benefit and prescription coverage as it exists or is modified by the New Jersey State Health Benefits program;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk be authorized to execute a Memorandum of Agreement with the following:

1. Fair Lawn PBA Local No. 67
2. Fair Lawn Supervisor Officers' Association Local No. 67
3. White and Blue Collar Employees Association of Fair Lawn
4. Supervisors Association of Fair Lawn
5. Department Heads Association of Fair Lawn

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 420-2015**

By

Seconded by

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

**WHEREAS**, pursuant to Resolution No. 45-2015 the committee's terms were to expire December 31, 2015;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the following named individual be appointed and shall have her term terminate on December 31, 2015:

Laura A. Lander  
14 Randolph Terrace  
Fair Lawn, New Jersey 07410

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 421-2015**

By

Seconded by

**WHEREAS**, it has become necessary for the Borough of Fair Lawn (hereinafter the "Borough") to engage professionals for Grant Writer and Worker's Compensation Claims Management Services and the Borough desires to appoint such professionals by a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

**WHEREAS**, a "fair and open process" constitutes the following: (1) public advertisement of a Request for Qualifications (hereinafter the "RFQ") with twenty (20) calendar days notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen and State of New Jersey that requests RFQs for Grant Writer and Worker's Compensation Claims Management Services are hereby authorized.

**BE IT FURTHER RESOLVED**, that the RFQs for the professional services as set forth herein above shall be prepared and published in accordance with N.J.S.A. 40A-20.7 et seq. and all such RFPs shall be evaluated on the basis of the most advantageous RFQ, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough; (4) price proposal; (5) and any other factors if demonstrated to be in the best interest of the Borough.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 422-2015**

By

Seconded by

**WHEREAS**, the Mayor and Council of the Borough of Fair Lawn has authorized all Borough Employees a half day on Christmas Eve or a half Day on New Year's Eve; and

**WHEREAS**, all Borough offices shall remain open for the public during normal hours on Christmas Eve Day and New Years Eve Day; and

**WHEREAS**, the Mayor and Council of the Borough of Fair Lawn has authorized (4) hours of straight compensatory time to all Police Officers and Police Dispatchers and is offering the option of (4) hours straight compensatory time to all Borough Employees; and

**WHEREAS**, should the Borough Employee choose not to take a half day on Christmas Eve or New Year's Eve, the Borough Employee shall be entitled to four (4) hours straight compensatory time; and

**BE IT FURTHER RESOLVED** that said compensatory time for all Borough Employees, Police Officers and Dispatchers, shall have no monetary value and if not used by March 31, 2016 the time shall be forfeited; and

**BE IT FURTHER RESOLVED** that compensatory time for all of the above stated employees, must be used in one (1) four hour block.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

October 27, 2015

**RESOLUTION NO. 423-2015**

By

Seconded by

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

Closed Session 10/6/15

are hereby approved.