

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.

DECEMBER 8, 2015

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **SWEARING IN OF POLICE OFFICER**
6. **PRESENTATION OF PROPERTY MAINTENANCE COMMITTEE - POSTER CONTEST AWARDS**
7. **COUNCIL COMMENTS**
8. **ORDINANCES ON SECOND READING:**

**ORDINANCE NO. 2368-2015
(RESOLUTION NO. 439-2015)**

“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE", MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND DEMOLITION”

- 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.

**ORDINANCE NO. 2369-2015
(RESOLUTION NO. 440-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232
ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING",
SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS
ON CERTAIN STREETS, AND ARTICLE VIII "TRAFFIC", SUBSECTION 232-50
"BUS STOPS"**

- 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.

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 #23-2015

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #441-2015 - Confirmation of Fire Board Actions
 - b. Resol. #442-2015 - Approval of Minutes
 - Work Session 11/10/15
 - Closed Session 11/10/15
 - c. Resol. #443-2015 - Authorizing Submission of FEMA Grant
 - d. Resol. #444-2015 - Award of Bid: Cold Water Meters and Appurtenances - Rio Supply, Inc.
 - e. Resol. #445-2015 - Authorizing Execution of Contract with Blue and White Collar Association of Fair Lawn

- f. Resol. #446-2015 - Authorizing Execution of Contract with Supervisors Association of Fair Lawn
 - g. Resol. #447-2015 - Requesting Approval of Special Item of Revenue - Berdan Avenue (DOT)
 - h. Resol. #448-2015 - Requesting Approval of Special Item of Revenue - Radburn Road (DOT)
 - i. Resol. #449-2015 - Requesting Approval of Special Item of Revenue - Plaza Road (DOT)
 - j. Resol. #450-2015 - Requesting Approval of Special Item of Revenue - Columbia Heights Passive Park (County Open Space)
 - k. Resol. #451-2015 - Requesting Approval of Special Item of Revenue - Vogel Park (County Open Space)
 - l. Resol. #452-2015 - Requesting Approval of Special Item of Revenue - NJACCHO - Health Grant
 - m. Resol. #453-2015 - Transfer of Funds
 - n. Resol. #454-2015 - Authorizing Contracts with Certain Approved State Contract Vendors - GTBM, Inc.
 - o. Resol. #455-2015 - Professional Services: Computer Maintenance Service - Edmunds Associates, Inc.
 - p. Resol. #456-2015 - Refund of Overpayment of Taxes
- Mayor asks for a Mover, Seconder, Roll Call.

**11. RESOLUTION NO. 438-2015 - APPROVAL OF MINUTES:
REGULAR MEETING 10/27/15**

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

12. 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.

13. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 439-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2368-2015 entitled:

**“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE",
MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND
DEMOLITION”**

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. 2368-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE", MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND DEMOLITION"

WHEREAS, the Mayor and Council of the Borough of Fair Lawn have the authority to regulate noise as a public health nuisance under the statute known as Health and Vital Statistics (N.J.S.A. 26:3-45 et seq.), which is enforced by the local health agency, or under the Code of Criminal Justice as a disorderly persons offense (N.J.S.A. 2C: 33-12), which is enforced by the local police; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn publicly declare their concern for the public health of residents as a result of noise from the operation of any tools or equipment used in construction, drilling, earthmoving, excavating or demolition work within industrial or commercial property; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn desire to balance the needs of the construction and demolition businesses with the needs and public health of our residents; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn that the following amendment be made to Chapter 150 ([brackets] denote deletions and underline denotes additions):

SECTION 1. Borough Code §150-10A (3) entitled "Construction and demolition", is hereby amended as follows:

[Such work occurs within an industrial or commercial property, and the resulting noise does not impact on any residential property at a decibel level exceeding those in Table I above measured at the receiving residence].

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: November 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 440-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2369-2015 entitled:

**“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE",
MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND
DEMOLITION”**

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. 2369-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, AND ARTICLE VIII "TRAFFIC", SUBSECTION 232-50 "BUS STOPS"

SECTION 1. **Subsection 232-11 F.** Between 8:00 a.m. and 10:00 a.m. prevailing time, Monday through Friday, except holidays, is hereby amended as follows:

Add:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Fairclough Place	North	From Orchard Street to a point 275 feet easterly therefrom

SECTION 2. **Subsection 232-50,** Bus Stops is hereby amending as follows:

The following described locations are hereby designated as "bus stops":

A. Along Fair Lawn Avenue westbound on the northerly side thereof at:

Delete:

(8) Plaza Road (far side) beginning at the westerly curb line of Plaza Road and extending 150 feet westerly therefrom.

Add:

(8) Between Plaza Road and Pollitt Drive (mid-block) beginning 200 feet west of the westerly curb line of Plaza Road and extending 135 feet westerly herefrom.

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 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 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: November 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

CONSENT AGENDA 23-2015

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. #441-2015 - Confirmation of Fire Board Actions
- b. Resol. #442-2015 - Approval of Minutes
 - Work Session 11/10/15
 - Closed Session 11/10/15
- c. Resol. #443-2015 - Authorizing Submission of FEMA Grant
- d. Resol. #444-2015 - Award of Bid: Cold Water Meters and Appurtenances - Rio Supply, Inc.
- e. Resol. #445-2015 - Authorizing Execution of Contract with Blue and White Collar Association of Fair Lawn
- f. Resol. #446-2015 - Authorizing Execution of Contract with Supervisors Association of Fair Lawn
- g. Resol. #447-2015 - Requesting Approval of Special Item of Revenue - Berdan Avenue (DOT)
- h. Resol. #448-2015 - Requesting Approval of Special Item of Revenue - Radburn Road (DOT)
- i. Resol. #449-2015 - Requesting Approval of Special Item of Revenue - Plaza Road (DOT)
- j. Resol. #450-2015 - Requesting Approval of Special Item of Revenue - Columbia Heights Passive Park (County Open Space)
- k. Resol. #451-2015 - Requesting Approval of Special Item of Revenue - Vogel Park (County Open Space)
- l. Resol. #452-2015 - Requesting Approval of Special Item of Revenue - NJACCHO - Health Grant
- m. Resol. #453-2015 - Transfer of Funds
- n. Resol. #454-2015 - Authorizing Contracts with Certain Approved State Contract Vendors - GTBM, Inc.

- o. Resol. #455-2015 - Professional Services: Computer Maintenance Service - Edmunds Associates, Inc.
- p. Resol. #456-2015 - Refund of Overpayment of Taxes

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 441-2015

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:

Resignation:

Yakov Tomakh
24-12 Dorechester Road
Co. 3

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 442-2015

By

Seconded by

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

Work Session 11/10/15
Closed Session 11/10/15

are hereby approved

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 443-2015

By

Seconded by

WHEREAS, the Emergency Management Performance Grant program that provides resources to assist State and local governments to sustain and enhance all-hazards emergency management capabilities. States have the opportunity to use EMPG funds to further strengthen their ability to support emergency management activities while simultaneously addressing issues of national concern as identified in the National Priorities of the National Preparedness Guidelines; and

WHEREAS, the FEMA Grant would allow for Federal funding in the amount of \$7,000.00; and

WHEREAS, the FEMA Grant agreement would require a Borough match of \$7,000.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen that it hereby authorize the appropriate Borough officials to submit the FEMA Grant Application to provide for funding of the Office of Emergency Management Coordinator's salary.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 444-2015

By
Seconded by

WHEREAS, bids were received for Cold Water Meters and Appurtenances by the Municipal Clerk on November 24, 2015; and

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

WHEREAS, Rio Supply, Inc. having an office located at 100 Allied Parkway, Sicklerville, New Jersey 08081 is the lowest responsible bidder in accordance with the attached "Schedule A";

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

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

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

BID RESULTS

Bid: COLD WATER METERS and APPURTENANCES

Bid Date: 11/24/15

BIDDER AND LOCATION	Badger Meter Milwaukee, WI	Rio Supply Sickerville, NJ
BID DEPOSIT	NO BID	Bid Bond
ITEM 1		\$125.00
ITEM 2		\$185.00
ITEM 3		\$240.00
ITEM 4		\$510.00
ITEM 5		\$610.00
ITEM 6		\$1,450.00
ITEM 7		\$1,825.00
ITEM 8		\$3,400.00
ITEM 9		\$4,160.00
ITEM 10		\$2,000.00
ITEM 11		\$2,560.00
ITEM 12		\$3,150.00
ITEM 13		\$4,680.00
ITEM 14		\$525.00
ITEM 15		\$820.00
ITEM 16		\$1,350.00
ITEM 17		\$2,190.00
ITEM 18		\$3,100.00
ITEM 19		\$800.00
ITEM 20		\$18.00
ITEM 21		\$0.22
ITEM 22		\$0.28
ITEM 23		\$2.50
ITEM 24		\$79.00
ITEM 25		\$116.00
ITEM, 26		\$116.00
ITEM 27		\$125.00
ITEM 28		\$8,200.00

/cmt
11/24/15

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 445-2015

By
Seconded by

BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the Blue and White Collar Association of Fair Lawn.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 446-2015

By
Seconded by

BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the Supervisors Association of Fair Lawn.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 447-2015

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 2015 in the sum of \$75,000, which is now available from the Department of Transportation, in the amount of \$75,000; and,

BE IT FURTHER RESOLVED that the like sum of \$75,000 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "Department of Transportation - Berdan Avenue"; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Transportation, in the amount of \$75,000.

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

December 8, 2015

RESOLUTION NO. 448-2015

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 2015 in the sum of \$37,250, which is now available from the Department of Transportation, in the amount of \$37,250; and,

BE IT FURTHER RESOLVED that the like sum of \$37,250 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "Department of Transportation - Radburn Road Project"; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Transportation, in the amount of \$37,250.

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

December 8, 2015

RESOLUTION NO. 449-2015

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 2015 in the sum of \$111,750, which is now available from the Department of Transportation, in the amount of \$111,750; and,

BE IT FURTHER RESOLVED that the like sum of \$111,750 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "Department of Transportation - Plaza Road- Section 7"; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Transportation, in the amount of \$111,750.

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

December 8, 2015

RESOLUTION NO. 450-2015

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 2015 in the sum of \$7,191.75, which is now available from the County of Bergen Open Space Trust Fund, in the amount of \$7,191.75; and,

BE IT FURTHER RESOLVED that the like sum of \$7,191.75 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "County Open Space Trust Fund - Columbia Heights Passive Park"; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the County of Bergen Open Space Trust Fund, in the amount of \$7,191.75.

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

December 8, 2015

RESOLUTION NO. 451-2015

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 2015 in the sum of \$38,837.81, which is now available from the County of Bergen Open Space Trust Fund, in the amount of \$38,837.81; and,

BE IT FURTHER RESOLVED that the like sum of \$38,837.81 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "County Open Space Trust Fund - Vogel Park"; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the County of Bergen Open Space Trust Fund, in the amount of \$38,837.81.

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

December 8, 2015

RESOLUTION NO. 452-2015

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 2015 in the sum of \$3,200, which is now available from the New Jersey Association of County and City Health Officers, NJACCHO, in the amount of \$ 3,200; and,

BE IT FURTHER RESOLVED that the like sum of \$3,200 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 \$3,200.

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

December 8, 2015

RESOLUTION NO. 453-2015

By
Seconded by

WHEREAS, the Borough Treasurer has certified that it has become necessary to expend for the purposes of certain accounts herein set forth, amounts in excess of sums respectively appropriated therefore; and

WHEREAS, there is an excess of appropriations in other accounts herein set forth, over and above the amounts deemed to be necessary to fulfill the purposes of such appropriations;

NOW, THEREFORE, BE IT RESOLVED, that the transfers between appropriations of the 2015 Current and Water Utility Budgets, as per the list attached, and are hereby approved by the Borough Council.

Account Description	TO	FROM
Recreation - Salaries & Wages	11,000	
Municipal Clerk - Salaries & Wages		5,000
Construction Code - Salaries & Wages		6,000

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 454-2015

By
Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

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

WHEREAS, the Borough of Fair Lawn has the need to purchase two(2) Panasonic Toughbooks with necessary accessories in the amount of \$12,195.80, under State Contract #89980, as detailed on the attached description sheet; and

WHEREAS, the Borough of Fair Lawn intends to enter into a contract for the purchase of two (2) Panasonic Toughbooks with necessary accessories from GTBM Inc., 351 Paterson Avenue, East Rutherford, NJ 07073, 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), have allocated in the Capital Ordinance #2337, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to authorize the above listed, GTBM Inc., 351 Paterson Avenue, East Rutherford, NJ 07073, an approved New Jersey State Contract Vendor, pursuant to all conditions of the individual State Contract #89980.

NO COPY



351 Paterson Avenue, East Rutherford, NJ 07073
 Phone: 201-935-5090, Fax: 201-935-7022

GSA Contract #GS35F024BA, WSCA NASPO: NJ Contract #89980 NJ Contract # 827172, Morris County Co-op Contract #41

October 26, 2015
 Fair Lawn Police Department
 Attn: Stephen Cannici
 551-206-1855

Request for Price Quotation

Qty	Part #	State Contract Line Items	MSRP	State Disc	Price	Extended
WSCA NASPO NJ Contract #89980						
Line # 0001; Comm Code: 204-34-072692						
2	CF-532ULZLCM	Panasonic Toughbook - CF-53 Win7 (Win8.1 Pro COA), Intel Core i5-4310U 2.0GHz, vPro, 14.0" HD Touch, 500GB(7200rpm), 4GB, Intel WiFi a/b/g/n/ac, TPM, Bluetooth, Dual Pass (Upper:WVWANI Lower:Selectable), 4G LTE Multi Carrier (EMT335), Emissive Backlit Keyboard, Multi-drive, Toughbook Preferred	\$3,099.00	13.00%	\$2,696.13	\$5,392.26
2	CF-WMBA1204G	Panasonic 4G Ram Upgrade	\$119.00	11.00%	\$105.91	\$211.82
2	7160-0393-02	Panasonic Port Replicator	\$895.00	11.00%	\$796.55	\$1,593.10
2	CF-VFF17U	Panasonic screen protector	\$68.00	11.00%	\$60.52	\$121.04
2	TA-2505-PI-U	Hint passenger side mount- 2016 Ford Interceptor SUV	\$659.28	11.00%	\$586.76	\$1,173.52
2	AP-2X4	Adapter plate for dock	\$55.00	11.00%	\$48.95	\$97.90
2	PA1555-655	Auto Adapter for Panasonic ToughBook	\$99.95	11.00%	\$88.96	\$177.91 92
2	CG-X	Charge Guard	\$99.00	11.00%	\$88.11	\$176.22
2	FS101	Fortres	\$59.00	11.00%	\$52.51	\$105.02
2	AP85/18	Low profile roof top antenna	\$150.00	11.00%	\$133.50	\$267.00
2	CF-SVCLTNFSY	Panasonic Protection Plus	\$800.00		\$800.00	\$1,600.00
Line # 0016 Comm Code: 920-31-072779						
10	Laborhr	Integration/Installation Services Per Hour	\$128.00		\$128.00	\$1,280.00
Total Project						\$12,195.72 80

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 455-2015

By

Seconded by

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

WHEREAS, a proposal dated October 2015 was submitted by Edmunds and Associates, Inc. and is attached hereto as Schedule "A"; and

WHEREAS, the contract is for the calendar year 2016 therefore it requires that the Governing Body commit the necessary funds to ensure payment of this contracts commitments in the 2016 operating budget; and

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

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

1. That upon recommendation of the Borough Manager and Chief Financial Officer that said services are necessary, a contract be awarded to the aforesaid Edmunds and Associates, Inc. having an office located at 301A Tilton Road, Northfield, New Jersey 08225 pursuant to and in accordance with its proposal for professional services aforesaid, the cost not to exceed \$35,000 which services are to be billed in accordance with rates as set forth in the fee schedule incorporated in its proposal. Professional services to be included for 2016 are:

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

BE IT FURTHER RESOLVED that Edmunds and Associates, Inc. has complied with the Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20-8; and

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

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



2016 MCSJ Software Support & License Agreement

To receive continued Application Software Support and MCSJ System upgrades from Edmunds & Associates, Inc. (E&A), you must enter into this agreement.

1. Any defects in the E&A Application Software as determined by E&A will be corrected at no cost to the user provided the said defect is not the result of misuse, operator error, or is beyond the original requirements of the system specifications.
2. E&A is responsible for providing software support under this agreement only for its proprietary application software. This includes all MCSJ licensed products. Support for third party products, i.e.; Microsoft Office, UCAARS, etc. are not covered under this agreement and all phone or on-site support is a billable service. Our minimum hourly rate is \$150 with at least one-half hour billable.
3. E&A proprietary end user documentation, faq's, helpful hints, video tutorials and such are for client use only and not to be distributed.
4. Standard telephone support will be available from 8:00am to 5:00 pm EST, Monday through Friday excluding holidays.
5. Each user of E&A MCSJ software is required to have a high-speed connection. E&A will provide support, enhancements and instruction for our application software via the Internet. Lack of compliance that requires an on site visit from either our support or IT Engineers is billable at the rate of \$150 per hour for each support person or technician.
6. E&A's liability, damages or remedy on any claim shall not exceed the original cost of the E&A MCSJ software system. In no event shall E&A be held liable for consequential, incidental, indirect, special, punitive or exemplary damages, for loss, damage or expense directly or indirectly arising from the client's inability to use our products.
7. No action arising from use of E&A's MCSJ software systems may be commenced more than 3 months after the basis for such claim could reasonably have been discovered.
8. E&A reserves the right to withdraw without penalty any E&A application software package from coverage at our sole discretion upon thirty (30) days notice.
9. This agreement must be signed and returned by December 31, 2015 for continued support. The effective date of this agreement is January 1, 2016 through December 31, 2016.

Client: _____

Authorized Representative: _____
Signature Date

Printed Name: _____

081215

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 456-2015

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.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
5714	9	Mae, Hideki 16-08 George Street Fair Lawn, New Jersey 07410	\$2,842.17

(Refund of overpayment of 2015 taxes as a result of a duplicate payment)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

December 8, 2015

RESOLUTION NO. 438-2015

By

Seconded by

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

Regular Meeting 10/27/15

are hereby approved.