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.** **NOVEMBER 22, 2016**

1. **Call to Order by Mayor**

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

3. **Roll Call**

4. **Flag Salute**

5. **PRESENTATION "AROUND THE COUNTY - HISTORIC PRIDE" BY BERGEN COUNTY CLERK JOHN S. HOGAN**

6. **PROCLAMATION: FAIR LAWN JUNIOR TRACK TEAM**

7. **COUNCIL COMMENTS**

8. **MANAGER'S REPORT**

9. **ORDINANCES ON FIRST READING:**

ORDINANCE NO. 2412-2016
(RESOLUTION NO. 391-2016)

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"

- 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. 2413-2016
(RESOLUTION NO. 392-2016)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 144, ENTITLED "MASSAGE ESTABLISHMENTS"

- 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. 2414-2016
(RESOLUTION NO. 393-2016)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 162 ENTITLED "PEDDLING AND SOLICITING" REGARDING "NO SOLICITATION SIGNS"

- 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. 2415-2016
(RESOLUTION NO. 394-2016)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS" REGARDING DOGS IN THE PARK

- 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.

10. ORDINANCES ON SECOND READING:

ORDINANCE NO. 2409-2016
(RESOLUTION NO. 395-2016)

AN ORDINANCE TO AMEND ORDINANCE 2293-2012 APPROPRIATING AN ADDITIONAL $37,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVELY FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

ORDINANCE NO. 2410-2016
(RESOLUTION NO. 396-2016)

AN ORDINANCE FIXING THE SALARIES OF PART TIME SCHOOL TRAFFIC GUARDS OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

ORDINANCE NO. 2411-2016
(RESOLUTION NO. 397-2016)

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO AMEND ARTICLE II ENTITLED, "THE COUNCIL"

- 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.

11. 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.

12. RESOLUTIONS BY CONSENT #15 -2016

- Municipal Clerk reads Resolutions by Consent.

a. Resol. #398-2016 – Authorizing Contracts with Certain Approved State Contract Vendors Pursuant to N.J.S.A. 40A: 11-12a

b. Resol. #399-2016 – Authoring Contracts for Certain Approved National Cooperative Contract Vendors Pursuant to P.L. 2011, c139

c. Resol. #400-2016 – Authoring Contracts for Certain Approved Bergen County Cooperative Contract Vendors Pursuant to N.J.S.A. 40A:11-11(5)

d. Resol. #401-2016 - Authoring Contracts for Certain Approved Passaic County Pricing System Contract Vendors Pursuant to N.J.S.A. 40A:11-11(5)

e. Resol. #402-2016 – Interlocal Agreement with Northwest Bergen County Utilities Authority for Sanitary Sewer Jetting for 2017 and 2018

f. Resol. #403-2016 – Interlocal Agreement with Northwest Bergen County Utilities Authority for TV Inspection of the Sanitary Sewer System for 2017 and 2018

g. Resol. #404-2016 – Authorizing Execution of Bergen County Community Development Grant Application - Road Resurfacing at Various Locations

h. Resol. #405-2016 – Cancelling Resolution No. 343-2016 – Award of Bid: Disposal of Solid Waste

i. Resol. #406-2016 – Authorizing Contracts with Certain Approved Bergen County Cooperative Contract Vendors - North Jersey Wastewater Cooperative Pricing System - Pumping Services Inc.

j. Resol. #407-2016 – Award of Bid: Disposal of Solid Waste

k. Resol. #408-2016 – Transfer of Funds

l. Resol. #409-2016 - Urging the Adoption of S-2663 and A-4234 - JIF Investing

m. Resol. #410-2016 - Special Item of Revenue - New Jersey Division of Criminal Justice 2016 State Body Replacement Fund Program

n. Resol. #411-2016 - Approval of Minutes:
Regular Meeting 10/25/16

o. Resol. #412-2016 - Authorizing Multiyear Contract: Software Service

p. Resol. #413-2016 - Award of Contract: Electronics Recyclables

q. Resol. #414-2016 - Authorizing Execution of the Department Head Association's Agreement

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

13. RESOLUTION NO. 415-2016 - APPROVAL OF MINUTES
Work Session 10/18/16
Closed Session 10/18/16

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

14. CLOSED SESSION RESOLUTION: PERSONNEL - GRIEVANCE 02-2016

- Municipal Clerk reads resolution. Mover, Seconder, Roll Call.

15. 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.

16. ADJOURNMENT:

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 391-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2412-2016 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"

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 13th day of December, 2016, 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. 2412-2016

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"

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

SECTION 1: Section 232-11 entitled "Parking prohibited during certain hours on certain streets" is amended as follows:

§232-11 Parking prohibited during certain hours on certain streets.

G. Between 8:00 a.m. and 6:00 p.m. prevailing time, on the days indicated except holidays

Add:

Name of Street	Side	Days	Location
Kenneth Street	West	Monday through Friday	From Broadway to Saint Anne Street

SECTION 2: Section 232-12 entitled "Stopping or standing prohibited on certain streets" is amended as follows:

§232-12. Stopping or standing prohibited on certain streets.

Add:

Name of Street	Side	Location
Howard Avenue	Northern	From the northwest curbline of Radburn Road to a point 22 feet west therefrom to a point 328 feet west therefrom

SECTION 3: Section 232-13 entitled "Parking time limited on certain streets" is amended as follows:

§232-13. Parking time limited on certain streets.

Delete:

Name of Street	Side	Location
Kenneth Avenue	West	From Route #4 to St. Anne Street

SECTION 4. 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 5. All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

SECTION 6. This Ordinance shall take effect upon passage and publication as required by law.

Attest:

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

Approved:

John Cosgrove
Mayor

Introduced: November 22, 2016
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 392-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2413-2016 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 144, ENTITLED "MASSAGE ESTABLISHMENTS"

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 13th day of December, 2016, 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.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 393-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2414-2016 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 162 ENTITLED "PEDDLING AND SOLICITING" REGARDING "NO SOLICITATION SIGNS"

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 13th day of December, 2016, 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.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 394-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2415-2016 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS" REGARDING DOGS IN THE PARK

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 13th day of December, 2016, 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. 2415-2016

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS" REGARDING DOGS IN THE PARK

WHEREAS, the Governing Body finds that a total prohibition of dogs in any park in Fair Lawn is not in the best interests of all the residents of Fair Lawn; and

WHEREAS, with the proper restrictions and requirements pet owners and non-pet owners can mutually benefit and enjoy our parks together; and

WHEREAS, in light of the above, the Mayor and Council of the Borough of Fair Lawn have unanimously agreed to make changes to the Borough's Parks and Recreation Areas ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn that the following amendments be made to Chapter 160.

SECTION I.

Borough Code Chapter §160 "Parks and Recreation Areas" is hereby amended as follows:

§ 160-16. Dogs in the Park.

Delete:

B. No person owning, keeping or harboring any dog shall be permitted to be upon on in any Borough sports fields, playground areas, beaches, the arboretum or park buildings.

Add:

B. No person owning, keeping, or harboring any dog shall be permitted to be upon or in any Borough sports fields, playground areas, beaches, including the grass area within the perimeter fence that surrounds Memorial Pool, the arboretum or park buildings.

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 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 22, 2016

Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 395-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2409-2016 entitled:

AN ORDINANCE TO AMEND ORDINANCE 2293-2012 APPROPRIATING AN ADDITIONAL $37,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVELY FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

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. 2409-2016

AN ORDINANCE TO AMEND ORDINANCE 2293-2012 APPROPRIATING AN ADDITIONAL $37,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVELY FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

SECTION 1. The Mayor and Council of the Borough of Fair Lawn has authorized and appropriated the sum of $200,000 in Ordinance 2293-2013, to be financed by the Bergen County Department of Public Works pursuant to the August 6, 2012 agreement.

SECTION 2. It has been determined by the Borough Engineer that the cost of the approved project will require an additional $ 37,000 of funding.

SECTION 3. The County of Bergen has agreed to provide assistance for participating municipalities with their obligations to comply with NJDOT and Federal handicap ramp regulations.

SECTION 4. The County will make available the additional funding to the Borough of Fair Lawn on reimbursement basis, for the construction of ADA rams, curbs, and sidewalks.

SECTION 5. The Borough of Fair Lawn will be responsible for all costs outside the scope of the countywide handicap ramp construction contract, including but not limited to, engineering costs and any local police protection.

SECTION 6. The Borough of Fair Lawn will enter into a contract with the successful bidder for the countywide co-operative construction contract and will be reimbursed from the County of Bergen, as detailed in the August 6, 2012 agreement with the County of Bergen.

SECTION 7. The Mayor and Council of the Borough of Fair Lawn is hereby authorizes and appropriates an additional sum of $237,000 to be financed by the Bergen County Department of Public Works pursuant to the August 6, 2012 agreement.

SECTION 8. The Borough of Fair Lawn will be reimbursed from the County in accordance with the August 06, 2012 agreement

SECTION 9. This ordinance shall take effect after passage and publication as required by law.

Attest:

_____

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

Approved:

_____

John Cosgrove
Mayor

Introduced: October 25, 2016
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 396-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2410-2016 entitled:

AN ORDINANCE FIXING THE SALARIES OF PART TIME SCHOOL TRAFFIC GUARDS OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

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. 2410-2016

AN ORDINANCE FIXING THE SALARIES OF PART-TIME SCHOOL TRAFFIC GUARDS OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

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

WHEREAS, a need has occurred to amend Ordinance No. 2403-2016, adopted on September 20, 2016; and

WHEREAS, the position of School Traffic Guard will be added to the Borough of Fair Lawn's Part Time Employee Salary Ordinance No. 2403-2016 and effective September 1, 2016, as follows;

School Traffic Guard	$18.50 hr.

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

SECTION 3. Salary increases are effective only if an employee has not resigned voluntarily or has been terminated with cause. Retired employees are not eligible.

SECTION 4. This ordinance shall take effect upon passage and publication as required by statute.

Attest:

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

Approved:

John Cosgrove
Mayor

Introduced: October 25, 2016
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 397-2016

By

Seconded by

BE IT RESOLVED that Ordinance No. 2411-2016 entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO AMEND ARTICLE II ENTITLED, "THE COUNCIL"

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. 2411-2016

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO AMEND ARTICLE II ENTITLED, "THE COUNCIL"

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

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

Delete the entire **§ 2-13. Meetings** and replace it with the following:

§ 2-13. Meetings.

A. Regular Meetings. The Council shall hold one Regular Meeting each month on the Tuesday set by the Council in accordance with Section 13, PL 1975, Chapter 231 of the Laws of the State of New Jersey by Resolution adopted at the annual Reorganization Meeting. Said meetings shall begin at 7:30 p.m. unless otherwise stated in said Resolution and shall be held in the Council chambers in the Municipal Building or such other place as the Council may decide. In the event that the meeting schedule is revised, a notice shall be posted and published as required by law.

B. Special Meetings. Special Meetings may be called at any time by the Mayor, the Manager, by two members of the Council or by petition signed by voters equal in number to not less than 2% of the number of persons voting in the last preceding general election. The business of a Special Meeting shall be specified in the call for such meeting and no other business may be considered. The call for such Special Meeting shall be delivered to the Municipal Clerk, who shall forthwith notify each member of the Council electronically or by telephone or by such other means at his/her disposal. No Special Meeting may be called without four days' notice, as set forth above, unless the Mayor or Manager declares that an emergency exists affecting the health, safety and welfare of the people, requiring a meeting in a shorter time. In such event, the Municipal Clerk on the filing of a call for an emergency Special Meeting shall forthwith notify the members of the Council electronically, by telephone or such other means at his/her disposal. A special meeting may be held without prior notice, upon a written waiver of notice, executed by a quorum of all of the members of the Council and filed with the Municipal Clerk.

C. Work Sessions. The Council shall hold one Work Session each month on the Tuesday set by the Council in accordance with Section 13, PL 1975, Chapter 231 of the Laws of the State of New Jersey by Resolution adopted at the annual Reorganization Meeting. Said meetings shall begin at 7:30 p.m. unless otherwise stated in said Resolution and shall be held at the Municipal Building or such other place as the Council may decide. Matters to be considered at the next Regular Meeting shall be reviewed at the Work Session. Other matters may be added to the agenda after the Work Session as deemed necessary by the Manager and Municipal Clerk.

D. All Borough officers or employees requested by the Borough Manager shall attend the regular meetings, work sessions or special meetings.

Delete the entire **§ 2-14. Order of Business** and replace it with the following:

§ 2-14. Order of Business.

The business of the Council, at regular meetings and as applicable at special meetings, shall be as follows:

A. Statement of Compliance with the Open Public Meetings Act.

B. Quorum roll call.

C. Flag salute.

D. Proclamations/Presentations.

E. Comments by Councilpersons.

F. Introduction of proposed ordinances, at first reading.

G. Hearing upon adoption or amendment of proposed ordinances, on second reading.

H. Comments by the public on consent agenda items only.

I. Resolution by consent.

J. Resolutions not on consent.

K. Comments by public.

L. Adjournment.

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 25, 2016
Adopted:

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

CONSENT AGENDA 15-2016

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. #398-2016 – Authorizing Contracts with Certain Approved State Contract Vendors Pursuant to N.J.S.A. 40A: 11-12a

b. Resol. #399-2016 – Authoring Contracts for Certain Approved National Cooperative Contract Vendors Pursuant to P.L. 2011, c139

c. Resol. #400-2016 – Authoring Contracts for Certain Approved Bergen County Cooperative Contract Vendors Pursuant to N.J.S.A. 40A:11-11(5)

d. Resol. #401-2016 - Authoring Contracts for Certain Approved Passaic County Pricing System Contract Vendors Pursuant to N.J.S.A. 40A:11-11(5)

e. Resol. #402-2016 – Interlocal Agreement with Northwest Bergen County Utilities Authority for Sanitary Sewer Jetting for 2017 and 2018

f. Resol. #403-2016 – Interlocal Agreement with Northwest Bergen County Utilities Authority for TV Inspection of the Sanitary Sewer System for 2017 and 2018

g. Resol. #404-2016 – Authorizing Execution of Bergen County Community Development Grant Application - Road Resurfacing at Various Locations

h. Resol. #405-2016 – Cancelling Resolution No. 343-2016 – Award of Bid: Disposal of Solid Waste

i. Resol. #406-2016 – Authorizing Contracts with Certain Approved Bergen County Cooperative Contract Vendors - North Jersey Wastewater Cooperative Pricing System - Pumping Services Inc.

j. Resol. #407-2016 – Award of Bid: Disposal of Solid Waste

k. Resol. #408-2016 – Transfer of Funds

l. Resol. #409-2016 - Urging the Adoption of S-2663 and A-4234 - JIF Investing

m. Resol. #410-2016 - Special Item of Revenue - New Jersey Division of Criminal Justice 2016 State Body Replacement Fund Program

n. Resol. #411-2016 - Approval of Minutes: Regular Meeting 10/25/16

o. Resol. #412-2016 - Authorizing Multiyear Contract: Software Service

p. Resol. #413-2016 - Award of Contract: Electronics Recyclables

q. Resol. #414-2016 - Authorizing Execution of the Department Head Association's Agreement

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 398-2016

By

Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to P.L. 2011, c. 139, may by resolution and without advertising for bids, purchase any goods or services under approved National Cooperative Purchasing Programs for any national cooperative 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 National Cooperative contracts; and

WHEREAS, the Borough of Fair Lawn intends to enter into contracts with the attached Referenced National Cooperative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current national cooperative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Fair Lawn authorizes the Purchasing Agent to purchase certain goods or services from those approved National Cooperative Contract Vendors on the attached list, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Fair Lawn pursuant to N.J.A.C.5:30-5.5. (b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Fair Lawn and the Referenced National Cooperative Contract Vendors shall be from January 1, 2016 through December 31, 2016.

2016 STATE CONTRACTS

CONTRACT VENDOR	CONTRACT NUMBER	COMMODITY/SERVICE
A & K Equipment	88273	Snow Plow Parts, Blades
Beyer Bros Corp	79161	OEM Automotive Parts & Accessories
Beyer Bros Fleet	81346	Police & Homeland Security Equipment & Supplies
Boyce Associates	81420	Park & Playground Parts & Installation
Brodart Co.	81004	Library Supplies
Brothers Carpeting (Milliken Design Inc.)	81752	Carpeting/Flooring Installation & Supplies
Campbell Foundry	84205	Catch Basin Castings
CDW-Government (HP Contract)	89974	NASPO Valuepoint Computer
Cliffside Body Corp	88268	Snow Plow Parts, Blades
Commercial Recreation	81431	Parks & Playground Equipment
Continental Fire & Safety	80956	Firefighter Protective Clothing & Equipment
	80952	Firefighter Protective Clothing & Equipment
	80953	Firefighter Protective Clothing & Equipment
Dell Marketing	89967	NASPO Valuepoint Computer
	88796	DATA Communications
	89850	Software License, Etc.
Demco	80987	Library Supplies
Eagle Point Gun	81296	Police & Homeland Security Equipment & Supplies
Foley Inc.	85846	Parts & Repairs for Road Maintenance Equipment
General Recreation	81422	Parks & Playground Equipment
		Equipment Parts & Installation
Goosetown Communications	83892	Radio Communications Equipment & Accessories

Grainger	79875	Industrial/MRO Supplies & Equipment
Groff Tractor	76917	Parts & Repairs for Lawn & Grounds Equipment
GTBM (Panasonic America Inc.)	89980	NASPO Valuepoint Computer
Hach Co.	85091	Environmental Testing Equipment
Intercity Tire	82858	Tires & Tubes
Jewel Electric	85578	Electrical Equipment & Supplies
KME Apparatus	83151	Fire Fighting Vehicles
Kyocera Mita America	53090	GSA/FSS Reprographics Schedule Use
Lawman Supply Co of NJ	81316	Police & Homeland Security Equipment
Life Savers	84689	Building Management – Life & Safety Equipment
Lowe's Home Centers	82951	Walk-In Building Supplies
Motorola Solutions	83909	Radio Communications Equipment & Accessories
Northeastern Arborists	76908	Parts & Repairs for Lawn & Grounds Equipment
Office Business Systems	83896	Radio Communications Equipment & Accessories
Olympic Glove & Safety	78922	Protective Clothing & Footwear
P L Custom Body & Equipment	86443	Fire Fighter Vehicles
PPC Lubricants	81515	Automotive Lubricants
RFS Commercial, Inc. (Mannington Mills)	81751	Carpet & Flooring
Riccardi Bros	82224	Paint & Related Supplies
Safe-T Skylands Area Fire (Morning Pride Mfg)	80948	Firefighter Protective Clothing & Equipment
Sherwin Williams	82236	Paint & Related Supplies
SHI International	89851	Software License & Related Services
State Line Fire & Safety (Hale Fire)	80968	Firefighter Protective Clothing & Equipment
Superior Dist Co.	85999	Non OEM Automotive Parts & Accessories, Lite Duty Vehicles

Tilcon New York	86419	Hot Mix Asphalt Pick Up & Del
Trius Inc.	88269	Snow Plow Parts, Blades
Turn Out Uniforms (511 Inc.)	81360	Police & Homeland Security Equipment & s Supplies
Turn Out Fire & Safety (Lion Apparel)	80947	Firefighter Protective Clothing & Equipment
United Motor Parts	85998	Non OEM Automotive Parts & Accessories, Lite Duty Vehicles
W E Timmerman	85857	Parts & Maintenance for Road Maintenance Equipment
Winner Ford	88728	Police Vehicles: Sedans, Sport Utility Vehicles & Trucks

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 399-2016

By

Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to P.L. 2011, c. 139, may by resolution and without advertising for bids, purchase any goods or services under approved National Cooperative Purchasing Programs for any national cooperative 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 National Cooperative contracts; and

WHEREAS, the Borough of Fair Lawn intends to enter into contracts with the attached Referenced National Cooperative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current national cooperative contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Fair Lawn authorizes the Purchasing Agent to purchase certain goods or services from those approved National Cooperative Contract Vendors on the attached list, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Fair Lawn pursuant to N.J.A.C.5:30-5.5.(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Fair Lawn and the Referenced National Cooperative Contract Vendors shall be from January 1, 2016 through December 31, 2016.

HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM

Fischer Scientific Company LLC (#EP 11-14)
P.L. Custom Body & Equipment Co. (#AM 10-14)

NATIONAL JOINT POWERS ALLIANCE (NJPA)

Foley Inc. (#03251-ACC)

NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE (National IPA)

CDW-G (#130733)
Office Depot (156810)

US COMMUNITIES GOVERNMENT PURCHASING ALLIANCE

CarQuest Auto Parts (#1101149)
Cintas (#12JLH 011C)

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 400-2016

By

Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A. 40a:11-11(5), may by resolution and without advertising for bids, purchase any goods or services under the Bergen County Cooperative for any contracts entered into on behalf of the Bergen County Cooperative; and

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

WHEREAS, the Borough of Fair Lawn intends to enter into contracts with the attached referenced Bergen County Cooperative Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Fair Lawn authorizes the Purchasing Agent to purchase certain goods or services from those approved Bergen County Cooperative Vendors on the attached list, pursuant to all conditions of the individual Bergen County contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Fair Lawn pursuant to N.J.A.C.5:30-5.5.(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Fair Lawn and the Referenced Bergen County Cooperative Vendors shall be from January 1, 2016 through December 31, 2016.

BERGEN COUNTY CONTRACTS 2016

CONTRACT VENDOR	CONTRACT NUMBER	COMMODITY/SERVICE
American Paper Towel	15-55.1	Janitorial Supplies
Aquarius Irrigation Supply	15-30	Irrigation Repair Parts & Service
Beyer Bros. Corp	14-91	Automotive Parts & Accessories
Campbell Foundry	15-17	Bituminous Concrete, Sand & Stone
Deluxe Int'l Trucks	14-91	Automotive Parts & Accessories
Jewel Electric	16-44	Electrical Lamps
Main Lock Co.	14-45	Locks, Hardware & Service
Morris Asphalt	15-17	Bituminous Concrete, Sand & Stone
Progressive Brick	15-17	Bituminous Concrete, Sand & Stone
Rachles Michele	15-63	Diesel Fuel
	15-65	Gasoline
	15-66	Fuel Oil #2
Roberts & Sons	14-91	Automotive Parts & Accessories
Stone Industries	15-17	Bituminous Concrete, Sand & Stone
Storr Tractor	16-10	Commercial Grounds Equipment
Tilcon New York	15-17	Bituminous Concrete, Sand & Stone
United Motor Parts	14-91	Automotive Parts & Accessories
VE Ralph	16-13	First Responder, Emergency Medical Equipment & Supplies
Wilfred McDonald	15-31	Equipment Repair Parts
	16-10	Commercial Grounds Equipment

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 401-2016

By

Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A.11-11(5), may by resolution and without advertising for bids, purchase any goods or services under the Passaic County Cooperative Pricing System for any contracts entered into on behalf of the Passaic County Cooperative Pricing System; and

WHEREAS, the Borough of Fair Lawn has the need on a timely basis to purchase goods or services utilizing Passaic County Cooperative Pricing System contracts; and

WHEREAS, the Borough of Fair Lawn intends to enter into contracts with the attached referenced Passaic County Cooperative Pricing System Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Fair Lawn authorizes the Purchasing Agent to purchase certain goods or services from those approved Passaic County Cooperative Pricing System Vendors on the attached list, pursuant to all conditions of the individual Passaic County Cooperative Pricing System contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Fair Lawn pursuant to N.J.A.C.5:30-5.5.(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough of Fair Lawn and the Referenced Passaic County Cooperative Pricing System Vendors shall be from January 1, 2016 through December 31, 2016.

PASSAIC COUNTY COOPERATIVE PRICING SYSTEM CONTRACTS

Aton Computing

Lightpath of Parsippany

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 402-2016

By
Seconded by

WHEREAS, the Borough of Fair Lawn is desirous of reducing the costs for sanitary sewer jetting services; and

WHEREAS, the Northwest Bergen County Utilities Authority having an office at 30 Wyckoff Avenue at Authority Drive, Waldwick, New Jersey 07463, has the necessary equipment and facilities to most adequately provide the sanitary sewer jetting services; and

WHEREAS, the Northwest Bergen County Utilities Authority has agreed to provide the necessary sanitary sewer jetting services at a per foot price of fifty-one cents ($0.51) in year 2017 and a per foot price of fifty-two cents ($0.52) in year 2018, Pump Stations Cleaning will be charged the current hourly rate for labor; and

WHEREAS, providing said service will be beneficial to the residents of the Borough of Fair Lawn;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Borough enter into an inter local government services agreement with the Northwest Bergen County Utilities Authority for the purpose of providing sanitary sewer jetting services for a term commencing on January 1, 2017 and terminating on December 31, 2018;

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

BE IT FURTHER RESOLVED that this resolution is subject to the condition that the Northwest Bergen County Utilities Authority adopt a resolution concurrent herewith for the execution of said agreement.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 403-2016

By
Seconded by

WHEREAS, the Borough of Fair Lawn is desirous of reducing the costs for TV Inspection Services of the sanitary sewer system; and

WHEREAS, the Northwest Bergen County Utilities Authority having an office at 30 Wyckoff Avenue at Authority Drive, Waldwick, New Jersey 07463, has the necessary equipment and facilities to most adequately provide the TV Inspection Services of the sanitary sewer system; and

WHEREAS, the Northwest Bergen County Utilities Authority has agreed to provide the necessary TV Inspection Services at a per foot price of eighty-three cents ($0.83) in year 2017 and a per foot price of eighty-four cents ($0.84) in year 2018, with a minimum payment of four hundred dollars ($400) for each day of inspection in the years 2017 and 2018; and

WHEREAS, providing said service will be beneficial to the residents of the Borough of Fair Lawn;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Borough enter into an inter local government services agreement with the Northwest Bergen County Utilities Authority for the purpose of providing TV Inspection Services of the sanitary sewer system for a term commencing on January 1, 2017 and terminating on December 31, 2018;

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

BE IT FURTHER RESOLVED that this resolution is subject to the condition that the Northwest Bergen County Utilities Authority adopt a resolution concurrent herewith for the execution of said agreement.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 404-2016

By

Seconded by

BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using $159,395 in 2016 Community Development Block for Road Resurfacing at various locations; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Jim Van Kruiningen, Borough Manager, to be a signatory to aforesaid Grant Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Jim Van Kruiningen, Borough Manager to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby recognizes that the Borough of Fair Lawn is liable for any funds not spent in accordance with the Grant Agreement; and that the liability of the Mayor and Council is in accordance with HUD requirements.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 405-2016

By

Seconded by

WHEREAS, on September 20, 2016 the Mayor and Council adopted Resolution No. 343-2016 awarding a contract for the Disposal of Solid Waste; and

WHEREAS, it is necessary to cancel said resolution and rescind the award of the contract under that resolution;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that Resolution No. 343-2016 is hereby cancelled.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 406-2016

By

Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A:11-11 may by resolution and without advertising for bids, purchase any goods or services under any contracts entered into on behalf of the Bergen County Cooperative Pricing System; and

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A.52:34-6.2 and P.L. 2011,c.139 may by resolution and without advertising for bids, purchase any goods or services under any contracts entered into on behalf of the North Jersey Wastewater Cooperative Pricing System (NJWCPS); and

WHEREAS, the Borough of Fair Lawn pursuant to N.J.S.A. 40A:11-12 may by resolution and without advertising for bids, purchase any goods or services under any contracts entered into on behalf of the state of New Jersey Cooperative Purchasing Program, Division of Purchase and property in the department of Treasury; and

WHEREAS, the Borough of Fair Lawn has the need to purchase the following commodities, under said contracts, which are in excess of the Borough's bid threshold and may be awarded by resolution in accordance with N.J.S.A. 40A:11-1 and N.J.A.C. 5:34:

1. V.E. Ralph & Son, Inc., P.O. Box 633, 320 Schuyler Avenue, Kearny, New Jersey 07032 for medical supplies and equipment, Bergen County #16-013.
2. Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, New Jersey 08846 for pumps and related appurtences, NJWCPS #A987, B014A and B014-2.
3. Dell Marketing, L.P., One Dell Way RRB, Round Rock, Texas 786282 for software license and related services, data communication equipment and NASPO Valuepoint Computer Contract #89850, 88796 and 89967.

4. Cliffside Body Corp, 130 Broad Avenue, Fairview, New Jersey 07022 for snowplow parts, loader blades, OEM and non-OEM maintenance and repair service for light/medium duty vehicles, contract #88268 and #40822.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn, pursuant to N.J.A.C. 5:30-5.5 (b) have allocated funds in the 2016 Municipal Budget for various departments other expenses, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer through the issuance of purchase orders as needed.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 407-2016

By

Seconded by

WHEREAS, bids were received for Disposal of Solid Waste by the Municipal Clerk on August 2, 2016; and

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

WHEREAS, Covanta Sustainable Solutions, LLC having an office located at 445 South Street, Morristown, New Jersey 07960 is the lowest responsible bidder for a four (4) year contract period at a rate of $68.31 per ton beginning on January 1, 2017 and ending December 31, 2020.

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 Covanta Sustainable Solutions, LLC subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

BE IT FURTHER RESOLVED, through this resolution a Certificate of Availability of Funds will be completed by the Chief Financial Officer through the issuance of a Purchase Order; and

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

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 408-2016

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 2016 Municipal and Utility Budgets in accordance with the attached list are hereby approved by the Borough Council.

2016 Municipal Budget	TO	FROM
Mayor & Council Salaries & Wages	10	
Cultural Center Salaries & Wages	30	
Cultural Center Other Expenses	100	
Coll of Taxes Salaries & Wages	5,400	
Police Salaries & Wages	77,000	
Fire Salaries & Wages	2,200	
Admin DPW Salaries & Wages	2,490	
Electrical Salaries & Wages	2,300	
Electricity	130,000	
LOSAP Program	1,800	
Debt Srvc Interest on Notes	650	
Celeb Pub Evts: Special Events	2,000	
Admin and Exec Mngr Salaries & Wages	4,200	
Recreation Dept Supplies	7,920	
Recreation Building Supplies	3,000	
Parks & Playgrounds Other Expenses	2,000	
Road Dept - Snow Removal Other Expenses	35,000	
S&W Adjustments		70,100
Garbage & Trash Dumping Fees		50,000
Gasoline & Diesel		80,000
Social Security		76,000

2016 Utility Budget		
Water Salaries & Wages	80,100	
Water Generating Other Expenses	25,000	
Water Debt Interest on Bonds	1,000	
Salaries & Wages Adjustment		5,100
Water Purchases		101,000

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 409-2016

By

Seconded by

WHEREAS, almost all local units of government and Boards of Education in New Jersey including the Borough of Fair Lawn secure insurance through governmental entities known as joint insurance funds (hereinafter JIFs); and

WHEREAS, existing law limits JIFs to investments otherwise authorized for local governmental entities and Boards of Education; and

WHEREAS, insurance mechanisms such as JIFs have different cash flow needs than local government and Boards of Education; and

WHEREAS, existing law greatly limits the potential investment earnings, currently less than 1% on investments of approximately $1 billion; and

WHEREAS, S-2663 and A-4234 would permit JIFs to invest in debt obligations of any governmental entity established under the laws of the State of New Jersey and federal agencies or governmental corporations; and

WHEREAS, while the range of investments permitted by S-2663 and A-4234 is still very conservative, it would save the taxpayers at least $10 million per year; and

WHEREAS, S-2663 and A-4234 would also reduce interest expense for local units of government and Boards of Education by creating an additional purchaser of their bonds; and

WHEREAS, S-2663 and A-4234 would also permit JIFs to join together and create a joint investment and cash management program further increasing investment income.

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

1. Legislature is urged to adopt S-2663 and A-4234; and

2. A copy of this resolution shall be sent to all area legislators as well as the Governor, Commissioner of the Department of Banking and Insurance and the Commissioner of the Department of Community Affairs.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 410-2016

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 2016 in the sum of $5,151.52, which is now available from the New Jersey Division of Criminal Justice 2016 State Body Armor Replacement Fund Program; and

BE IT FURTHER RESOLVED that the like sum of $5,151.52 is hereby appropriated under the caption, State and Federal Programs Off-Set by Revenue: "Police - Body Armor Grant - 2016 Vest Purchases"; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Division of Criminal Justice 2016 State Body Armor Replacement Fund Program, in the amount of $5,151.52.

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			

November 22, 2016

RESOLUTION NO. 411-2016

By

Seconded by

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

Regular Meeting 10/25/16

are hereby approved.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 412-2016

By

Seconded by

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

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

WHEREAS, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, the Chief Financial Officer of the Borough of Fair Lawn has ascertained that there are available in the 2016 and 2017 Municipal budgets to award a contract to VCS located at 4400 U.S. Highway 9 #3500, Freehold, New Jersey 07728 for proprietary software services in the amount of $14,470. Funds for certification are therefore being made available and certified against the appropriation for the Police Department, Account Number 6-01-25-240-000-290.; and

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

Contract Period: January 1, 2017 to December 31, 2018
Total Amount of Contract: $14,470
Amount Certified in the 2016 Budget: $ 8,485

Outstanding Balance(s) to be certified for the remainder of the contract for the:
Second Year: 2017 Budget $ 5,985

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, hereby authorizes the contract for POSS (Police Officer Scheduling System) Software with VCS, 4400 U.S. Highway 9 #3500, Freehold, New Jersey 07728 in an amount not to exceed $14,470.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Fair Lawn has allocated funds in the 2016 and 2017 Municipal Budgets for the Police Department contractual services and through this resolution a certification of availability of funds will be completed by the Chief Financial Officer through the issuance of purchase orders, as needed, in accordance with N.J.A.C. 5:30-14.5(c)4;

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 413-2016

By

Seconded by

WHEREAS, quotes were received for Electronics Recyclables by the Recycling Coordinator; and

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

WHEREAS, Lynswell Technologies, Inc. having an office located at 602 N. 10th Street, Camden, New Jersey 08102 has submitted the highest responsible quote in accordance with the attached "Schedule A" commencing on January 1, 2017 through December 31, 2018 with a possible extension of an additional year;

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 Lynswell Technologies, Inc.

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.

FAIR LAWN RECYCLING DIVISION
ELECTRONICS RECYCLING MARKET PROPOSAL
2016

Company Name: Lynswell Technologies

Address: 602 N. 10th Street

City: Camden State: NJ Zip: 08102

Contact Person: James Lin

Phone Number: 201-240-9141

E-Mail: james@lynswell.com

Proposal Table:

Type	2017	2018	2019	2020	2021
Televisions	0.00	0.00	0.00 (tentative)		
Computers	0.03	0.03	0.03 (tentative)		
Monitors	0.00	0.00	0.00 (tentative)		

- Values that require the Borough of Fair Lawn to pay for the recycling will be put in (parenthesis) or clearly be denoted with a negative (-) sign. All values without a negative sign or without parenthesis are considered to be the value Fair Lawn will RECEIVE as payment for the items. Please feel free to include additional categories (types) as necessary. Any category not listed will assume to be a zero value so the Borough of Fair Lawn will NOT pay any fee nor RECEIVE any revenue.

	2017	2018	2019	2020	2021
Flat Fee / Pull					

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 414-2016

By

Seconded by

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 5-year Collective Bargaining Agreement (2017-2021) with the Department Heads Association of the Borough of Fair Lawn.

	Aye	Nay	Abstain
Dunay			
Lefkowitz			
Peluso			
Swain			
Cosgrove			

November 22, 2016

RESOLUTION NO. 415-2016

By

Seconded by

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

Work Session 10/18/16
Closed Session 10/18/16

are hereby approved.