

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.

March 26, 2019

1. **Call to Order by Mayor**
2. **Statement of compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **PUBLIC HEARING ON 2019 BUDGET**
 - Mayor asks for a motion to open the time for public hearing on the 2019 Budget. All in favor, any opposed?
 - Mayor opens time for public comments asking if anyone wishes to be heard.
 - Mayor calls for motion to close the time for public comments. All in favor, any opposed?
 - Mayor closes the time for public comments.
6. **RESOLUTION NO. 145-2019 – ADOPTION OF 2019 BUDGET**
 - Mayor asks Municipal Clerk to read resolution. Mover, Second, Discussion, Roll Call.
7. **RESOLUTION. NO. 146-2019 – CERTIFICATION OF COMPLIANCE WITH THE US EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"**
 - Mayor reads the title of the resolution. Mover, Second, Discussion, Roll Call.
8. **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, Second, all in favor, any opposed?
 - 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, all in favor, any opposed?
- Mayor closes the time for public comments.

9. RESOLUTIONS BY CONSENT #6-2018

- Municipal Clerk reads the following:
 - a. Resol.#147-2019- Requesting Approval of Special Item of Revenue: Distracted Driving Crackdown
 - b. Resol. #148-2019 - Requesting Approval of Special Item of Revenue: Drunk Driving Enforcement Fund
 - c. Resol.#149-2019– Requesting Approval of Special Item of Revenue: State Body Armor Replacement Fund
 - d. Resol. #150-2019 - Requesting Approval of Special Item of Revenue: BCUA – Recycling Enhancement Program – Other Expenses
- Mayor asks for a Mover, Secunder, Roll Call.

10. PUBLIC COMMENTS

- Mayor calls for a motion to open time for public comments. Mover, Secunder, all in favor, any opposed?
- Mayor opens time for public comments.
- Mayor calls for a motion to close the time for public comments. Mover, Secunder, all in favor, any opposed?
- Mayor closes the time for public comments.

11. ADJOURNMENT:

- Mayor calls for motion to adjourn. Mover, Secunder, all in favor, any opposed?

By: _____
 Second By: _____

SECTION 2 - UPON ADOPTION FOR YEAR 2019
 (Only to be included in the Budget as Finally Adopted)

RESOLUTION-Res # 145 - 2019

March 26, 2019

Be It Resolved by the Mayor and Council of the Borough of Fair Lawn
 County of Bergen that the budget heretofore set forth is hereby adopted and
 shall constitute an appropriation for the purposes stated of the sums therein as appropriations, and authorization of the amount of:

- (a) \$ 36,205,850.00 (Item 2 below) for municipal purposes, and
- (b) \$ (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ (Item 4 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) and certification to the County Board of Taxation in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ 211,381.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 1,698,160.00 (Item 5 below) Minimum Library Tax

RECORDED VOTE
 (Insert last name) Ayes { Nays { Abstained {

SUMMARY OF REVENUES

1. General Revenues		Absent {	
Surplus Anticipated			
Miscellaneous Revenues Anticipated	08-100	\$	4,200,000.00
Receipts from Delinquent Taxes	13-099	\$	8,250,949.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 41	07-195	\$	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY			
Total Revenues			
	07-191	\$	1,698,160.00
	07-192	\$	51,055,959.00
	13-299	\$	

The within Resolution was duly adopted by the Borough Council at their meeting on March 26, 2019.

Marilyn B. Bogdanowski, RM/C, Municipal Clerk

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS		xxxxxxx	xxxxxxxxxxxxxxxx
Within "CAPS"		xxxxxxx	xxxxxxxxxxxxxxxx
(a,b) Operations Including Contingent		34-201	\$ 34,016,215.00
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 4,516,377.00
(g) Cash Deficit		46-885	\$
Excluded from "CAPS"		xxxxxxx	xxxxxxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 4,943,067.00
(c) Capital Improvements		44-999	\$ 500,000.00
(d) Municipal Debt Service		45-999	\$ 3,780,300.00
(e) Deferred Charges - Municipal		46-999	\$
(f) Judgements		37-480	\$
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		29-405	\$
(g) Cash Deficit		46-885	\$
(k) For Local District School Purposes		29-410	\$
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)		50-899	\$
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		07-195	\$ 3,300,000.00
Total Appropriations		34-499	\$ 51,055,959.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the Borough of Fair Lawn day of March 26, 2019. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 26th day of March, 2019, Marilyn B. Bojanowski, RMC, Municipal Clerk

Aye Nay Abstain

Cosgrove
Cutrone
Reinitz
Rottenstrich
Peluso

March 26, 2019

RESOLUTION NO. 146-2019

By

Seconded by

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the Borough of Fair Lawn, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Aye Nay Abstain

Cosgrove
Cutrone
Reinitz
Rottenstrich
Peluso

March 26, 2019

CONSENT AGENDA 6-2019

By
Seconded by

WHEREAS, the following resolutions having heretofore been placed on this agenda by Consent Agenda 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.#147-2019- Requesting Approval of Special Item of Revenue: Distracted Driving Crackdown
- b. Resol. #148-2019 - Requesting Approval of Special Item of Revenue: Drunk Driving Enforcement Fund
- c. Resol.#149-2019– Requesting Approval of Special Item of Revenue: State Body Armor Replacement Fund
- d. Resol. #150-2019 - Requesting Approval of Special Item of Revenue: BCUA – Recycling Enhancement Program – Other Expenses

Aye Nay Abstain

Cosgrove
Cutrone
Reinitz
Rottenstrich
Peluso

March 26, 2019

RESOLUTION NO. 147-2019

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.

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 2019, in the sum of \$5,500.00, which is now available as a revenue from the New Jersey Department of Law and Public Safety Division of Highway Traffic Safety, pursuant to the provisions of the statute, and;

BE IT FURTHER RESOLVED that the like sum of \$5,500.00 is hereby appropriated under the caption, State and Federal Programs off-set by Revenue: "Distracted Driving Crackdown", Police Salaries & Wages, in the amount of \$5,500.00; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$5,500.00 from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

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

Cosgrove
Cutrone
Reinitz
Rottenstrich
Peluso

March 26, 2019

RESOLUTION NO. 148-2019

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 2019, in the sum of \$32,629.83, which is now available as a revenue from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, pursuant to the provisions of the statute, and;

BE IT FURTHER RESOLVED that the like sum of \$32,629.83 is hereby appropriated under the caption, State and Federal Programs off-set by Revenue: "Drunk Driving Enforcement Fund" Police, Salaries and Wages and Other Expenses, in the amounts of \$30,659.83 and \$1,970.00, respectively; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$32,629.83 from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety.

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

Cosgrove
Cutrone
Reinitz
Rottenstrich
Peluso

March 26, 2019

RESOLUTION NO. 149-2019

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 2019, in the sum of \$5,868.92, which is now available as a revenue from the New Jersey Department of Law and Public Safety, Division of Highway Traffic Safety, pursuant to the provisions of the statute, and;

BE IT FURTHER RESOLVED that the like sum of \$5,868.92 is hereby appropriated under the caption, State and Federal Programs off-set by Revenue: "State Body Armor Replacement Fund", in the amount of \$5,868.92; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$5,868.92 from the New Jersey Department of Law and Public Safety Division of Highway Traffic Safety.

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

Cosgrove
Cutrone
Reinitz
Rottenstrich
Peluso

March 26, 2019

RESOLUTION NO. 150-2019

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 2019, in the sum of \$3,000.00, which is now available as a revenue from the Bergen County Utilities Authority 2019 Recycling Enhancement Grant Program. Pursuant to the provisions of the statute, and;

BE IT FURTHER RESOLVED that the like sum of \$3,000.00 is hereby appropriated under the caption, State and Federal Programs off-set by Revenue: "BCUA- Recycling Enhancement Program-Other Expenses, in the amount of \$3,000.00; and

BE IT FURTHER RESOLVED that the above is a result of a county grant of \$3,000.00 from the Bergen County Utilities Authority 2019 Recycling Enhancement Grant Program.

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