

REGULAR MEETING OF SEPTEMBER 10, 2013

Mayor Cosgrove called the meeting to order at 7:35 p.m.

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in "The Record" issue of December 14, 2012. Notices were also posted on the bulletin board located on the first floor of the Municipal Building; copies were mailed to The Community News and posted on the Borough of Fair Lawn website. The annual notice identified the meeting location and the time of Council Meetings and Work Sessions.

PRESENT: Mayor Cosgrove, Councilmembers Peluso and Swain.

ABSENT: Deputy Mayors Baratta and Trawinski

ALSO PRESENT: Acting Manager Van Kruijning, Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

PROCLAMATIONS: CONSTITUTIONAL WEEK

Jean Duncan Thiel, Regent of the Polly Wyckoff-David Demarest Chapter of the National Society Daughters of the American Revolution accepted the proclamation.

POW/MIA RECOGNITION DAY

John Gatens was present to accept the proclamation. Mayor Cosgrove mentioned that Mr. Gatens just celebrated his 90th birthday. During the Battle of the Bulge in WWII he was taken captive. He marched into Germany and had to stay there for four months in the freezing cold after the Battle of the Bulge. Mayor Cosgrove said it was his honor on behalf of the Mayor and Council to present this proclamation to Mr. Gatens.

Mr. Gatens said he was really happy to receive this proclamation. He thanked the people of Fair Lawn and to the Mayor and Council for giving him this honor. He didn't get many in his life and this felt good.

COUNCIL COMMENTS:

Councilmember Swain commented that it was so important to continue the efforts to find the service people so that they can be honored properly. She felt it was very important to remember the service people.

The ADA Committee has been very fortunate. The high school students have raised \$7,000 towards the inclusionary playground. The high school marathon was able to

donate \$2,500 which the ADA Committee will use to purchase a swing. She thanked the high school students.

Councilmember Swain reminded everyone about the art expo. This is the week to take the pictures of a day in the life of Fair Lawn and submit them digitally to "fairlawnartscouncil@gmail.com". The information is on the back of the flyer.

She plugged Fashion Affair on River Road who has a nice selection of clothes. If anyone wants to shop locally they can go to River Road.

Councilmember Swain spoke about pedestrian safety. Tomorrow night there will be a forum on safety and they will be addressing the burglaries and also crossing the street. One thing someone can do immediately when they get off the train and are crossing the street would be to turn on their cell phone. Turn it on so that drivers can see them crossing the road.

Councilmember Peluso thought the two proclamations were great. He encouraged everyone to learn about the constitution. Also there is no one they should be honoring more than the MIA/POW's.

This past Sunday the Knights of Pythias held the Bike-a-thon as well as a Hand of Friendship Day where they do event with those with special needs. It is a great organization that holds these events annually.

Councilmember Peluso thanked the Police Officers that were out for the start of the school year. He felt extremely safe and everything was very well organized. He thanked Superintendent Watson and everyone on the Board of Education who did a great job getting everything prepared. He mentioned the programs at the Library which are great for children between the ages of two and five years old. They have book reading and art classes which is a good way for the children to get involved and develop a passion for reading.

He thanked everyone for attending the 9/11 Ceremony that was held before the meeting. It was a great event. This was one thing they promised to never forget but often they see it dwindle as the years go by. He asked people to keep coming and supporting those that are fighting for freedom and those that were lost on 9/11.

Mayor Cosgrove said he had the honor to attend with the Board of Education an awards ceremony for school bus inspections from the State Division of Motor Vehicles. The Commissioner gave the Fair Lawn School Buses an A+ inspection which is great because it is a shared service and the Borough Mechanics work on the buses. The staff in the Bergen Avenue facility keeps everything going. He felt it showed how the Borough and Board of Education are working together.

Tomorrow night there is a meeting at the Community Center at 6:00 p.m. in the Card Room for residents regarding the recent rash of burglaries. The residents are the best

defense because if they see anything in the neighborhood they should call the Police immediately. They all need to be vigilant.

Mayor Cosgrove stated the Borough had three residents die on September 11, Susan Huey, Jennifer Lynn Kane and Richard Rosenthal. In 1975 at Fraunces Tavern bombing Frank Connor was killed. Tonight they saw some of the families and it is great that they come but he knew that it must open some wounds. He thought it may help them to know that Fair Lawn will always remember and will continue to do so.

ORDINANCES ON FIRST READING:

**ORDINANCE NO. 2293-2013
(RESOLUTION NO. 300-2013)**

AN ORDINANCE AND APPROPRIATING \$200,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVE FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

Upon motion by Councilmember Peluso and a second by Councilmember Swain, it was unanimously agreed to read the following ordinance by title.

Upon motion by Councilmember Swain and a second by Councilmember Peluso, Resolution No. 300-2013 introducing Ordinance No. 2293-2013 was unanimously passed.

ORDINANCE ON SECOND READING:

Upon motion by Councilmember Peluso and a second by Councilmember Swain it was unanimously agreed to read the following ordinance by title and open the time for public comments.

**ORDINANCE NO. 2289-2013
(RESOLUTION NO. 301-2013)**

AN ORDINANCE FIXING THE SALARIES OF EXISTING SUPERVISORS ASSOCIATION OF FAIR LAWN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

There being no comments by the public, upon motion by Councilmember Peluso and a second by Councilmember Swain, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Swain and a second by Councilmember Peluso, Resolution No. 301-2013 adopting Ordinance No. 2289-2013 was unanimously passed.

Upon motion by Councilmember Peluso and a second by Councilmember Swain it was unanimously agreed to read the following ordinance by title and open the time for public comments.

**ORDINANCE NO. 2290-2013
(RESOLUTION NO. 302-2013)**

**AN ORDINANCE FIXING THE SALARIES OF NEW SUPERVISORS
ASSOCIATION OF FAIR LAWN EMPLOYEES OF THE BOROUGH
OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

There being no comments by the public, upon motion by Councilmember Swain and a second by Councilmember Peluso, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 302 -2013 adopting Ordinance No. 2290-2013 was unanimously passed.

Upon motion by Councilmember Swain and a second by Councilmember Peluso it was unanimously agreed to read the following ordinance by title and open the time for public comments.

**ORDINANCE NO. 2291-2013
(RESOLUTION NO. 303-2013)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN
EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN
COUNTY, NEW JERSEY AS AMENDED (PBA)**

Pam Coles, 13-34 George Street, wondered which employees were covered by this ordinance. Acting Manager Van Kruiningen explained that according to the PBA Contract the Academy Step is a salary and then the field training completion after they are out of the academy is another step.

There being no further comments by the public, upon motion by Councilmember Peluso and a second by Councilmember Swain, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 303-2013 adopting Ordinance No. 2291-2013 was unanimously passed.

Upon motion by Councilmember Swain and a second by Councilmember Peluso it was unanimously agreed to read the following ordinance by title and open the time for public comments.

**ORDINANCE NO. 2292-2013
(RESOLUTION NO. 304-2013)**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (WATER TREATMENT PLANT OPERATIONS SPECIALIST, PUBLIC SAFETY TELECOMMUNICATION TRAINEE, PLUMBING SUBCODE OFFICIAL AND KEYBOARDING CLERK I)

There being no comments by the public, upon motion by Councilmember Swain and a second by Councilmember Peluso, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 304 -2013 adopting Ordinance No. 2292-2013 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Councilmember Swain and a second by Councilmember Peluso, the time for public comments on Agenda items only was opened.

Pam Coles, 13-34 George Street, questioned the cancellation of the County ADA Reimbursement 2013 Grant. Acting Manager Van Kruijning said it was the cancellation of a grant from 2012.

Ms. Coles spoke about the award of bid for the cleaning and painting of the water tower. Mayor Cosgrove said the project will start within a few weeks and be completed within a few months.

Ms. Coles questioned the FEMA grant application. Acting Manager Van Kruijning explained it was a grant submitted to FEMA to offset the Emergency Manager's salary.

Ms. Coles thanked the Mayor and Council for imposing a three month moratorium of the demolition of the Vanderbeck House. She felt it was necessary and needed.

There being no further comments from the public, upon motion by Councilmember Peluso and a second by Councilmember Swain, the time for public comments was unanimously closed.

RESOLUTIONS BY CONSENT #20-2013

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Consent Agenda 20 -2013 containing the following items was unanimously passed with the removal of Resolution No. 309-2013.

- a. Resol. #305-2013 – Authorizing an Agreement with the Borough of Glen Rock to Install Police Radio Equipment
- b. Resol. #306-2013 – Cancel County ADA Reimbursement 2013 Grant
- c. Resol. #307-2013 - Award of Bid: #2164 Cleaning & Painting the Interior & Exterior of the Morlot Avenue 1 MG Elevated Water Storage Tank
- d. Resol. #308-2013 – Renewal of Liquor License 2013-2014
- e. Resol. #309-2013 – Removed
- f. Resol. #310-2013 – Award of Bid: Adult Mini Bus
- g. Resol. #311-2013 – Award of Bid: Broom Street Sweeper with Belt Conveyor
- h. Resol. #312-2013 – Award of Bid: Generator Maintenance
- i. Resol. #313-2013 – Authorizing the Issuance of Bond Anticipation Notes
- j. Resol. #314-2013 – Establishing Procedures to Monitor and Ensure Compliance with Federal Tax Law Requirements with Respect to Tax-Exempt Debt of the Borough
- k. Resol. #315-2013 – Cancel and Refund Year 2011, 2012 Property Taxes Due to Property Classification Change from Ratable to Exempt: Block 6802, Lots 5 & 8
- l. Resol. #316-2013 – Cancel Year 2013 & 2014 Property Taxes Due to 100% Veteran Property Tax Exemption
- m. Resol. #317-2013 – Authorizing Submission of FEMA Grant Application
- n. Resol. #318-2013 – Award of Bid: Audio and Visual Equipment – Fair Lawn TV
- o. Resol. #319-2013 – Imposing a Three Month Moratorium on the Demolition of the Vanderbeck House located at 41-25 Dunkerhook Road
- p. Resol. #320-2013 – Cancel Year 2013 and 2014 Property Taxes Due to Property Classification Change from Ratable to Exempt: Block 1206, Lot 18
- q. Resol. #321-2013 – Award of Bid: Solid Waste Collection Year 2013
- r. Resol. #322-2013 – Renew Membership in the Bergen County Municipal Joint Insurance Fund
- s. Resol. #323-2013 – Change Order – Project #2217 Roof Replacement Library & Cadmus Water Garage
- t. Resol. #324-2013 – Authorizing the Settlement of Litigation Entitled

RESOLUTION NO. 309-2013 - CONFIRMING FIRE BOARD ACTIONS

Approval of this resolution was carried to the next regular meeting.

RESOLUTION NO. 325-2013 – APPROVAL OF MINUTES: REGULAR MEETING 7/16/13

Approval of this resolution was carried to the next regular meeting.

**RESOLUTION NO. 326-2013 – LIQUOR LICENSE PERSON TO PERSON TRANSFER –
ANTONIO PARLATO TO ANTHONY'S COAL FIRED PIZZA OF
FAIR LAWN LLC**

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 326-2013 was discussed.

Councilmember Swain stated she just learned that Anthony's Coal Fired Pizza will be in the Promenade. Municipal Clerk Kwasniewski stated that representatives were present if they had any questions. Councilmember Swain and Councilmember Peluso welcomed them. Mayor Cosgrove wished them good luck.

There being no further discussion, Resolution No. 326-2013 was unanimously passed.

PUBLIC COMMENTS:

Upon motion by Councilmember Peluso and a second by Councilmember Swain, it was unanimously agreed to open the time for public comments.

Howard Mark, 12-23 Ferry Heights, thought the suggestion of using a cell phone while crossing a street was good, but riding the bike while holding a cell phone is difficult. Councilmember Swain said there should definitely be lights on the bike. Mayor Cosgrove said they were working with a young lady that came into his office with an idea and went out and found reflective wrist bands. Today he received samples from a company that wants to donate 500 of them to the Borough. He thanked Alexa for coming forward with this idea. They will be going out to talk to organizations and hopefully get people to put them either on their pocketbooks or their laptops or briefcases. It seems that people scatter when they get off the trains at Broadway and Radburn. He felt this was a good start. He told Mr. Mark to make sure he has his lights on when he rides his bike at night.

Mr. Mark asked about a sign located on Fair Lawn Avenue and Ferry Heights because someone was killed at that location. Mayor Cosgrove said he would ask Acting Manager Van Kruiningen to have the Police Department look into it.

Joel Berlin, 26-02 Berdan Avenue, talked about the work being done on Berdan Avenue where they are ripping up his corner. He installed the sidewalk on Berdan Avenue going up partially to Maynard Place. At that time he offered to install the plastic unit if the Engineering Department would drop it off. They chose not to do that nor did they respond. He poured the corner without that unit. The last time he was at a Council meeting the Mayor asked the Borough Manager to go and measure the ramp to verify that it was in compliance and that they could retrofit that unit to that ramp. He never received a response for six weeks. Another issue was raised that the sidewalk landing zone exceeded the allowable slope. It took him six weeks to get a determination that the ramp was in compliance. At that time, if they want him to

retrofit the corner he would. Since that time they have installed the corner and the rubber piece right across the street from him. He measured their slope now their slope exceeds his. As he looks up and down Berdan Avenue he sees slopes that well exceed his slope. He did not know why they were making his corner an issue.

Mayor Cosgrove said the contractor was installing the corners. He suggested that Acting Manager Van Kruijning contact the Borough Engineer and have them look at those curbs and make sure they meet the standards.

Mr. Berlin thought they may need an independent engineering firm to do the measurements because he is being told that his are not in compliance. The ones they are installing corners that are not in compliance themselves. Mayor Cosgrove stated he was not sure if they have been inspected yet.

Acting Manager Van Kruijning stated that he has been in e-mail communication with Mr. Berlin and he was informed on Friday by the Engineering Aide that the Borough has not gone to his corner yet because they want to have the Municipal Engineer speak to him personally. The Engineer was on vacation last week and he is scheduled to meet with him this week and he will make the arrangement that he contact Mr. Berlin.

Mr. Berlin brought up another issue. Diagonally across from him, 23 Ryder Road, twenty to thirty feet of hedges were ripped up by the contractor that the family had on the corner. Those people were told the town would not replace the hedges. It was strange since he heard the town had gotten a \$300,000 grant for that work. Acting Manager Van Kruijning asked for the address so that he could follow up on it.

John Durso, Jr., 3-10 Lyncrest Avenue, publically thanked the Mayor and Council for the interest they have shown in the speeding issues on Lyncrest Avenue. He appreciates the attention it has that has been given. On behalf of his neighbors he looks forward to participating next week at the work session.

Mayor Cosgrove announced that they will be discussing the various speeding issues and possible solutions raised by the residents on Lyncrest Avenue who signed and submitted a petition to the Council for relief.

Pam Coles, 13-34 George Street, advised that she noticed some tagging on the Maple Avenue Bridge. Acting Manager Van Kruijning advised that the State has been notified. The Police Department has indicated that it is not gang related.

Ms. Coles inquired about the status of the abandoned homes. Mayor Cosgrove stated that the Borough is currently cutting the lawns of 24 properties. The Property Maintenance Committee has discussed the possibility of doing additional work on these abandoned homes. The Property Maintenance Officer is being diligent. Liens are being placed on the homes but until a house is sold the Borough will not collect

any of those funds. He concluded that they do not want the neighborhoods to deteriorate.

Ms. Coles pointed felt that it was dangerous for cars to turn left out of the George Street parking lot onto Fair Lawn Avenue. Acting Manager Van Kruningen stated that he had spoken to the Traffic Safety officer who is investigating the turns out of that parking lot onto both River Road and Fair Lawn Avenue. He will be providing his recommendation to Acting Manager Van Kruningen by the end of next week.

Ms. Coles expressed concern about the bamboo in the George Street Parking lot and the garbage collection being picked up at 5:45 a.m. She will call Acting Manager Van Kruningen to further discuss these issues. Acting Manager Van Kruningen reported that as part of the Borough's repaving project the George Street lot is scheduled to be repaved.

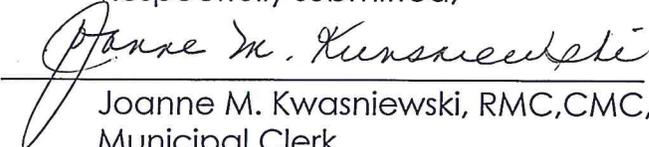
Howard Mark thanked Mayor Cosgrove for taking a ride on the mini bus.

There being no further comments, upon motion by Councilmember Peluso and a second by Councilmember Swain the time for public comments was unanimously closed.

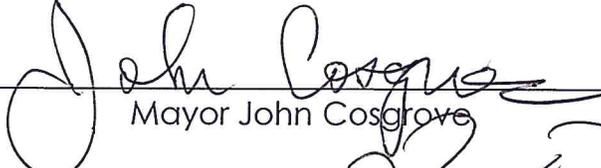
ADJOURNMENT:

Upon motion by Councilmember Peluso and second by Councilmember Swain the meeting was adjourned at 8:25 p.m.

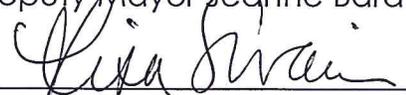
Respectfully submitted,


Joanne M. Kwasniewski, RMC,CMC,MMC
Municipal Clerk

The undersigned have read and approve the foregoing minutes.


Mayor John Cosgrove

Absent
Deputy Mayor Jeanne Baratta


Councilmember Lisa Swain


Councilmember Kurt Peluso

Absent
Deputy Mayor Edward Trawinski

