

REGULAR MEETING OF JANUARY 29, 2013

Mayor Cosgrove called the meeting to order at 7:30 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, 2013. 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, Deputy Mayors Baratta and Trawinski, Councilmembers Peluso and Swain.

ALSO PRESENT: Manager Metzler, Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

**PROCLAMATIONS: BLACK HISTORY MONTH
WEAR RED FOR WOMEN**

PROPERTY MAINTENANCE AWARDS FOR BEAUTIFICATION:

Chairman of the Property Maintenance Committee, George Bate, stated there are two topics that are very important to his committee. They have the House Beautiful awards and also the Poster Contest winners. They are proud of all of these people.

Chairman Bate, Vice Chair Vanderbeck and Mrs. Muse who was the project chair presented the House Beautiful Awards to Rigoberta and Angelika Nieves, Joseph and Rita Neary and Nancy Casapulla. The Property Maintenance Committee congratulated them for being a recipient of the House Beautiful Award. This award was created to focus attention on the residents who have devoted so much time and effort to have their property enhance the beauty of Fair Lawn. They have always been most impressed with the care and creativity some residents have shown in developing their property and wondered how they could both congratulate and thank them for setting a fine example. They hoped these certificates expressed both sentiments. Vice Chairman Vanderbeck thanked Deputy Mayor Baratta who was the committee's liaison for the year 2012 and to the present liaison, Mayor Cosgrove for the year 2013. It has been an honor to award these certificates.

PROPERTY MAINTENANCE AWARDS FOR POSTER CONTEST:

Chairman Bate thanked the Board of Education, the principals, the teachers and anyone that has been helpful in this project. They have three very fine winners but mentioned that many of the fourth grade children participated in the program. They have narrowed it down to three winners, which was difficult.

The third place winner was Hava Gazikova from Westmoreland School, who was presented with a \$25 award. The second place winner from Westmoreland School was Morgan VanKruiningen, who was presented with a \$50 award. The first place winner was Victoria Baula from St. Anne's School, who was presented with a \$100 award.

Mayor Cosgrove thanked the Property Maintenance Committee for all the hard work they put in to this and he congratulated all of the winners.

COUNCIL COMMENTS:

Councilmember Peluso congratulated the winners and thanked the Property Maintenance Committee for doing a wonderful job making sure the properties are well maintained. It is nice to see them award residents who have gone above and beyond maintaining their property.

He thanked the Chamber of Commerce for hosting the Taste of Fair Lawn which was a great event. Based on the numbers from the Chamber, they came close to doubling the attendees. The food was delicious.

Councilmember Peluso mentioned that the Substance Abuse Prevention Association had a table there. The campaign this year was to not flush any type of medicine down the toilet because it gets into the water system. If anyone has medicine that needs to be disposed of, bring it to the Health Department and they will dispose of it safely.

Councilmember Swain stated in honor of Black History Month, she congratulated President Obama because he is someone who has shown what some people may think was impossible was actually possible.

She spoke about the Proclamation of Wear Red for Women. Heart disease is one of the leading killers of women. She urged the women listening to make an appointment to get their hearts checked out.

She echoed what Councilmember Peluso said about the Taste of Fair Lawn which was wonderful. They are very fortunate in Fair Lawn for having so many great restaurants with so many different types of food.

Councilmember Swain said she and Mayor Cosgrove attended a second opening for Anything IT. She had attended their first opening about two years ago. They recycle computers and all kinds of technology. They have now received a D permit which allows them to recycle even more products. They are taking all kinds of equipment, breaking it down so that almost nothing goes to waste. One of the best things about this company is that they hire veterans.

Last week, she attended along with the Manager, a flood meeting in Lodi. Assemblyman Tim Eustace was there. She informed them that they have not forgotten about the flood issues in Fair Lawn and the surrounding communities. There was a good group of Mayors and delegates that came up with some good ideas that may have positive impacts in Fair Lawn.

Councilmember Swain mentioned that on February 20th they will be launching another phase of the One Pound at a Time campaign. They will be meeting at the Community Center and holding their first weigh in. She urged everyone to come and find out about the program. There will be a nutritionist present who will provide information about how to eat right. There will be tips on how to start losing a pound at a time, inflate your tires a pound at a time, whatever steps you can do. In addition, Manager Metzler will be there to weigh in. They are asking people to pledge for each pound he loses.

Deputy Mayor Trawinski echoed both what Councilmember Peluso and Councilmember Swain said. The Anything IT was so important that both the Lt. Governor and the County Executive attended the second reopening which was an indication of how important the state views this and they know how important the County views this.

He thanked the Planning Board Chairman, Brent Pohlman, for going the extra mile by bringing the Taste of Fair Lawn to the Planning Board meeting.

The Planning Board had a special meeting last night and recommended the passage of Ordinances 2261-2013 and 2262-2013 unanimously.

Deputy Mayor Baratta congratulated all of the winners tonight and to everyone that got involved with the poster contest. They had a lot of fun looking at them. The reason they picked the fourth graders was because they are studying Fair Lawn.

To those who keep their homes so beautiful - the Property Maintenance Committee Beautification Award, congratulations to all of them.

Deputy Mayor Baratta mentioned there were openings on the Planning Board and the Environmental Commission. She suggested they go to the Borough website and fill out the Citizen Leadership Form and send it in to the Municipal Clerk.

Mayor Cosgrove said he and Health Officer Wagner went to the Fair Lawn Community Church located on Berdan Avenue who gave a generous donation of \$3,965.00 for the Food Pantry. He thanked the congregation for their generous donation.

On Sunday he participated with the Jewish Federation on the Super Sunday Telethon which was a lot of fun. He thanked them for the good work they do with the money they raise.

He thanked Maggie Peters from the Economic Development Council in Bergen County and Peter Kortright who worked very hard to get the permit for Anything IT. The fact that they hire veterans is a great point.

MANAGER'S REPORT:

Manager Metzler stated the Manager's Report is on the table without change.

ORDINANCES ON FIRST READING:

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

ORDINANCE NO. 2263-2013

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (BERDAN AVENUE)

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Resolution No. 74-2013 introducing Ordinance No. 2263-2013 was discussed.

Deputy Mayor Trawinski stated they should receive more grants like this from the State of New Jersey and secondly he remembered back in 1995, the Council was advised by the then Borough Manager that the Borough of Fair Lawn would

never receive grant funding from the State of New Jersey because the Borough was too well off. The then Council did not want to accept that so they brought in Capital Alternatives as a grants firm. Since that time they have acquired in excess of \$6 million in grants. Capital Alternatives was responsible for the Borough of Fair Lawn obtaining this grant. The people of Fair Lawn should be aware that they do a great job for Fair Lawn and do not get paid unless they get a grant.

Mayor Cosgrove added that this was a State of New Jersey DOT grant, requires no matching fund and will cover the paving from Plaza Road to Sanford Road.

There being no further discussion, Resolution No. 74-2013 introducing Ordinance No. 2263-2013 was unanimously passed.

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

ORDINANCE NO. 2264-2013

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, CHAPTER 111 ENTITLED "FOOD HANDLING"

Upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, Resolution No. 75 -2013 introducing Ordinance No. 2264-2013 was unanimously passed.

ORDINANCE ON SECOND READING:

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

ORDINANCE NO. 2258-2013

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING VARIOUS CHAPTERS TO REVISE FEES

There being no comments by the public, upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Peluso and a second by Deputy Mayor Trawinski, Resolution No. 76-2013 adopting Ordinance No. 2258-2013 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. 2259 -2013

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE

There being no comments by the public, upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, it was unanimously agreed to close the time for public hearing.

Upon motion by Deputy Mayor Baratta and a second by Councilmember Swain, Resolution No. 77-2013 adopting Ordinance No. 2259-2013 was discussed.

Deputy Mayor Trawinski wanted to confirm with the Borough Attorney that even though he was the County Administrator, he has no direct oversight over the Bergen County Open Space Trust Fund which led him to believe there was no conflict of interest for him to vote on this. Attorney Mondello agreed there was no conflict of interest.

Mayor Cosgrove explained that this ordinance was for the passive park on George Street.

There being no further discussion, Resolution No. 77-2013 adopting Ordinance No. 2259-2013 was unanimously passed.

Upon motion by Deputy Mayor Baratta 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. 2260-2013

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS AMENDED (ASSISTANT DPW SUPERINTENDENT AND DEPUTY FIRE MARSHAL)

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

Upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, Resolution No. 78-2013 adopting Ordinance No. 2260-2013 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. 2261-2013

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTERS 125 ENTITLED "LAND DEVELOPMENT" AND CHAPTER 94 ENTITLED "FEES" TO REVISE CERTAIN FEES FOR ZONING PERMITS AND TREE REMOVALS

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

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Peluso, Resolution No. 79-2013 adopting Ordinance No. 2261-2013 was unanimously passed.

Upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2262-2013

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 49 "AFFORDABLE HOUSING" TO PERMIT A PAYMENT-IN-LIEU OF ON-SITE AFFORDABLE HOUSING IN THE MIXED-USE PLANNED DEVELOPMENT ZONE

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

Upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, Resolution No. 80-2013 adopting Ordinance No. 2262-2013 was discussed.

Deputy Mayor Trawinski stated at last night's Planning Board meeting they reviewed this and recommended its passage to the Mayor and Council. The Borough's Affordable Housing Officer reported to the Planning Board since word of this has been spreading around town she has received many phone calls from Senior Citizens asking how sign up.

He explained that they would have to go onto COAH's website and get the application to get certified that they meet the income limits to qualify. Also the developer will have to put out notices in the newspapers and on the Borough's website to communicate to the public when they are 50% under way and are planning on taking applications.

Deputy Mayor Trawinski thought this was a good example of very good planning for the Borough of Fair Lawn. They have all talked about the need for Senior Housing. This would convert 38 on sight affordable housing units by Fair Lawn Promenade at the request of the United Way to 64 all age restricted Senior Citizen housing development on the Kem site. He felt it was a win for Fair Lawn and for the Senior Citizens and residents of Fair Lawn. He was proud to serve on the Council with the other four and that they were able to do this unanimously.

Councilmember Swain added that the Kem property is near the new CVS and Advanced Auto Parts store.

Mayor Cosgrove commented that a hundred old factory will be developed into 64 units of Senior Citizen Housing. He knows that residents in the neighborhood are very happy. He had the privilege to see the United Way units that were built in Allendale. It will be a great improvement in Fair Lawn.

There being no further discussion, Resolution No. 80 -2013 adopting Ordinance No. 2262- 2013 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

Joan Goldstein, 12 Bedford Place, spoke about Resolution No. 87-2013 prohibiting semi-automatic assault weapons and multiple ammo clips. Mayor

Cosgrove stated that has been taken off of the Consent Agenda. Deputy Mayor Baratta said she asked Municipal Clerk Kwasniewski to remove it tonight.

Councilmember Swain said she was not notified. Deputy Mayor Baratta had asked Municipal Clerk Kwasniewski this evening to remove it from the Consent Agenda.

There being no further comments from the public, upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, the time for public comments was unanimously closed.

RESOLUTIONS BY CONSENT #4-2013

Upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, Consent Agenda #4-2013 containing the following items was unanimously passed with Resolution No. 87-2013 removed.

- a. Resol. #81-2013 – Approval of Minutes
Regular Meeting 12/11/12
Closed Session 12/11/12
- b. Resol. #82-2013 - Authorizing Renewal of Massage Establishment
and Massagist Licenses: Sunny Health Center
- c. Resol. #83-2013 – Transfer of Funds
- d. Resol. #84-2013 – Award of Bid: Fire Department and Fire Prevention
Uniforms
- e. Resol. #85-2013 – Interlocal Services Agreement with Ridgewood:
Health Officer
- f. Resol. #86-2013 - License Agreement – 9-07 Norma Avenue
- g. Resol. #87-2013 – Removed

RESOLUTION NO. 87-2013 - Prohibiting Semi-automatic Assault Weapons and Multiple Ammo Clips

Upon motion by Councilmember Swain and a second by Deputy Mayor Trawinski, Resolution No. 87-2013 was discussed.

Councilmember Swain stated she was originally going to state that she was glad that the full Council had agreed to this but now she was not sure. She thanked Municipal Clerk Kwasniewski for reading the long but meaningful resolution. She felt it was time that they learn to live with fewer guns and certainly automatic weapons are unnecessary for the average citizen. As a society they are always looking for ways to improve safety and this resolution is one small step towards

the safety and well being of our citizens. She was proud this resolution was on the agenda tonight.

Councilmember Peluso mentioned that since they had brought this resolution to the table, they all received a letter from Senator Bob Gordon and Senator Codey who will be bringing legislation to the State. He acknowledged Councilmember Swain for being ahead of the State on this issue. He thanked the rest of the Council for supporting it as well. He thought Fair Lawn could be a leader.

Deputy Mayor Baratta stated that she had this resolution removed from the Consent Agenda this evening because she will not support it. She mentioned that the resolution spoke about automatic weapons, this was about semi-automatic weapons. Automatic weapons were already banned because they are machine guns. She thanked the Council, Municipal Clerk and Borough Attorney for working on this important resolution. There were a number of reasons why she was not supporting this resolution but there are many parts that she does support.

Deputy Mayor Baratta gave an example of a sentence in the resolution that said research has found that guns lead to more gun violence however research has found that having more cars leads to more car accidents. The resolution talks about assault weapons but had no definition. It spoke about expanding the definition of assault weapons but the resolution did not define what that would be.

Deputy Mayor Baratta stated she does support the rest of it. She supports the legislation. She pointed out that the States that have the most restricted gun laws also have the most gun violence. Sometimes they see these horrible tragedies and it breaks their hearts and they want to do something about it but they have to be careful with what they do. They have to look at the bigger picture and the language that gets put into it. She was sorry that she could not support this as written but applauded her fellow Councilmember's for doing so.

Deputy Mayor Trawinski said he will be supporting this resolution. He has some concerns about it and he hears the concerns of the strongest advocates of the second amendment saying that these kinds of measures start down a slippery slope. The Attorney in him is reminded of what Chief Justice Marshall first said almost two hundred years ago, on a debate about taxation, in which he argued the power to tax was the power to destroy. He believed that as long as the Supreme Court sits, they will look out for protecting our rights under the Second Amendment and under the Bill of Rights. It can be said of almost

anything that seeks to limit something that you start down a slippery slope. He thought that was an argument of convenience but not an argument of reality.

Deputy Mayor Trawinski said that he stated at the Work Session to a large extent this is a feel good resolution. He agreed with Deputy Mayor Baratta that the statistics show that the areas of this Country with the toughest gun restrictions, Chicago and Washington, have the greatest rate of illegal use of guns in the United States.

He felt that the statistics do not show that banning or toughening gun laws really achieve what this would achieve. He believed that they as a society, if they are going to have any chance in stemming incidents such as Columbine and Newtown, have to take a more comprehensive and thoughtful approach to solving this problem.

Deputy Mayor Trawinski recognized that politics is the art of compromise and he believed that this compromise represents a reasonable compromise in stating one position of the Council. He intends to bring a resolution to the Council that adds some of the missing elements that deal with the comprehensive solution.

Mayor Cosgrove said he would be supporting this based on the horrific events that have happened. He did support the Second Amendment and thinks that law abiding citizens that use guns for sports should be able to get them. He thought this resolution was far reaching. He knows that from his involvement with Bergen Regional Medical Center there is a behavioral and mental health problem in this Country which they have to focus on. They also have to focus on the entertainment aspect, such as video games, that romanticizes death, killing and shooting that the young children see. Tonight he will be supporting this resolution.

Deputy Mayor Trawinski suggested that they hear from the public on this topic.

Upon motion by Councilmember Peluso and a second by Deputy Mayor Trawinski, the time for public comment on Resolution No. 87-2013 was opened.

Gebhart Zerbert, 12-26 Rosewood Street, read a prepared statement and had paper copies of pending legislation that was proposed. He thought this may round out what they were speaking about and give a more comprehensive look at what is going on. He indicated he was appearing on behalf of the Fair Lawn contingent of a broad and growing Bergen County coalition against gun violence. He submitted a resolution that was e-mailed to the Council last week in support of legislation and other initiatives to promote public safety by reducing gun violence. They seek to support and expand the resolution that is

being discussed. He submitted a summary of the pending litigation. They recognize that the problem of gun violence will never fully be solved. However, mass shootings, homicides and suicides are aided and abetted by ineffective gun safety legislation and regulation. The time has come for reasonable changes. A comprehensive look at mental health and the effects of entertainment on the society should be done.

Mayor Cosgrove stated he had received Mr. Zerbert's email. He thanked him for his father's service. Many of his points were addressed in the resolution. It was also being sent to all the Federal, State and local government officials, including all 70 Mayors in Bergen County.

Councilmember Peluso thanked Mr. Zerbert for coming and bringing his organization to their attention. At the next Work Session they will be discussing the resolution brought to the State by Senators Gordon and Codey. He encouraged him to attend that meeting to hear more about the debate about gun violence.

Joan Goldstein, 12 Bedford Place, thanked Councilmember Swain for bringing this to the Council's attention. Since Newtown 1,400 gun deaths have occurred in the United States which is not acceptable. While it is a big problem that needs to be addressed the fact that the Council will pass this resolution about gun violence and ammunition clips is something that makes her happy to hear.

Larry Greenberg, 15-21 Raymond Street, stated there were very few issues that get him passionate enough to come before the Council. This issue was one of them. He understood Deputy Mayor Baratta's concern in terms of the wording of this resolution.

The reality of the situation is that there are people who are speaking in very concrete and logical terms about responsible gun ownership. He was not fond of the term "gun control" because those words evoke political responses. Comprehensive background checks, mental health examinations and yearly or bi-annual revisiting of the people who are licensed for gun ownership need to be done. This will not eliminate the problem but put a significant dent in it by removing access to weapons that are designed only for use by the military and by legitimate SWAT teams. The only reason for these weapons is to kill as many human beings as possible within a very short span of time. He felt there was no reason for anyone to own such weapons of destruction. To defend one's home does not require a magazine capable of decimating a small army.

Deputy Mayor Baratta stated that semi-automatic weapons only shoot one bullet at a time and the trigger has to be pulled each time. It was important to her the terms that are being used need to be very clear. She agreed with everything Mr. Greenberg said.

John Mancinelli, 13-18 11th Street, thanked the Mayor and Council for considering it at this time. As a Vietnam Veteran, he knows what a semi-automatic weapon was. They could get the language right and through reasonable restrictions on gun ownership, they will advance the cause of security in the Borough and the education system. He knows there is a long memorandum of understanding between the Borough and Board of Education dealing with safety issues. He is greatly appreciative of the cooperation with the Board and their consideration of this resolution.

Councilmember Peluso thanked him for his service on the Board of Education and Superintendent Watson for being proactive in their safety issues. After the Newtown shooting happened he was approached on how he felt as a parent with a child in the school system. He was very confident with how they handled the situation and for cancelling the after school activities.

Oren Auslin, 17-05 Landzettel Way, stated he was really glad that the Council was looking into this issue because there is a gun problem in the United States.

He spoke about Senator Feinstein's bill in California. One out of five Police Officers is killed by these assault weapons. They don't send the Police out with these types of weapons to fight the criminals. He thought it was very easy for criminals to have access to these guns at guns shows and other things without showing proper ID or going through background checks. It is something that really needs to change and was happy that the Mayor and Council were taking a look at this.

Joanne Mac Donnell, 14-10 Morlot Avenue, stated she did not know the difference between an assault weapon and a semi-automatic but they don't need guns that fire more than one shot at a time. They don't need hand guns, assault weapons; semi-automatic or automatic guns for any reason what so ever.

There being no further comments, Resolution No. 87-2013 was passed with Deputy Mayor Baratta dissenting.

PUBLIC COMMENTS

Upon motion by Deputy Mayor Baratta and a second by Deputy Mayor Trawinski, it was unanimously agreed to open the time for public comments.

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

CLOSED SESSION RESOLUTION

Upon motion by Deputy Mayor Baratta and a second by Councilmember Swain, the following closed session resolution was unanimously adopted at 8:51 p.m.

WHEREAS; the Open Public Meeting act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Governing Body; and

WHEREAS; the Mayor and Council of the Borough of Fair Lawn desire to discuss Pending Litigation - Dog Attack and Harraka vs. Bender; and

WHEREAS; these matters are ones which permit the exclusion of the public from such discussions; and

WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since these matters as set forth above are ones which permit the exclusion of the public from such discussions.

Deputy Mayor Trawinski stated that they will be going into Closed Session to discuss the dog attack. He has read the blogs and sees what is being reported. He wanted to ask the Council in a public session, not tonight, to consider putting on the Borough website the photographs that they have seen because the description that exists on one of the blogs of the one of the dog owners is totally wrong and factually fallacious. The people of Fair Lawn need to understand what the risk is that the Council is evaluating and how they are looking out for the interest of the people of Fair Lawn. These two dogs and did not just bite but killed a terrier and did severe damage to the terrier's owner. He cannot in good conscience let the people of Fair Lawn think that this Council is acting in a knee

jerk reaction knowing what those photographs show. The people of Fair Lawn should be able to make an informed decision and judge for themselves. He knows one reporter was able to see the photograph but choose not to mention it in his story. Deputy Mayor Trawinski thought the press did a disservice to the people of Fair Lawn by not mentioning what that individual saw in that photograph. Since the press has not seen fit to report it, he thought they should disclose it. He asked to place this on the agenda for the next work session in a public discussion about disclosing the photographs.

ADJOURNMENT:

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, the meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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

The undersigned have read and approve the foregoing minutes.

Mayor John Cosgrove

Deputy Mayor Jeanne Baratta

Councilmember Kurt Peluso

Councilmember Lisa Swain

Deputy Mayor Edward Trawinski