

REGULAR MEETING OF MARCH 25, 2014

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 20, 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 Dunay and Lefkowitz, Councilmembers Peluso and Swain.

ALSO PRESENT: Manager Van Kruiningen, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

COUNCIL COMMENTS:

Councilmember Peluso stated that on March 31st he and the Mayor will be attending the Recreational Facilities Review Committee meeting. They will be splitting the committee into two groups, one to focus on Memorial Pool and the other on the fields.

On April 1st he and the Mayor will be attending the Community Development meeting to obtain grant funding for different projects throughout the Borough. He has been going the last two years with the Mayor and has been successful in bringing funds back to the Borough.

Councilmember Peluso had recently asked the Council to vote in favor of writing a letter to Congressman Garrett to have him delay the Biggert's Water Act. Unfortunately Congressman Garrett did not vote the way they hoped he would but Congress did agree to delay this legislation which will delay a huge increase in flood insurance premiums.

Councilmember Swain announced that Phyllis Weglein passed away last week. She was a long term volunteer who served on the Library Board and other organizations in town. Anyone wishing to make a donation in her memory can make it to the Maurice Pine Free Library.

Councilmember Swain congratulated Basketball Coach, Richie McAuliffe for being named Coach of the Year.

She congratulated the two young ladies who were appointed to the first team for fencing. The Borough has a great fencing team.

Councilmember Swain spoke about the resolution that PSE&G wanted the Borough to support regarding reducing energy. She did not think it was strong enough and that it did not support sustainability efforts. Last week the Borough received a letter from the Sierra Club thanking them for their support and for including the provision for supporting energy efficiency. They noted that with the Borough's resolution they hoped to reduce energy which can help to mitigate the effects of climate change.

Councilmember Swain stated at the March ADA meeting, three members of the Fair Lawn High School Class of 1983 Reunion Committee - Councilman Jack Molenaar, Barbara Besold and Ron Dobrzynski - presented the ADA Committee with a check in the amount of \$1,100 for the inclusionary Playground. The Committee also wanted to thank the other members of the Reunion Committee that could not attend that evening: Cheryl Blauschild Russo, Diane Klimowich Otto, Michael Cramer and Phyllis Chiarenza Spinuzzi.

The Committee also received a check from Rhonda Silver (Class of 1972) who sent a \$5,000 donation from the Silver Foundation. Rhonda had emailed the Committee to say that she knows of a similar playground in Montclair where she now lives, and was happy to see an inclusionary playground coming to Berdan Grove.

The County is sponsoring its third "Access for All Summit" on Saturday, March 29th from 12:30 to 2:30 p.m. at Englewood Hospital. The Summit will discuss issue relevant to individuals with disabilities. Mayor Cosgrove will be one of the panelists, along with Mayor Aronsohn from Ridgewood and Mayor Frank Huttler of Englewood.

The ADA Committee will be participating in Autism Awareness Day at the Bergen County Zoo at Van Saun Park on Sunday, May 4th. They will be having an informational table along with other participating organizations. The train will be running free that day from 10:00 a.m. to 4:30 p.m. More information about times and activities will be forthcoming and information will also be posted on the Committee's website at www.fairlawnada.com.

Deputy Mayor Dunay stated that the Open Space Committee met last night. For those who don't know, they are tasked with analyzing and evaluating open space within the Borough. They also help administer the Borough Open Space trust fund. One of the discussions that take place perennially at the meetings is about flooding and houses that suffered severe flooding in the past couple of years. At the meeting there were several residents there that were concerned

about the latest information that might be available from the State programs and other sources for potential buyouts. The Borough Manager just scheduled a meeting with some of the State authorities in late April. They will learn about potential avenues that could be available through Blue Acres. Blue Acres is targeted for people who have suffered serious flooding and they will have this matter on the Open Space agenda which will be held on April 28th.

Deputy Mayor Dunay had the privilege of attending the Knights of Columbus Irish night.

Deputy Mayor Dunay said he attended a Rotary Club seminar. Fair Lawn is lucky to have two Rotary Clubs. Rotary is open to everyone. It's a great way to get involved in the community and Rotary International does wonderful things internationally in terms of trying to end Polio or bring water to underprivileged people.

Deputy Mayor Lefkowitz stated she was also present with Deputy Mayor Dunay at the Open Space meeting. Tomorrow night she will be attending the Fair Lawn Substance Abuse Prevention meeting.

Deputy Mayor Lefkowitz reminded everyone that the next Master Plan hearing will be held on April 7th. She encouraged the residents to attend the Master Plan hearing to address any questions they may have.

Deputy Mayor Lefkowitz spoke about going to ER Express because she was not feeling well. It is relatively new but she wanted to make everyone aware that it was there and it is an urgent care center. They do have all the capabilities of testing for various illnesses.

Deputy Mayor Lefkowitz attended the Devils game where they made it Fair Lawn night. It was a great night.

Mayor Cosgrove pointed out that the State has delayed some projects that would help alleviate some pedestrian safety issues, including the hawk device near the commuter train station and some bump outs. He met with Senator Gordon who has pledged his full support to help push the projects through the State.

Mayor Cosgrove thanked the New Jersey Devils for making last Sunday night's game Fair Lawn Night. He saw many of the residents there. They featured a video of Fair Lawn and put it up on the Jumbotron. Part of the proceeds from the tickets that were purchased will be going back to the street and ice hockey programs.

Mayor Cosgrove stated he attended the St. Anne's St. Patrick's Day parade with Councilmember Swain. It was a great event.

Last Saturday night he and Deputy Mayor Dunay attended the Rotarian Father Coffey from the Church of Atonement's 25th Anniversary of being ordained in Ridgewood. At the end of the night, the bells tolled.

Mayor Cosgrove noted that St. Anne's was going through their mid states accreditation. He met the three people that will be with them for the next three days. He wished them a lot of luck.

Last night he attended the Killer Bee's Basketball League, which is a league for adults with special needs. It was a great night. Councilmember Peluso's brother Gary coaches one of the teams.

Councilmember Swain mentioned that Radburn School was holding a 5K run and a walk on April 27th.

MANAGER'S REPORT

Manager Van Kruijning stated the report had been submitted and there were no changes.

ORDINANCES ON FIRST READING:

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

ORDINANCE NO. 2308-2014 (RESOLUTION NO. 135-2014)

AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A

Upon motion by Councilmember Swain and a second by Councilmember Peluso, Resolution No. 135-2014 introducing Ordinance No. 2308-2014 was unanimously passed.

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

**ORDINANCE NO. 2309-2014
(RESOLUTION NO. 136-2014)**

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$910,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$864,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 136-2014 introducing Ordinance No. 2309-2014 was passed.

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

**ORDINANCE NO. 2310-2014
(RESOLUTION NO. 137-2014)**

BOND ORDINANCE APPROPRIATING \$1,612,000, AND AUTHORIZING THE ISSUANCE OF \$1,531,400 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY.

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 137-2014 introducing Ordinance No. 2310-2014 was unanimously passed.

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

**ORDINANCE NO. 2311-2014
(RESOLUTION NO. 138-2014)**

BOND ORDINANCE APPROPRIATING \$545,000, AND AUTHORIZING THE ISSUANCE OF \$517,750 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY.

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 138-2014 introducing Ordinance No. 2311-2014 was unanimously passed.

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

**ORDINANCE NO. 2312-2014
(RESOLUTION NO. 139-2014)**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.
40A: 4-45.14) CALENDAR YEAR 2014**

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Resolution No. 139-2014 introducing Ordinance No. 2312-2014 was unanimously passed.

ORDINANCES 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. 2305-2014
(RESOLUTION NO. 140-2014)**

**AN ORDINANCE FIXING THE SALARIES OF EXISTING AND NEW
OMNIBUS OPERATORS EMPLOYED AND TO BE EMPLOYED BY THE
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS
AMENDED.**

Ruth Gormans, 39-37 Sycamore Drive, wondered if this ordinance would authorize a raise for the substitute drivers. Mayor Cosgrove explained that the Borough's pay scale was not comparable with other entities. They raised the rate so they could hire someone. Ms. Gormans thanked Mayor Cosgrove for going on the bus last summer. She questioned the new bus schedule. Mayor Cosgrove informed her that the new bus has arrived and will be operating soon. Ms. Gormans commented that the mini bus service was a wonderful service. She mentioned that many people cannot walk up the steps of the mini bus. Mayor Cosgrove informed her that the new mini bus will have a lift on it to help the people who need it.

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

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 140-2014 adopting Ordinance No. 2305-2014 was unanimously passed.

Upon motion by Deputy Mayor Lefkowitz 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. 2306-2014
(RESOLUTION NO. 141-2014)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 94,
ARTICLE VI, SECTION 160-6C TO REVISE FEES TO ADD A HALF DAY
CAMP PROGRAM**

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

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 141-2014 adopting Ordinance No. 2306-2014 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

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

RESOLUTIONS BY CONSENT #6-2014

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Consent Agenda #6-2014 containing the following items was unanimously passed.

- a. Resol. # 142-2014 - Approval of Minutes
 - Budget Meeting 2/1/14
 - Regular Meeting 2/11/14
 - Closed Session 2/11/14

- b. Resol. #143-2014 - Approving the Lion's Club Use of Memorial Park Parking Area for a Car Show
- c. Resol. #144-2014 - Professional Services: Employee and Emergency Service Volunteer's Physicals
- d. Resol. #145-2014 - Appointment to Fair Lawn Recreation Facility Review Committee
- e. Resol. #146-2014 - Authorizing the Execution of Service Agreement with New York Life Insurance Company

RESOLUTION NO. 147-2013 - APPROVAL OF MINUTES:

Work Session 2/4/14

Closed Session 2/4/14

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 147-2013 was passed with Deputy Mayor Dunay abstaining.

RESOLUTION NO. 148-2014 - CONFIRMATION OF FIRE BOARD ACTIONS

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 148-2013 was passed with Mayor Cosgrove abstaining.

PUBLIC COMMENTS

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

Bernice Katz, 2-22 Saddle River Road, wondered how the Council would know how much the Master Plan was when the plan was not even approved. She noticed in Ordinance No. 2310-2014 that there was \$525,000 for the Master Plan.

Manager Van Kruijning explained that the Master Plan payment was only \$15,000. Mayor Cosgrove explained that expenses have been incurred with the Master Plan. Deputy Mayor Dunay explained that because the Master Plan is a long term project the Borough is allowed to bond the cost of preparing the plan. Deputy Mayor Lefkowitz reviewed the items listed in the ordinance informing her it was not just the Master Plan.

Ms. Katz questioned what streets were included in the bond ordinance. Manager Van Kruijning stated there was no specific list of streets that will be paved yet. Engineer Garrison reviews every street to determine the condition they are in. From there they make a list and go out to bid for a specific amount of square footage of asphalt. Ms. Katz felt the streets should be listed on the

ordinance. Mayor Cosgrove informed her they cannot list the streets because they are constantly changing and especially as a result of this past winter.

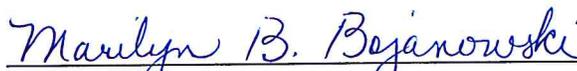
Ms. Katz wondered whether the Borough paid for the physicals that were addressed in Resolution No. 144-2014. Mayor Cosgrove confirmed that the Borough pays for the physicals.

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

ADJOURNMENT:

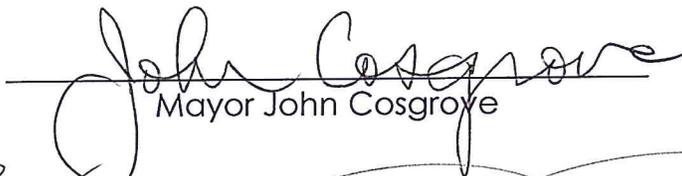
Upon motion by Councilmember Swain and a second by Councilmember Peluso the meeting was adjourned at 8:21 p.m.

Respectfully submitted,

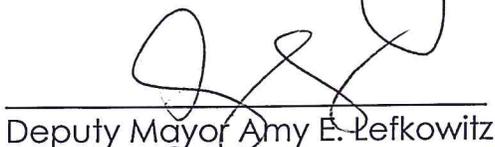


Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.



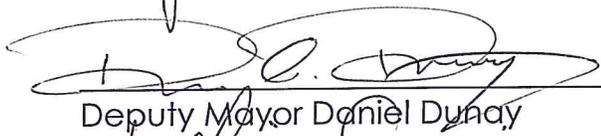
Mayor John Cosgrove



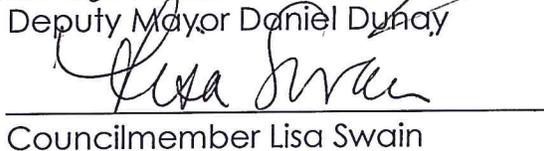
Deputy Mayor Amy E. Lefkowitz



Councilmember Kurt Peluso



Deputy Mayor Daniel Dunay



Councilmember Lisa Swain

