

REGULAR MEETING OF MAY 13, 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 Kruijning, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

SWEARING IN OF AUXILIARY POLICE OFFICERS

Auxiliary Police Chief Magarelli stated that the new Auxiliary officers recently graduated from the Bergen County Police Academy. The class president Brittany Mizratti, who could not be here tonight and vice president John McCrudden are both Fair Lawn residents. After the graduation the instructor told him that he should be very proud, as the officers that come from Fair Lawn are top notch and Fair Lawn is a model Auxiliary Police agency.

Mayor Cosgrove swore in the new Auxiliary officers: Kazimierz Czajkowski, John McCrudden and John Posdon.

AUXILIARY POLICE PROMOTIONS

Chief Magarelli stated that Sgt. Van Ness, who was being promoted to Lieutenant, currently serves as training coordinator ensuring that the officers meet CALEA accreditation requirements and is a Fair Lawn dispatcher. Mayor Cosgrove swore in Lt. Van Ness.

Chief Magarelli stated that Corporal Michele Luscombe was being promoted to Sergeant in the new Romeo Platoon, which oversees improvement and the field training of recruits from the Academy. She has been acting Sergeant for the past several years.

Mayor Cosgrove swore in Sgt. Luscombe.

Chief Magarelli stated that Corporal James Tyminski, who oversees Community Policing, was being promoted to Sergeant of Bravo Platoon under Lt. Van Ness.

Besides helping with field training, he will serve as Quarter Master and will oversee the Department's equipment.

Mayor Cosgrove swore in Sgt. Tyminski.

The Mayor thanked everyone for all they do for the Borough.

COUNCIL COMMENTS

Councilmember Peluso congratulated the new Auxiliary Police Officers and those who were promoted. He thanked them for all they do to keep the town safe.

He and Councilmember Swain attended the D.A.R.E. graduation at Thomas Jefferson Middle School, and he can see the respect the students have for the Police Officers. He thanked the officers and Sgt. Metzler, who leads the D.A.R.E. Program, for providing this great service for the community.

He attended the Fire Company #4's Wet Down for the new fire truck. He was amazed at the many new improvements to fire trucks since the last time they purchased one. It was a great event despite the weather. He thanked the residents for coming out to show their support.

Councilmember Swain stated that she also attended the D.A.R.E. graduation. Drugs are a horrible epidemic in our society. Parents have to communicate with their children, have dinner with them and spend quality time with them, as these are the efforts that can hopefully keep children off drugs.

She congratulated the Auxiliary Police officers and wished them good luck. The Police Department will be participating in the national program "Coffee with a Cop" on May 22nd at the Empress Dinner from 9:00 a.m. to 11:00 a.m. Residents can meet with Police officers in a relaxed environment and voice their concerns or comments.

The River Road Improvement Corporation is sponsoring a Car Show and a 50's-themed Dance. Since Fair Lawn participates in the Mayor's Wellness Campaign, they will continue to provide opportunities such as this for residents to be healthy and active. Additional dances with different themes will take place during the summer.

The ADA Committee is holding a dance on Friday, May 16, which is being sponsored by the Sunrise Rotary. The dance takes place in the Community Center from 7:00 p.m. until 9:30 p.m.

The Radburn Street Fair will be taking place on June 8th, and the Green Team is sponsoring a 5K benefit walk at 9:00 a.m. at Memorial Park. She is delighted that

Jack Daniels Volkswagen is providing a hybrid car that will be lent to someone over the weekend.

CarePlus New Jersey, a Fair Lawn organization that helps people with mental health issues, will now be working with the ADA Committee.

She attended Columbia Bank's Business Reception, which is a great event held annually to thank customers and supporters. It is also a way for them to thank Columbia for all they have done for Fair Lawn and for supporting many programs in town. The speaker was Jim Craig, a member of the 1980 Hockey Team, who was very inspiring.

She attended the show "Does this Show Make My Butt Look Fat", a fun show featuring seniors from the Senior Center that took place at the Community Center.

She concluded by extending her condolences to former Mayor Jeanne Baratta, whose mother recently passed away. Mayor Baratta was in the Council's thoughts and prayers.

Deputy Mayor Dunay thanked the Auxiliary Police for all that they do for Fair Lawn. They are fortunate to have dedicated groups of volunteers who help make Fair Lawn a safe and secure community. Many Auxiliary Police officers devote countless hours to helping secure Fair Lawn, helping out at events and during emergencies. It was nice to see so many young people being sworn in, as it took tremendous work to become qualified to join. It was also nice to see the other members continuing to stay involved and be promoted.

The meeting with State representatives to discuss the Blue Acres Program and the qualifications needed for buyouts for flood prone zones has been confirmed for Monday, June 16th at 7:30 p.m. in the Council Chambers. Representatives from the State will also discuss possible paths in seeking a buyout. Property owners interested in this issue or who have experienced tremendous amount of flooding should attend this meeting to learn what their options are.

He thanked all the veterans and their families and he prays for those families who have lost someone. Attendance at the Memorial Day Parade has been decreasing and he urged residents to attend as it is a great way to celebrate their Country, remember those who have passed and remember those who have served. It is also a good way to see all the volunteer groups in Fair Lawn. It is always a nice program and a nice parade. He wished everyone a good Memorial Day weekend.

Deputy Mayor Lefkowitz congratulated the new Auxiliary officers and the officers who were promoted. She thanked them for their service. Her thoughts and prayers were with former Mayor Baratta.

She also attended the Wet Down for Fire Company #4, which included many other towns. The children had a great time. She thanked the volunteers who helped out, especially the cooks who worked in the rain.

On May 4th she participated in a walk at Van Saun Park for a child she knows with Thalassemia, which is a genetic blood disorder. The child has to have a transfusion once every four to six week, which can cause side effects. The family was able to raise \$25,000 for research.

She attended the fundraiser event at Qdoba, which raised funds for the food pantry. Everyone was very friendly at the restaurant, which is a welcome addition to Fair Lawn.

At last night's Master Plan hearing the Planning Board discussed the memo distributed to the public, which encompassed forty comments proposed by various residents and groups such as the BIC. The Board went line by line to make sure that all comments were addressed and explained. The Master Plan sub-committee took all comments into consideration and some changes will be made. A final draft will be produced and another hearing will be held on June 23rd for additional public comments. The public seemed pleased with the Board's consideration of their comments and suggestions.

Mayor Cosgrove extended his sympathy to former Mayor Baratta. He has known her mother, Mrs. Cartalemi, for forty years. She was a nice lady. The funeral is tomorrow at 11:30 a.m. at St. Anne's Church.

The ravens have left the nest. The State DEPT has sent confirmation that they can resume painting the water tower, which should begin shortly.

He received a call from the Governor's office last week advising him that Fair Lawn has been awarded a DOT grant for \$149,000. The grant will be used to repave Radburn Road. With the \$160,000 they received as a Community Development Block Grant, they now have over \$300,000 for road resurfacing.

On Sunday, May 25th at 12:30 p.m. they will be naming a street in the Promenade in memory of Albee Palmieri, a Viet Nam veteran and a longtime commander of the American Legion who fought for veterans' rights. At 2:00 p.m. the veterans will hold their Memorial Day service at Fair Lawn Memorial Cemetery. It is a nice ceremony to see. American flags are placed on the graves of those who served. The Memorial Day Parade starts at 10:30 a.m.

While away on a business trip he heard a speaker, Sal Chunta, a Medal of Honor recipient who spoke about leadership and what it means to be an American. It was very fitting, especially at this time of the year. Fair Lawn has a memorial with the names of Fair Lawn residents who lost their lives while serving in the Armed Forces. He asked residents to remember them.

ORDINANCES ON FIRST READING:

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

**ORDINANCE NO. 2315-2014
(RESOLUTION NO. 184-2014)**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY HIRED PRIOR TO MARCH 11, 2013 AND NEW EMPLOYEES OF THE BOROUGH OF FAIR LAWN, HIRED ON OR AFTER MARCH 11, 2013

There being no discussion, Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 184-2014 introducing Ordinance No. 2315-2014 was unanimously passed.

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

**ORDINANCE NO. 2316-2014
(RESOLUTION NO. 185-2014)**

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 ENTITLED "ADMINISTRATIVE CODE", SPECIFICALLY ARTICLE XIII, DEPARTMENT OF PUBLIC SAFETY, MORE SPECIFICALLY SECTION 2-77.

There being no discussion, upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 185-2014 introducing Ordinance No. 2316-2014 was unanimously passed.

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

**ORDINANCE NO. 2317-2014
(RESOLUTION NO. 186-2014)**

AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 ENTITLED "POLICE DEPARTMENT", SPECIFICALLY ARTICLE IV, DUTIES

There being no discussion, upon motion by Deputy Mayor Lefkowitz and a second by Deputy Mayor Dunay, Resolution No. 186-2014 introducing Ordinance No. 2317-2014 unanimously passed.

ORDINANCES ON SECOND READING:

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

**ORDINANCE NO. 2313-2014
(RESOLUTION NO. 187-2014)**

AN ORDINANCE FIXING THE SALARY OF EXISTING AND NEW SHARED SERVICES - CONSTRUCTION OFFICIAL EMPLOYED OR TO BE EMPLOYED BY 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 Deputy Mayor Lefkowitz, it was unanimously agreed to close the time for public hearing.

There being no discussion, upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Resolution No. 187-2014 adopting Ordinance No. 2313-2014 was unanimously passed.

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

**ORDINANCE NO. 2414-2014
(RESOLUTION NO. 188-2014)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000 SPECIFICALLY TO AMEND CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS", MORE PARTICULARLY SECTION 160-13 ENTITLED "RESTRICTED AREAS FOR EATING, SMOKING AND USE OF BEACH UMBRELLAS; FIRE PERMITS" AND TO AMEND CHAPTER 162 ENTITLED "PEACE AND GOOD ORDER" TO PROHIBIT THE USE OF ANY IGNITION SOURCE, INCLUDING FIREWORKS, LIGHTERS, MATCHES, AND SMOKING MATERIALS WITHIN THE BOROUGH'S PARKS

There being no 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.

Attorney Mondello stated that he made a clerical error on page 2, under subparagraph D Exceptions. The first line should read "this Ordinance is not intended to prohibit the use of the outdoor or permanently installed grills". He noted that the error is not substantive.

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 188-2014 adopting Ordinance No. 2414 - 2014 was discussed.

Councilmember Swain expressed gratification with this ordinance. As a healthy town, there is no reason for people to be smoking in parks where children are playing or for people to be subjected to second hand smoke and the resulting litter from cigarettes.

There being no further discussion, Resolution No. 188-2014 adopting Ordinance No. 2414 - 2014 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

RESOLUTIONS BY CONSENT #10-2014

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Consent Agenda 10-2014 containing the following items was unanimously passed.

- a. Resol. #189-2014 - Approval of Minutes:
 - Closed Session 4/1/14
 - Work Session 4/1/14
 - Closed Session 4/1/14
 - Regular Meeting 4/8/14
- b. Resol. #190-2014 - Authorizing the Acceptance of Funds from a Subgrant Award from the FY2013 Federal Emergency Management Agency Assistance

Program

- c. Resol. #191-2014 - Audit Report
- d. Resol. #192-2014 - Corrective Action Report
- e. Resol. #193-2014 - Interlocal Agreement with the Borough of Woodland Park for the Use of Memorial Pool
- f. Resol. #194-2014 - Interlocal Agreement with the Township of Saddle Brook for the Use of Memorial Pool
- g. Resol. #195-2014 - Award of Bid: Radio Repair and Maintenance
- h. Resol. #196-2014 - Issuance of Estimated Tax Bills for Third Quarter 2014
- i. Resol. #197-2014 - Award of Bid: Tree Planting
- k. Resol. #198-2014 - Authorizing Use of Memorial Pool by Intellichild Academy
- l. Resol. #199-2014 - Green Acres Enabling Resolution
- m. Resol. #200-2014 - Farmer's Market

PUBLIC COMMENTS

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

Howard Mark, 12-23 Ferry Heights suggested that when they implement the new bus schedule they retain the old schedule on Mondays and Tuesdays as a transition period. Manager Van Kruijning stated that they were going to try the new program for 90 days, at which time he will report back to the Council and if necessary adjustments will be made. Mr. Mark expressed concern that if a resident needed a ride on Monday they would need to call on Friday. Mayor Cosgrove stated that they will try it and see how it works. They will continue to do the full loop on Saturday.

Mr. Mark felt many people did not know about the bus. Mayor Cosgrove stated that they will continue to advertise the bus on the website and get out the word. Councilmember Swain asked if a resident could try to call Monday morning if something came up last minute that they were not aware of on Friday and obtain a ride if the schedule was light. Manager Van Kruijning stated they could. Mayor Cosgrove stated that this was a work in progress. They may develop programs where they go to the Garden State Plaza or another mall.

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:

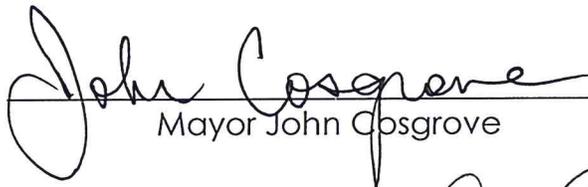
Upon motion by Deputy Mayor Dunay and second by Councilmember Swain, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,



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

The undersigned have read and approve the foregoing minutes.



Mayor John Cosgrove



Deputy Mayor Daniel Dunay



Councilmember Kurt Peluso



Deputy Mayor Amy E. Lefkowitz



Councilmember Lisa Swain

