

REGULAR MEETING OF JULY 15, 2014

Mayor Cosgrove called the meeting to order at 8:00 p.m.

In accordance with the Open Public Meetings Act, notice of this meeting of the Borough of Fair Lawn was published in "The Record" issue of July 3, 2014. 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.

PRESENT: Mayor Cosgrove, Deputy Mayors Dunay and Lefkowitz, Councilmembers Peluso and Swain.

ALSO PRESENT: Manager Van Kruningen, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

CERTIFICATE OF COMMENDATION - NATIONAL SPECIAL OLYMPICS GAMES

Mayor Cosgrove explained that these two individuals have always had a deep interest in sports. The Borough was lucky to have them represent New Jersey in the Special Olympics which was held in New Jersey. He presented a Certificate of Commendation from the Mayor and Council to Kevin and Joseph Pepitone. This certificate represents the great effort they put forth and how hard they worked towards the Special Olympics National USA Games that ran from June 14 through June 21, 2014.

PRESENTATION TO JOSEPH HIBO

Mayor Cosgrove presented an award to Joseph Hibo who has given so much of his life to the youth of Fair Lawn, particularly Little League. Mr. Hibo was a consummate professional in what he did and how he made the kids feel good.

Mayor Cosgrove stated that the field at the Warren Point Annex, will be named Coach Joe Hibo Field. He said that since the weather did not permit the ceremony to be at the field, next year he will have to throw the first pitch out.

He asked Fair Lawn All Sports President Mike Aversa and Jack Susser to come forward to present a Certificate of Appreciation for all of the years he spent coaching the children.

Joe Hibo thanked the Mayor and Council and everyone that was present to join in the celebration. He was honored that the town did this for him. He thanked the members of All Sports for being there. He thanked Jim Graff, Benny Solarno, Bob Torriello and Tony Carrera. He thanked two men who have passed but who

were instrumental in getting him into coaching, Ed Brundage and Bill Lancaster. He told them he would do it for one year and it has been forty five one year contracts. He added that he had to thank his wife for letting him go out and play with all of the kids.

PRESENTATION BY THE GREEN TEAM

Councilmember Swain stated that the Green Team raised \$280 through their 3k walk which will be donated to the Fair Lawn Food Pantry. One of the Green Team members, Andrea Piazza was instrumental in organizing the walk.

MANAGER'S REPORT

Manager Van Kruijning stated the Manager's Report has been submitted and there are no changes.

COUNCIL COMMENTS

Councilmember Peluso congratulated Kevin and Joe Pepitone for bringing the silver medals back to New Jersey. He has known them for twenty years and they are always a large fixture at football games. It was a huge achievement.

He also congratulated Coach Joe Hibo for his years of service. His son plays at that field. Councilmember Peluso just finished his first year of coaching and cannot imagine doing 40 years.

Councilmember Peluso congratulated the Green Team for their contribution to the Food Pantry. They always get a mad rush right before the holidays but it is great that during the rest of the year they can give to the food pantry.

Councilmember Peluso saw the Radio Club who did an overnigher at Memorial Park where they communicated with all fifty states by ham radios. He thanked them for bringing to light the fact that communication can still be done without all this fancy technology.

Councilmember Peluso attended the Fireworks on July 1st. It was a great event with a lot of people there. He felt it was one of the better shows he has seen there. He thanked the Borough Manager, the staff of the Parks and Recreation Department for helping put that together.

Councilmember Peluso stated that before this meeting, they had a Work Session. There was a resolution that was put on the Agenda called Banning Fracking in Fair Lawn. Hillsdale passed this resolution. As many may know, Pennsylvania and New York have environmental issues with fracking. Hillsdale

looked into the future because one day it may come to New Jersey and to Fair Lawn. Hillsdale banned it so he tried to do that here but did not have the votes. Mayor Cosgrove, Deputy Mayor Lefkowitz and Deputy Mayor Dunay decided to table it because they did not know enough about it which he found shocking. There are other things to do in Fair Lawn which is true but they can still look at the national level to see what is going on. He commended Hillsdale for having foresight to pass this resolution. Deputy Mayor Dunay suggested tabling it without a return date. There were people that commented that they were surprised that anyone would table it or vote against it. He was shocked himself. Councilmember Peluso hoped that Deputy Mayor Dunay will have enough time to look this over and bring it back to the Council and vote on it the proper way.

Councilmember Swain stated she was surprised that they did not pass it unanimously. She was sure that many of the residents realize the dangers of fracking. She was hopeful that the majority of the Council will do their due diligence and bring this back so they can pass a resolution banning fracking in Fair Lawn.

Last week the Classic Car Show was held with many cars and the dancing was terrific once again. Hopefully they will continue this event next year.

Councilmember Swain spoke about the Splash and Dash event that will be held on July 27 that will be held at Memorial Pool. It is for kids and is open to anyone who has a membership to the pool.

At the Library they are having a mixed media community quilt. There will be an opening reception on Saturday, July 19th from 2:30 to 4:30 p.m.

The Green Team submitted an application to Sustainable Jersey for bronze and silver certification. She thanked all of the members that participated in this difficult task.

Councilmember Swain stated the next event for the Arts Council will be a self portrait project in October. In the meantime they are looking for all kinds of supplies such as ribbons, fabric, paper, colored pencils, and crayons which can be dropped off at the Art Room at the Community Center.

Councilmember Swain congratulated High School students Anastasiya Muravyeva, Lana Karapetyan and Alyssa Seigel-Laddy for achieving the Bronze medal in girls fencing. Thanks to All Sports and all of the parents and everyone who emphasizes not only academics but trying out all different kinds of sports.

Lastly, through the ADA Committee there are many new things happening at Berdan Grove. It was very fitting that twenty-four years ago, the Americans with

Disabilities Act was signed into law. In July 2014 they will be commemorating the installation of the new 100% inclusionary playground at Berdan Grove. The old parts of the current playground which do not meet the code in this Country for ADA will be donated to a town in South Africa or Haiti. The committee is very proud to have raised over \$105,000 in donations and pledges from this community.

Deputy Mayor Dunay thanked Kevin and Joe Pepitone for representing Fair Lawn in the Special Olympics.

He acknowledged All Sports and especially Coach Hibo but really all of the people who volunteer. Not every town is as fortunate as Fair Lawn to have such an active group of people involved in All Sports. It gives young people a chance to get involved in a range of activities in an affordable way.

Deputy Mayor Dunay thanked the Green Team for their donation. He thought it was a very nice gesture.

Deputy Mayor Dunay spoke about the flood buyouts out through the Blue Acres program. They have been working on putting information together to give to people that live in the flood prone areas that have been affected with flooding. So they will know the parameters of the program and whether they might be able to access any dollars through the program. Deputy Mayor Dunay said they have been struggling to get a clear perspective on precisely where the State is on this and how much money is available and how many buyouts are available. Any potential buyout is going to be highly competitive and is ambiguous whether Fair Lawn being able to participate. Very little of the money is earmarked for non Sandy flooding.

Deputy Mayor Dunay stated that on August 12 they will meet with the Borough Manager and CFO Palermo to review long term financial planning for the Borough. Last month the Borough Manager and CFO Palermo reported that there is a number of pressing financial issues in town. They are determined to put maximum resources available to see as many streets repaved and addressed in the near term. He encouraged residents to come and share their ideas about these issues.

Deputy Mayor Lefkowitz congratulated Joe and Kevin Pepitone and also Coach Hibo and the Green Team. She thanked them for their volunteerism.

The Planning Board met last night approved a small yoga studio for adults and children on River Road.

Deputy Mayor Dunay mentioned that the Alliance for Substance Abuse Prevention met and will be getting their next round of grants which will go to the Explorers, DARE, Junior Police Academy and Project Graduation. They are doing a lot of great things as well as participating in the Stigma Free Zone that Fair Lawn has taken on.

Deputy Mayor Lefkowitz thanked the Library and staff for keeping all of the activities going during the summer.

The Radburn Community is hosting their annual family day on July 19th. There will be many activities for children and adults alike.

On a serious note - she reminded people to use common sense and caution while traveling in terms of watching out for young children and seniors.

Deputy Mayor Lefkowitz thanked the Manager, staff and volunteers for the fireworks which were fantastic. She had so many people tell her how great they thought the fireworks were.

Mayor Cosgrove thanked all of the staff and the volunteers for a great job done on the fireworks. He spoke about the Radio Club who is always helping out during events that take place in town.

He congratulated Joe Hibo who was the consummate coach. Young men still think of him coaching them when they were younger. He was very pleased that the Borough could name a field after him.

Mayor Cosgrove recognized Chuck Caruso who participated in the Special Olympics too. He knows him for many, many years and is a great athlete.

Mayor Cosgrove attended the Classic Car Show with beautiful automobiles there and music.

He thanked the Green Team for their contribution and hard work in operating the 3k run.

Mayor Cosgrove met the Playgrounds around the World organization that the park equipment is being donated to. They told him how they take the equipment, repaint it with powder coat paint and install new equipment. The Borough's park equipment will most likely end up in Haiti or South Africa as Councilmember Swain said.

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. 2320-2014
(RESOLUTION NO. 253-2014)****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 (FAIR LAWN AVENUE CORRIDOR)**

There being no comments by the public, upon motion by Deputy Mayor Lefkowitz 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 Deputy Mayor Lefkowitz, Resolution No. 253-2014 adopting Ordinance No. 2320-2014 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 #14-2014

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Consent Agenda #14-2014 containing the following items was unanimously passed.

- a. Resol.#254-2014 – Authorizing Purchases with Steelcase Inc. through the National Joint Powers Alliance (NJPA) Cooperative
- b. Resol. #255-2014 -Authorizing Purchases with TRICO through the National Joint Powers Alliance (NJPA) Cooperative
- c. Resol. #256-2014 -Multi Year Contract: Police Computer Upgrade

- d. Resol. #257-2014 -Authorizing Awarding Contracts with Certain Approved State Contract Vendors - SHI International Corp.
- e. Resol. #258-2014 -Authorizing Awarding Contracts with Certain Approved State Contract Vendors - Dell Marketing LP
- f. Resol. #259-2014 -Authorizing Awarding Contracts with Certain Approved State Contract Vendors - Promedia Technology Services, Inc.
- g. Resol. #260-2014 -Award of Bid: Project #2227 - Roadway Improvements 2014 Contract No. 2
- h. Resol. #261-2014 - Appointment to Fair Lawn Arts Council
- i. Resol. #262-2014 -CDBG Contract - Columbia Heights Park
- j. Resol. #263-2014 -Designating Sidewalk Sale Day on River Road
- k. Resol. #264-2014 - Establishing the Fair Lawn Community Garden Committee
- l. Resol. #265-2014 -Appointments to the Fair Lawn Community Garden Committee
- m. Resol. #266-2014 -Tax Appeal Settlement - Lincoln Fair Lawn Associates
- n. Resol. #267-2014 -Tax Appeal Settlement - Damiano Associates
- o. Resol. #268-2014 -Tax Appeal Settlement - Stratis Holdings, LLC
- p. Resol. #269-2014 -Tax Appeal Settlement - Varvara Property, LLC
- q. Resol. #270-2014 -Tax Appeal Settlement - Panteleakis Property, LLC
- r. Resol. #271-2014 -Tax Appeal Settlement - Panagiotis & Varvara Panteleakis
- s. Resol. #272-2014 -Tax Appeal Settlement - Filip Properties LLC
- t. Resol. #273-2014 -Approval of Minutes:
 - Regular Meeting 6/17/14
 - Work Session 6/24/14
 - Closed Session 6/24/14
 - Special Meeting 6/24/14
- u. Resol. #274-2014 -Renewal of Liquor Licenses 2014-2015
- v. Resol. #275-2014 -Interlocal Services Agreement with the Board of Education
- w. Resol. #276-2014 -Special Traffic Regulations - Banta Place
- x. Resol. #277-2014 -Authorizing Submission of FEMA Grant
- y. Resol. #278-2014 -Authorizing the Donation of Playground Equipment
- z. Resol. #279-2014 - Award of Bid: One (1) Kubota RTVX900W-H Utility Vehicle or Equivalent

RESOLUTION NO. 280-2014 - CONFIRMATION OF FIRE BOARD ACTIONS

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 280-2014 was passed with Mayor Cosgrove recusing himself.

RESOLUTION NO. 281-2014 - APPROVAL OF MINUTES:**Work Session 6/10/14****Closed Session 6/10/14**

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 281-2014 was passed with Councilmember Swain abstaining.

PUBLIC COMMENTS

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

Pam Coles, 13-34 George Street, questioned the improvements to Fair Lawn Avenue. Manager Van Kruijning explained it was the bump outs at Radburn Road, Abbott Road, additional improvements at Chandler Drive, George Street and Parmelee Avenue.

Ms. Coles wondered if the Borough could put signage up or pass an ordinance to prohibit honking. She felt that people were very impatient. Mayor Cosgrove stated that the Manager could ask the Police Department and Borough Attorney to look in to that to see if it is within the Borough's right to do that. He believed that the League of Women Voter's also brought this up.

Ms. Coles added that the Borough should add don't block the box like they do in New York City because the traffic backs up at the traffic light and people block the intersection.

Johan Broekman, 4 Allen Place felt bump outs on Fair Lawn Avenue was a good idea. He thought there were many things that could be done to improve the safety of the pedestrians such as better lighting at the crossings and better lining of the crosswalks.

Mr. Broekman expressed his dismay at the way the streets in the Borough are being repaired. The streets have gotten so bumpy that it is difficult to ride a bike on the streets.

Mr. Broekman also was dismayed at the fact that there was a discussion he missed about fracking and the matter has been postponed. He was amazed that with all of the publicity on the dangers of fracking that they have not heard enough about it to take a position. He offered his services if they need any further explanation.

Mayor Cosgrove stated that Deputy Mayor Dunay tabled the discussion and as Councilmember Peluso admitted there is no fracking going on in New Jersey the Council majority felt that until such time they have some issues that would make them deal with fracking, they would table it and try to find out more information.

Deputy Mayor Dunay stated he will reach out to Mr. Broekman.

Mr. Broekman stated that most of the natural gas that is delivered to this area is coming in large part from fracking wells in Pennsylvania and elsewhere. The materials that are contained in it are radioactive radon gas which is something that would not be wanted in a home. Moreover, the fracking consumes an enormous amount of water and while it is not in Fair Lawn the water could be used for other purposes.

Mayor Cosgrove stated if all those things are true, why haven't Pennsylvania or New York State banned fracking. Mr. Broekman said that New York has a moratorium on how many wells. In Pennsylvania it is left up to local regulation. Mayor Cosgrove said he would be happy to accompany Deputy Mayor Dunay to discuss it further with him.

Councilmember Peluso stated that he was shocked at this as well. One of the disturbing things is that it is not something that just came up on the Work Session Agenda and has been from a previous agenda. There was three weeks for Mayor Cosgrove, Deputy Mayor Dunay and Deputy Mayor Lefkowitz to look into this and do their research. If they did not do their research, they could have sent an e-mail ahead of time. Councilmember Peluso thought if he was willing to discuss this with Mayor Cosgrove and Deputy Mayor Dunay, he would be happy to have him discuss this before the entire Council at a Work Session.

Mr. Broekman stated he did not want to get into politics. He was not an expert on the subject. He listened to a speech given by a graduate of Montclair University and her advisor on the dangers of fracking to the Environmental Commission. He strongly recommended discussing this with the Environmental Commission members to find out what their opinion was about that. He felt it was environmental consciousness that they would be exhibiting.

Councilmember Peluso stated that this was not being political because if they look to Trenton it has bi-partisan support. They were trying to make this an issue that they could focus on.

Joan Goldstein, 12 Bedford Place, stated that the Green Team presented \$280 to the Food Pantry. They are proud as volunteers that they do a lot of things for the town.

She was appalled to hear that the fracking discussion was tabled. It was part of what the Green Team suggested as part of the package to become certified for silver or bronze with Sustainable Jersey. There is something important in the ordinance that mentions the runoff from fracking is used to salt the roads. There might not be a fracking issue in Fair Lawn but there are things they should be aware of. She thought the Council should take a broader view of recommendations that are coming from volunteer organizations.

Mayor Cosgrove commented that if it was so cut and dry why is it being allowed in other states. Ms. Goldstein said the science behind it makes it sound as if it is not healthy for people to be exposed to the bi-products of fracking. As they all know there are many things that are run by dollars and cents as opposed to by science. Mayor Cosgrove wondered why the DEP or the Federal DEP don't step in and oversee it. Ms. Goldstein said she can only speak of the information that she and the others have gathered. Mayor Cosgrove stated that he knows that the EPA has come to Fair Lawn and has been very stringent on monitoring the wells. Ms. Goldstein repeated that the science is out there. She strongly urged the Council to look at this before it becomes an issue.

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:

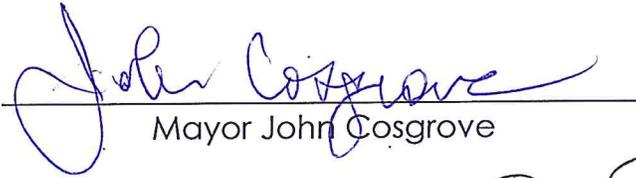
Upon motion by Councilmember Swain and second by Deputy Mayor Lefkowitz the meeting was adjourned at 9:00 p.m.

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

