

## REGULAR MEETING OF SEPTEMBER 9, 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, Councilmember Swain.

**ABSENT:** Councilmember Peluso

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

### RECOGNIZING JAMES CROUCHER

Mayor Cosgrove stated that Jim Croucher was a life-long resident of Fair Lawn. The Croucher family owned the farmland where Fair Lawn Commons is now located. The entire family was involved with the community, including the Fire Department. Mr. Croucher was a member of the Ethics Committee and worked on historical projects. As a member of the Borough's 75<sup>th</sup> Anniversary Committee he conducted a bus tour throughout the community, which included the white school house on Bergen Avenue that was used before Forrest School was built.

The Mayor read the proclamation in memory of James Croucher.

Greta Croucher stated that her husband was born in Fair Lawn and lived here his entire life. When his home on Fair Lawn Avenue was going to be torn down, he wanted to save the trees. He was told by many naysayers that it couldn't be done, but he was able to save many of the trees that he planted with his father and brother. He wanted to beautify the area by planting flowers, and brought drums of water over in his car to water them. He petitioned the town to run a water line and was again told by many that it couldn't be done, but he succeeded. He built a large heart display in their kitchen and installed it on the historic site to inspire the town. He attached lights and changed the bulbs for each season. He was told no one would run an electrical line but he

succeeded in obtaining one. He was also able to get the tower clock in Radburn, which hadn't worked for many years, restored and repaired.

Mrs. Croucher concluded by reading a poem entitled "It Couldn't Be Done", which depicted her husband. Jim was her heart and when he died he took the best part of it with him. She wants to carry on his legacy and volunteer on his behalf for anything that she can do in Fair Lawn to keep his memory alive.

**PROCLAMATIONS:**

**CONSTITUTIONAL WEEK**

Mayor Cosgrove read the proclamation for Constitutional Week, which was presented to Mrs. Thiele and Mrs. Decker, members of the Daughters of the American Revolution.

**POW/MIA REMEMBRANCE DAY**

Municipal Clerk/Deputy Manager Kwasniewski read the proclamation.

Mayor Cosgrove stated that last year John Gatens, who was in a German prison camp during WWII, accepted the proclamation. Mr. Gatens celebrated his 90<sup>th</sup> birthday this year. Although he couldn't be here tonight, Mayor Cosgrove recognized Mr. Gatens for his service to the Country.

**COUNCIL COMMENTS**

Councilmember Swain reported that the Borough's 911 Ceremony will be on Thursday at 9:00 a.m. at Borough Hall. In the event of inclement weather the ceremony will be held indoors. She hoped many residents would be able to join them as they honor the lives of those that were lost.

The RRIC is holding a Pet Walk and Fair on Saturday, September 13<sup>th</sup> from 11:00 a.m. to 2:00 p.m. on River Road between Fair Lawn Avenue and Berdan. It will be fun to see the pets out walking. Many River Road businesses will be holding a sidewalk sale.

The ADA Committee is holding a dance on Friday, September 19<sup>th</sup> from 7:00 p.m. to 9:30 p.m. at the Community Center. It will be a busy night as the Mayor will also discuss a fundraiser taking place the same night. She thanked the Saddle Brook Woman's Club for sponsoring the refreshments for the ADA dance.

The Stars Soccer Program for children ages five to 16 with special needs will be holding registration tonight and Thursday, September 11<sup>th</sup> at the Complex from

6:30 p.m. to 9:00 p.m. Parents can also sign up their children at the Community Center. The program begins on Saturday, September 20<sup>th</sup> and runs from 3:30 p.m. and 4:30 p.m.

The County is sponsoring a "Get Fit Bergen" Event at Van Saun Park on Sunday, September 14<sup>th</sup> from 9:00 a.m. to 1:30 p.m. There is a walk starting at 9:00 a.m. followed by other activities.

The Green Team is on schedule to complete the qualifying submissions for bronze certification and is striving for silver certification.

She concluded by stating that fracking is in the news and on the minds of many residents, who have contacted her in support of a ban against fracking. The role of Government officials, whether it be in Washington or in Fair Lawn, is to protect the health and safety of the public. Fortunately, the Council is getting closer to a ban.

Deputy Mayor Dunay acknowledged the Croucher family. It was nice to hear Mrs. Croucher's comment about her husband, Jim, and the proclamation. He passes by this intersection frequently and he remembers the heart being lit up and the beautiful flowers. It made a striking difference to that section of town. Residents driving by get to see something very different. It is a testament to Mr. Croucher. They run their Sunrise Rotary meetings in the morning by the clock tower in the Plaza Building. He really touched everyone in town in a meaningful way.

The Sunrise Rotary Club was sponsoring an Ice Cream Social that Mayor Cosgrove is chairing on September 28<sup>th</sup> in the Community Center from 2:00 p.m. to 5:00 p.m. and is open to all senior citizens in town. There will be a DJ and light refreshments. He hoped seniors would come by and enjoy the event.

The Council held a long-term financial planning meeting last month and a second meeting is scheduled for September 30<sup>th</sup>. Manager Van Kruijning and CFO Palermo are preparing materials for their review. He encouraged residents to attend the meetings.

He concluded by stating that he hoped everyone had a good summer and a good Labor Day.

Deputy Mayor Lefkowitz congratulated the Croucher family. She thanked Mrs. Croucher for sharing the amazing and inspiring poem, which should serve as a lesson in determination and perseverance for both children and adults. It really exemplified who Jim Croucher was as a person.

She congratulated Brent Pohlman, Planning Board Chairperson and Fire Company #4 member, on his wedding to Gabrielle last weekend. She had the privilege of being a part of their wonderful celebration. She wished them a lifetime of health and happiness.

The Council will be voting on Fire Board actions regarding the resignation of Mayor Cosgrove from Fire Company #4. She stated that he served as Fire Chief and was a member for 40 years. Mayor Cosgrove was the recipient of the Fair Lawn Fire Department Valor Award, a Citation Star for Bravery and the VFW Valor Award. The Mayor's family has served in the Fire Department since 1913. She did not think they could ever express how much gratitude they have as residents of Fair Lawn for all the lives that he has touched. She thanked and congratulated him.

Mayor Cosgrove stated that one of the greatest things that ever happened to him was his involvement with the Fire Department, who gave him a lot more than he gave back. It was an inspiring experience for 40 years and he thanked Deputy Mayor Lefkowitz for her kind words.

He wished a Happy Birthday to Jack Collins, who was celebrating his 90<sup>th</sup> birthday today. Mr. Collins, who served with him in the Fire Department for over 30 years, flew 50 combat missions over Nazi Germany. He thanked him for his service to the community and to the Nation.

"A Night with Lyra" fundraiser is being held on September 19<sup>th</sup> at the Knights of Columbus. The buffet dinner starts at 7:00 p.m. and includes a DJ, beer, wine and soda. Lyra has a genetic disease that is so rare it does not have name. Her family needs help and he knows that residents of Fair Lawn always come together. Information or tickets can be obtained by calling the Mayor's office.

On September 27<sup>th</sup> the Fair Lawn High School Athletic Hall of Fame will be holding a ceremony at the Knights of Columbus at 6:00 p.m., honoring some of Fair Lawn's greatest athletes: Jason Barch, Steven Best, Rich Dougan, Patrick Ford, Don Glazer, Glenn McKenzie, John Reese and Alan Neggia, Superintendent of Public Works, who is being inducted for the great game of golf that he played in High School. The 1965 Football team and the 1983 Girls Volleyball team are also being inducted. A special award will honor the late Rosemary Calabrese Morone, a great athlete in 1955 who could only play intramural sports as there were no varsity sports for women at that time.

Anyone interested in Sunrise Rotary's Ice Cream Social can contact the Mayor's office for more information.

He concluded by stating that he attended Fair Lawn Football Association's opening day game on Saturday and did the coin toss. There are 500 children in the program and he wished all the players and cheerleaders a great season.

#### **PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, 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 #16-2014**

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, Consent Agenda 16-2014 containing the following items was unanimously passed.

- a. Resol. #306-2014 - Approving Change Order #1 & Final - Project No. 2164 Cleaning and Painting Morlot Water Storage Tank
- b. Resol. #307-2014 - Approving Change Order#1 & Final - Project No. 2144 Cadmus GAC Demonstration Facility
- c. Resol. #308-2014 - Opposing Bills S-1972 & A-474 – Prohibiting Registration of Multi-Family Dwellings
- d. Resol. #309-2014 - Refund of Overpayment of Taxes
- e. Resol. #310-2014 - Approval of Shared Service Agreement with the County of Bergen - Intersection Improvement and Signalization at River Road - Wagaraw Road and Maple Avenue
- f. Resol. #311-2014 - Cancelling Various Capital Ordinances
- g. Resol. #312-2014 - Cancelling Various Water Capital Ordinances
- h. Resol. #313-2014 - Tax Appeal Settlement - Michelle Kaufman, 8-02 Plymouth Drive
- i. Resol. #314-2014 – Authorizing the Issuance of Bond Anticipation Notes
- j. Resol. #315-2014 - Extension of Contract: Printed Supplies - Recycled Paper - Ridgewood Press
- k. Resol. #316-2014- Cancellation of Municipal Alliance Grants
- l. Resol. #317-2014- Approval of Minutes:
  - Work Session 8/12/14
  - Special Work Session 8/19/14
  - Regular Meeting 8/19/14

## Closed Session 8/19/14

- m. Resol. #318-2014 - Donation of Four Surplus Vehicles to Bergen County Lawn and Public Safety Institute
- n. Resol. #319-2014 - Cooperative Parking Agreement for 13-09 River Road, LLC
- o. Resol. #320-2014 - Designating October 15, 2014 for Commemoration of the 350th Anniversary of the Founding of the State of New Jersey
- p. Resol. #321-2014 - Approving Change Order #1 & Final - Project No. 2223 Trailer Mounted Emergency Generator
- q. Resol. #322-2014 - Appointment to Fair Lawn Recreation Facilities Review Committee
- r. Resol. #323-2014 - Appointment to Fair Lawn Arts Council
- s. Resol. #324-2014 - Award of Contract for the Sale of Recyclables

**RESOLUTION NO. 325-2014 - CONFIRMATION OF FIRE BOARD ACTIONS**

There being no discussion, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 325-2014 was passed with Mayor Cosgrove recusing himself.

**PUBLIC COMMENTS**

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

Tom Lociscero, 30 Alden Road, Paramus, owner of All Points Towing on Saddle River Road stated that he was here with a representative from City Wide Towing. For several years they have been trying to get the Towing Ordinance in Fair Lawn updated as they believe it is not in compliance with DCA regulations from Trenton. Adjustments have not been made in many years and they can no longer afford to work for the specified rates.

They have asked the Police Department to address the Ordinance and have been told for the past five or six years that it is being looked at and will be completed soon. They have also shown ordinances from surrounding towns to the Police with no response. He wanted the Borough Manager, Attorney Mondello and the Police Department to meet with the towing companies to update the ordinance as the rates are antiquated. They are still towing Police cars for \$10 while their drivers are paid double that amount. They lose money every time they tow a Borough vehicle and need to cover their expenses. A dozen or more towns in the County have updated their towing ordinances using almost the identical ordinance. He forwarded a copy to Traffic Safety Officer

Franco but he has not heard anything. He has also called Attorney Mondello's office several times.

Mayor Cosgrove asked Manager Van Kruijning to facilitate a meeting between Attorney Mondello, Traffic Safety Officer Franco, Chief Cauwels and the tow truck vendors. Manager Van Kruijning confirmed that he would set up a meeting.

Christine Banks, 38-51 Berdan Avenue expressed her concern and frustration with the Police Department, in particular with Officer Mecionis, who is a family member, Detective Ferrier and Captain Paterson. She mentioned a particular incident that occurred on June 26, 2014. She has been advised that the officer has been cleared of any wrongdoing, which she vehemently disagreed with.

She hoped they would investigate. She has contacted an attorney who specializes in Law Enforcement infractions. There have been many encounters with this Police officer while he was in uniform and a Police car. She was advised to bring it to their attention before she proceeds legally.

Mayor Cosgrove stated they cannot comment because there is an Internal Affairs investigation. Attorney Mondello advised the Mayor, Council and those on the dais not to comment on any of Ms. Bank's statements since there is an internal investigation and she intends to take legal action.

Frank Nissum, City Wide Towing stated that no one has policed the Towing Ordinance for years. There are towing companies with unmanned yards and no bathroom facilities for customers. He has advised Traffic Safety Officer Franco that several companies were overcharging customers without any consequences.

Towers used to be required to have heavy duty wreckers but companies that do not have the equipment are sub-contracting to others. There is no proper proof of insurance. Traffic Safety Officer Franco always states he is too busy, but it is costing the public extra money.

Mayor Cosgrove reiterated that Manager Van Kruijning will be having a meeting with the various parties to hopefully reach an agreement.

Craig Miller, 5 Ramapo Terrace stated the anti-idling laws should be applied to Borough and Police vehicles. The light on the clock at the Plaza Building is out and there are unpainted speed bumps in the rear parking lot, which is in disarray. The new landlord should be made aware of these issues.

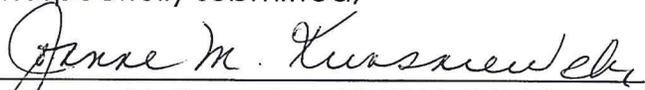
Councilmember Swain thanked Mr. Miller for bringing up the anti-idling law. The Green Team, who is working on an Anti-Idling Campaign, plan on including everyone including the Police.

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

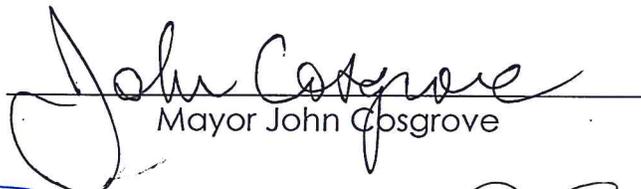
**ADJOURNMENT:**

Upon motion by Deputy Mayor Dunay and second by Deputy Mayor Lefkowitz, the meeting was adjourned at 8:15 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

  
\_\_\_\_\_  
Deputy Mayor Amy E. Lefkowitz

Absent  
\_\_\_\_\_  
Councilmember Kurt Peluso

  
\_\_\_\_\_  
Councilmember Lisa Swain