

REGULAR MEETING OF SEPTEMBER 23, 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, Municipal Clerk/Deputy Manager Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

PROCLAMATIONS: GOLD STAR MOTHER - PARENTS OF FALLEN MILITARY

Municipal Clerk / Deputy Manager Kwasniewski read the proclamation.

MANAGER'S REPORT:

Manager Van Kruiningen stated there were no changes.

COUNCIL COMMENTS:

Councilmember Peluso noted that the Pool Committee had met a few weeks ago and there were a lot of positive comments. There was a complaint of people sneaking in and not enough security around the pool. It was suggested using the School Crossing Guards as security guards at the entrances and allow them to walk around checking to make sure people had their badges. The Manager approached the Parks and Recreation Supervisor and both are on board with this idea. Hopefully they can initiate this next summer.

He was at the Knights of Pythias along with Mayor Cosgrove and Deputy Mayor Dunay to honor World War II Veteran, Ira Eckstein. Mr. Eckstein just turned 95 and had many stories of the war and what he experienced.

Councilmember Peluso mentioned the visit to Shop Rite where he, Mayor Cosgrove and Councilmember Swain were bagging groceries. Shop Rite is a great partner in the community that donates a lot to this town.

This past Friday he was at the event for Lyra with everyone on the Council. It was a fantastic event that raised a lot of money for a great cause. Everyone has Lyra in their thoughts and prayers.

Councilmember Peluso thanked all of the volunteers from All Sports for the time they give. Fall sports are in full swing now. He asked that everyone drive safely.

Councilmember Swain mentioned that the Arts Council has a new project entitled Self Portrait Project. She explained the details of the project.

She announced that there will be a ribbon cutting ceremony on Saturday, October 18th at 10:00 a.m. at Berdan Grove for the ADA Playground.

The River Road Improvement Corp. held a Pet Walk which was very successful. It has been decided to hold it again next year. On October 19th the Car Show and Street Fair will be held on River Road.

Deputy Mayor Dunay mentioned the Gold Star Mother's proclamation. These mothers have made a tremendous sacrifice for our Country. We should keep them in our prayers.

He also mentioned the Knights of Pythias honoring Ira Eckstein as he turned 95 years old. When you meet someone like Ira it makes you realize how lucky we are here.

He admitted that he has never seen the Knights of Columbus as full as it was for the night for Lyra. There were so many clubs and people from all different walks of life. It was an absolute and tremendous experience.

On Sunday, September 28 at the Community Center there will be an ice cream social from 2:00 to 5:00 p.m. with dancing, entertainment and of course ice cream.

Deputy Mayor Lefkowitz stated that the night for Lyra was an incredible event and it was incredible to see how strong the community is. She thanked everyone that came out.

She congratulated the Fair Lawn High School Football Team who on September 13th had a 22-0 win over Clifton. There were also excellent wins from volleyball, boy's soccer, girl's soccer and girl's tennis. The sports teams seem to be doing well this fall.

Deputy Mayor Lefkowitz attended the pet walk on River Road and it was an excellent event. Hopefully next year it will be bigger and better.

She wished everyone a healthy and happy New Year for all those that celebrate.

Mayor Cosgrove commented on the Knights of Pythias event honoring Ira Eckstein. Mr. Eckstein flew 32 combat missions over Europe during World War II. His plane was hit and he jumped out four times. When you speak to Mr. Eckstein about these experiences and the friends he lost, it makes you realize the great sacrifice those people made to protect our liberty. Ira Eckstein is a true American hero.

He extended his congratulations to the Jewish Family Services on their 70th Anniversary which was held at the Fair Lawn Jewish Center last Sunday.

On behalf of the committee for the Night for Lyra event he thanked everyone for the great outpouring of love and generosity last Friday night. Heather and John Polyi were very appreciative for what the town has done for Lyra.

Mayor Cosgrove mentioned the Gold Star Mothers. He knows a woman who lost her son in 2004 and the hurt never goes away. He felt everyone should be thankful for the services these men and women have given defending this country.

The Sunrise Rotary will be hosting the ice cream social on September 28th at the Community Center with a DJ and dancing.

ORDINANCES ON FIRST READING:

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

ORDINANCE NO. 2321-2014 (RESOLUTION NO. 326-2014)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-9, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS AND SUBSECTION 232-13, PARKING TIME LIMITED ON CERTAIN STREETS

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Peluso, Resolution No. 326-2014 introducing Ordinance No. 2321-2014 was discussed.

Mayor Cosgrove explained that this ordinance has to do with restricting parking on Banta Place. The Police Department has done a 90 day trial period and recommended banning parking. The area is an industrial one that has many trucks backing in and out of the lots.

There being no further discussion, Resolution No. 326-2014 introducing Ordinance No. 2321-2014 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

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

RESOLUTIONS BY CONSENT #17-2014

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Consent Agenda #17-2014 containing the following items was unanimously passed.

- a. Resol. #327-2014 - DOT Municipal Aid Program Grant Application
- b. Resol. #328-2014 – Authorizing Approval of Massage License - Massage Envy Spa
- c. Resol. #329-2014 - Award of Bid: Curb and Sidewalk Replacement
- d. Resol. #330-2014 – Award of Bid: 2015 GMC Model TK 25903 4WD Regular Cab with Snow Plow
- e. Resol. #331-2014 - Auction of Surplus Equipment
- f. Resol. #332-2014 - Authorizing Purchases with Certain Approved State Contract Vendors - Skylands Area Fire Equipment & Training (SAFE-T)
- g. Resol. #333-2014 - Authorizing Execution of Bergen County Community Development Block Grant - Senior Center Hand Railings
- h. Resol. #334-2014 - Authorizing Execution of Bergen County Community Development Block Grant - Roadway Improvements to Various Streets

- i. Resol. #335-2014 - Authorizing Execution of Bergen County Community Development Block Grant - Handicapped Accessible Curb Cuts
- j. Resol. #336-2014 - Authorizing Execution of Agreement with Cablevision Lightpath, Inc. - Dedicated Internet Access with Integrated Voice Services
- k. Resol. #337-2014 - Approval of Shared Services Agreement with the County of Bergen - Intersection Improvements and Signalization at Fair Lawn Avenue - Dunkerhook Road and Saddle River Road
- l. Resol. #338-2014 - Three Year Moratorium on Fracking and Disposal of Fracking Waste
- m. Resol. #339-2014- Appointment to the Zoning Board of Adjustment
- n. Resol. #340-2014 - Appointment to the Rent Leveling Board

RESOLUTION NO. 341-2014 - APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT - ALTERNATE II

Upon motion by Deputy Mayor Dunay and seconded by Deputy Mayor Lefkowitz, Resolution No. 341-2014 was passed with Councilmember Swain dissenting.

RESOLUTION NO. 342-2014 - APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT - ALTERNATE IV

Upon motion by Deputy Mayor Lefkowitz and seconded by Deputy Mayor Dunay, Resolution No. 342-2014 was discussed.

Councilmember Swain stated that she voted no on the previous resolution because that was a family member of another appointment. She felt they have so many volunteers and residents who do want to volunteer on the boards that it would be nice to spread the wealth.

The other appointment she is voting against has to do with gender. Volunteers are the backbone of the community. They represent the 32,000 residents and share the vision for the community. At least one of the boards was not adequately representing the population of Fair Lawn which is the Zoning Board. That board consists of men. Women represent over 50% of the population and should be represented on the boards and committees. The majority of the Council does not recognize that the boards should be as diverse as the population. The Council recently adopted several resolutions in support of

Sustainable Jersey which is just not about solar panels and energy efficiency but is about economic development, job creation, historic preservation, health and wellness of the community, the Master Plan elements and diversity on the boards and committees. There were two applicants for this position. Both of them are great people but the truth is they needed to appoint a female on that board. That woman is more experienced than the man.

Deputy Mayor Lefkowitz responded that she welcomed nothing less than a variety of people volunteering for the community. The potential candidates they had were a woman and a man. The only reason she voted for the man was to let him get on a board because he deserved a chance. She stated he was not appointed because of political reasons.

Councilmember Peluso echoed Councilmember Swain. The boards and committees should be reflective of the community. The community is not 100% male and neither should the boards. They need a committee or board that looks like this community. As Deputy Mayor Lefkowitz stated they would not appoint her just because she was a woman. This individual's record on the Zoning Board was spectacular. She voted with her conscious, did not vote with the majority and formed her own opinions. Her attendance record was perfect. She would have been appointed for many reasons. He took offense to the comment about appointing her because she was a woman. He reminded them that she has already taken the Zoning classes but the individual they have appointed will not be able to take that class for months. He felt it was a shame that they were not appointing a woman to the Zoning Board. He was embarrassed to be on this Council.

Deputy Mayor Dunay stated he was sympathetic to what Councilmember Swain and Councilmember Peluso stated. As Deputy Mayor Lefkowitz stated they were presented with two individuals who were interested in this position. One of them is involved in a number of committees and is a tremendous volunteer for this town. He wished they had more volunteers like her. It was not an easy decision. As Councilmember Swain said she voted against the other resolution because there was a family member on another board. The person appointed today would be a new opportunity because he is not on any boards. This person has served as president of the Ambulance Corps. In trying to get people involved and expanding the pool of people that volunteer to make sure they have representation of a lot of different people on all boards and committees, he is in favor of appointing Mark Zharnest.

Councilmember Peluso stated this was the third time they have discussed this. The individual that was not appointed could be taken off the other boards and committees. He felt it was important to see diversity on the Zoning Board. This

discussion has nothing to do with Mark Zharnest because he has done so much for the community already.

Councilmember Swain stated that the Council tonight approved another two men to the Zoning Board. Not only were they voting against a woman tonight, they also voted in favor of two men previously.

Deputy Mayor Lefkowitz stated that the other resolution had to do with people that were already on the Zoning Board. Councilmember Swain pointed out that there were no opportunities for women.

There being no further discussion, Resolution No. 342-2014 was passed with Councilmember Peluso and Councilmember Swain dissenting.

RESOLUTION NO. 343-2014 - APPROVAL OF MINUTES:

Closed Session 9/2/14

Work Session 9/2/14

Closed Session 9/2/14

Upon motion by Councilmember Peluso and seconded by Deputy Mayor Dunay, Resolution No. 343-2014 was passed with Deputy Mayor Lefkowitz abstaining.

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.

Pam Coles, 13-34 George Street, mentioned that her son and his friends have offered to clean up the green acres portion of the Naugle House. She had e-mailed Manager Van Kruiningen who was looking in to it because it has to go under an umbrella insurance plan.

In her travels she noticed that there are cars on the Borough's portion of the green acres lot. Mayor Cosgrove asked Manager Van Kruiningen to look into it.

Ms. Coles spoke about the Zoning Board appointment. Everyone has gifts and talents and all of the volunteers are used whether they are male or female. Whether it is male or female, they will use their best judgment when serving.

Rich Seibel, 33-07 Halsey Road, thanked the Mayor and Council and Municipal Clerk's office for remembering the Gold Star Mothers and families of the fallen military heroes. His conversations will always go back to the troops and the fact that the Country remains at war. Young men and women are putting

themselves in harm's way. He has seen firsthand what this war was doing to military families across the nation. As a father of a Sergeant in the Marine Corps Reserve he thanked them for what they do every day.

Craig Miller, 5 Ramapo Terrace, personally felt it should not matter if the person was a man or a woman, their race or their status for the appointments to the boards and committees. He felt what took place tonight was a poor display of how Fair Lawn is being represented. What he saw tonight proved to him that they were not working together.

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

ADJOURNMENT:

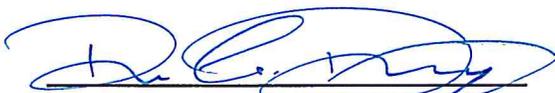
Upon motion by Deputy Mayor Dunay and second by Councilmember Peluso the meeting was adjourned at 8:12 p.m.

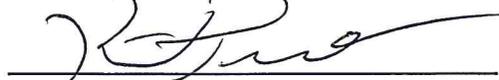
Respectfully submitted,


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

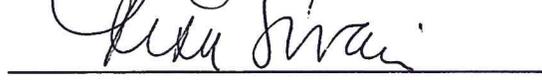
The undersigned have read and approve the foregoing minutes.


Mayor John Cosgrove


Deputy Mayor Daniel Dunay


Councilmember Kurt Peluso


Deputy Mayor Amy E. Lefkowitz


Councilmember Lisa Swain