

REGULAR MEETING OF JANUARY 20, 2015

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 19, 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. 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 Kruningen, Municipal Clerk/Deputy Manager Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

PROCLAMATIONS: FAIR LAWN PEE WEE CUTTER CHEERLEADERS

Mayor Cosgrove read the proclamation. The Mayor and Council presented the proclamations to the cheerleaders.

NATIONAL WEAR RED DAY FOR WOMEN

Municipal Clerk / Deputy Manager Kwasniewski read the proclamation.

PRESENTATION BY SABRINA OSSO - ERASING HOME VIOLENCE

Sabrina Osso, from Let's Floor It, gave a presentation on erasing home violence.

PRESENTATION BY HISTORIC PRESERVATION COMMISSION - Postponed

MANAGER'S REPORT

Manager Van Kruningen stated the Manager's Report was submitted without change and there were additional copies on the table. If anyone has questions, please feel free to contact his office.

RESOLUTION NO. 79-2015 - SUPPORTING THE FAIR LAWN POLICE DEPARTMENT, THE FAIR LAWN AUXILIARY POLICE DEPARTMENT AND ALL LAW ENFORCEMENT AGENCIES

Councilmember Peluso requested that Resolution No. 79-2015 be removed from the Consent Agenda and be discussed at this point in the meeting.

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz Resolution No. 79-2015 was discussed.

Detective David Boone, PBA President, stated that in the last few months it has been very disconcerting to be a Police Officer because with one broad stroke they have painted all police officers in the same light. He started in 1980 as a Police Reserve, then as a Police Auxiliary Officer and when he returned from the Army he became a Fair Lawn Police Officer. He has been proud of every moment that he has been here as are all of his colleagues. This resolution makes them feel the trust that the Mayor and Council have in them as they serve the residents of Fair Lawn, the State and the Nation each and every day.

Detective Boone read an excerpt from Martin Luther King's daughter, Reverend Bernice King. She said they cannot act unless they understand what Dr. King taught them. He taught them they have a choice to make, non violent, co-existence or violent co-inhalation. She challenged them to help make this nation choose non violence. Detective Boone felt that Fair Lawn has always shown its leadership on how to solve the problem by working together, not building up walls of separation but tearing them down.

On behalf of the PBA, all of the officers of Fair Lawn and all officers from everywhere, he thanked them for their trust, support and looked forward to continuing to serve the Borough.

Mayor Cosgrove thanked Detective Boone and the PBA and all of the members of the Police Department for the contract that was just settled. People realize that this is the first contract that has not almost gone to costly arbitration. He felt that both sides negotiated well. He thanked all of the officers for what they do.

Councilmember Peluso stated when he saw this resolution was passed in Pequannock he knew he wanted to bring it to Fair Lawn. He was glad that they were unanimous in the decision to pass this resolution. It has been unfortunate to see what has been happening to Police Officers all over the world, especially what they just saw in France. He felt it was an important time for the Mayor and Council to show their appreciation for what they do. He encouraged other towns to pass this resolution of support.

There being no further discussion, upon motion by Councilmember Swain and a second by Councilmember Peluso, Resolution No. 79-2015 was unanimously passed.

COUNCIL COMMENTS

Councilmember Peluso stated that earlier that evening Deputy Mayor Dunay, CFO Palermo, Manager Van Kruijning and he met to discuss long term financial plans. The rest of his committees have not met yet.

Councilmember Swain thanked all of the Police Department and Councilmember Peluso for bringing this resolution to the Council's attention. She was happy to be in the position where it was such a positive experience with the Police and the Council.

Tonight they would be passing a resolution in support of legislation called the Stephen Kominos' Law. She thanked the Council for their support. She brought this resolution to the Council as a result of being the liaison to the ADA Committee. This will support adults with disabilities who live in group homes. It will further protect them from abuse. Adults with disabilities have no control over their environment. She also thanked Sabrina Osso for opening their eyes to domestic violence.

The ADA Committee recently received a donation from the High School Marathon in the amount of \$925 and from Sunrise Rotary in the amount of \$2,000. These donations this will help defray the costs of one of the last pieces of equipment they were putting in the playground.

The Environmental Commission and the Green Team will be hosting a Green Fair on March 4 in the Community Center from 6:00 - 9:00 p.m. This will be an opportunity for residents to find out about new ways for sustainability, farming, and composting.

A proclamation was just read about wearing red and once again she reminded all women that they need reminders as ways to say they are going to make a difference and do something different.

Councilmember Swain congratulated the Pee Wee Cutter Cheerleaders because they certainly deserve it.

Deputy Mayor Dunay thanked Councilmember Peluso for sponsoring the resolution in support of the Police Department. He thanked all of the officers and also the members of the Auxiliary Police for the work they do. The Borough is very fortunate to have so many dedicated officers who protect us. All of the events around the world have reminded him that when a police officer goes to work every day they put their lives on the line for all of us. That was quite a sacrifice they were making.

He thanked the Pee Wee Cheerleaders for what they achieved.

As Councilmember Peluso said, they had a financial planning meeting tonight. They are continuing to look for ways to save money and make sure they continue to deliver valuable services to the residents long into the future while protecting the tax dollars. There will be another budget meeting next week. They are moving forward expeditiously.

Deputy Mayor Dunay noted that at the Sunrise Meeting, Assemblyman Tim Eustace was in attendance and presented a program where they invest in a poor community in Kenya that has nothing and they bring money to build schools and other necessary items. Assemblyman Eustace gifted him with a speaking stick. He felt it was a very worthwhile cause.

Deputy Mayor Lefkowitz congratulated the Pee Wee Cutter Cheerleaders and their coaches. She thanked all of the officers for what they do along with Councilmember Peluso for bringing this to the Council.

Deputy Mayor Lefkowitz thanked Ms. Osso for her presentation on domestic violence. It is still treated as a taboo topic. She gave an informative presentation.

Deputy Mayor Lefkowitz spoke about the Planning Board's reorganization meeting. A subcommittee was appointed to work on the Master Plan and any recommendations that come from it.

She mentioned that the Mental Health Association of New Jersey has launched a hotline for recovery. It is a confidential hotline dedicated to help people with opiate addiction. They have certified counselors on staff to speak with anyone that calls the hotline. It is the first toll free hotline to be launched in New Jersey.

Mayor Cosgrove thanked the Fair Lawn Community Church for their donation to the food pantry. Their donations have totaled \$10,000 over a three year period for the food pantry.

He attended the 66th Annual Fair Lawn Ambulance Corps installation dinner. Once again he wanted to thank the volunteers in the Ambulance Corps for the great service they provide. Last year they responded to over 2,300 calls.

Municipal Clerk / Deputy Manager Kwasniewski and he attended the Joint Insurance Fund Reorganization dinner. The JIF is an insurance fund that many municipalities in Bergen County belong to. Over the 30 thirty years that it has been in existence, it has saved all of the cities, towns and boroughs millions of dollars.

Yesterday was Martin Luther King's Birthday. He grew up in the era when Martin Luther King was trying to change people's perceptions about race. He reflected that Martin Luther King was a man of peace. He hoped that this country can learn from that and move forward and have peace within the country.

MAYOR'S APPOINTMENT

Mayor Cosgrove read the Mayor's appointment.

- a. Class II Planning Board Member - Benjamin Bontekoe

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. 2329-2015 (RESOLUTION NO. 65-2015)

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "FEES", SUBSECTION 94-12 MISCELLANEOUS FEES TO REVISE FEES FOR THE USE OF THE FAIR LAWN RECREATION/COMMUNITY CENTER

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 65-2015 introducing Ordinance No. 2329-2015 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. 2330-2015 (RESOLUTION NO. 66-2015)

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED (PBA/SOA)

Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 66-2015 introducing Ordinance No. 2330-2015 was unanimously passed.

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. 2331-2015
(RESOLUTION NO. 67-2015)**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (KEYBOARDING CLERK II – BILINGUAL - ENGLISH/SPANISH)

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Resolution No. 67-2015 introducing Ordinance No. 2331-2015 was unanimously passed.

ORDINANCE ON SECOND READING:

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. 2328-2015
(RESOLUTION NO. 68-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2010, BY AMENDING CHAPTER 241, ENTITLED "WATER", SUB SECTION 241-50, "WATER RATES"

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.

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 68-2015 adopting Ordinance No. 2328-2015 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, it was unanimously agreed to open the time for public comments on Consent Agenda items was opened.

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 # 3-2015

**RESOLUTION NO. 86-2015 - MEMORIALIZING THE BOROUGH MANAGER'S
RECOMMENDATION TO OUTSOURCE ANIMAL
CONTROL**

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

Fran Maybaum, 13-35 Edward Street, stated that Animal Control Officer Stucky responded to a call she made regarding a possum in her house. She had the ability to calm her down and took care of the animal. Ms. Maybaum wondered what the provisions will be if there was no Animal Control.

Attorney Mondello advised that there has been a lawsuit filed by one of the Animal Control Officers. He has advised the Mayor and Council not to answer any questions. He noted that in no way was this a reflection on Animal Control employees. He advised Ms. Maybaum that the Manager will handle Animal Control at another time.

Kathleen Diamond, Sloatsburg, New York, praised the adoption program that Animal Control has. She adopted her cat from there. She did not want to see a community give up their animal control services.

Lily and Penelope Diamond, Sloatsburg, New York, asked the Mayor and Council not to give up animal control. They spoke about the cat they adopted.

Stacey Kadosh, 37-11 Gardenview Terrace, spoke highly of the care they gave her cat. They all have great love for animals. Outsourcing would take some of the warmth away. They are part of the community. The adoption program was wonderful. She hoped that they would change their mind and make cuts somewhere else to keep them part of the community.

Marilyn Loccisano, 6 Stuart Place, stated she was in a state of critical depression, not even wanting to get up in the daytime. When she read about the Adoption Program she adopted two cats who have brought the joy back into her life. She felt that it would be immoral to do away with Animal Control.

Jeffery Ball, 11 Pershing Avenue, Ridgewood, New Jersey, stated he was President of the New Jersey Federation of Dog Clubs. He is also a certified Animal Control Officer. He had the opportunity to ride with some of these Animal Control Officers and actually saw what they do. He could tell stories about what they do and how they and their services benefit this town and its residents. He is astonished of the amount of wild life there is in Fair Lawn. If you ask any of the Animal Control Officers they can tell you where the animals live.

An outside group would not have the opportunity to know this information. The town has something special here. This group has a vested interest in Fair Lawn to make them the best and treat their residents the best.

Daniel Surazhky, 12-24 Eastern Drive, told a story about his dog running away. They contacted Animal Control who found the dog and brought it back to them. He spoke about the no kill shelter that Fair Lawn has and also about the adoption unit. If this gets outsourced it will be a fast kill shelter. These animals will not have the right to get to a good family. Animal Control should be kept and cut the budget somewhere else.

Evelyn McHugh, 15-21 Raymond Street, stated this whole point of government is that they have an open exchange in public meetings and discuss when laws are made. She asked them to reconsider and put it on another agenda at a later date.

Attorney Mondello advised that one can only speculate when the litigation might be over. Everyone up here might have a deposition taken. He cannot give an answer on how it could be postponed.

Ms. McHugh wanted to know how she could ask questions and have her government respond to her issues. It was an unfair way to do this. She felt outsourcing this service was bad for the community. They have people who have a vested interest. They know what goes on and they know the people. A company that services twenty or thirty communities will not have that kind of relationship. She is very concerned about this because she feels like she is losing a service that was provided. When they upgraded the animal shelter in 2012, it was in order to share services with other towns and she did not understand why that did not happen. She does not understand why she cannot ask questions.

Mayor Cosgrove stated that he could not comment on the Animal Control but he saw her post on Facebook regarding the mini bus. There was no plan to eliminate the mini bus service.

Ms. McHugh stated that the Council represented her interests, her ownership in a home and this is a serious issue.

Susan Villegas, 2-11 Summit Avenue, stated that she adopted two cats from the Animal Shelter. The selection process was very thorough. She had adopted from other shelters but the care they received in the Fair Lawn shelter was the best.

Rosemary Villegas spoke about when she went to the Animal Shelter they listened to her situation and about their pets. They knew which cat would be perfect for their family.

Isabel Villegas said she took a cat toy from the shelter and brought back four cat toys.

Susan Villegas stated that Animal Control Officer Stuckey allowed her daughter to take the toy as long as they came back with a donation. She felt it was a lesson for her daughter. They provide a valuable service.

Eric Swanson, 53 Long Valley Road, Lodi, New Jersey, stated he was an Animal Control Officer in Fair Lawn. He felt that Fair Lawn was a large town with a small town feel. A lot of the other agencies he works for do not have a small town feel. They are not allowed to spend time with people and follow up with them. He spoke about the trap, neuter and release program for feral cats. It would be a shame to have longer response time, less caring, higher charges and no follow up calls.

Animal Control Officer Swanson thought it would be nice to see an Animal Control that could be improved upon. The last time he was before the Mayor and Council there were many ideas that were not acted on. If the Borough had went ahead with shared services with other towns they would have to turn towns away. He was trying to understand why the Borough could not make a better Animal Control service.

Michelle Stucky, 248 Copeland Avenue, Lyndhurst, New Jersey, currently serving as an Animal Control Officer for the past two and half years stated they heard a lot about saving money and people losing their jobs and while both are important, they have lost sight of the real casualties of outsourcing Fair Lawn's Animal Control Services, the Borough's residents and the neglected or homeless pets of this community. Residents not only deserve to receive prompt and cost effective service from Animal Control but to know that the officers serving them truly care about the neighborhoods, pets and families within the Borough. Since May 2014 they have been vigorous and steadfast in their mission to create an adoption program unlike any other the Borough has had yet seen. The animal pound has been completely rebranded. The adoptions have been held at street fairs and municipally sponsored events. They have connected with local businesses to establish scheduled adoption days. The Fair Lawn pound has been featured on Fair Lawn TV and in several newspapers. They have created a pet finder online which they update and also the Facebook page which has earned more than 300 likes in two months. What she is most proud of regarding the pound is that in eight months they have found homes for 11 dogs and 36

cats. During that eight month period only four cats have been euthanized and no dogs.

Animal Control Officer Stucky stated that if the animal control services are outsourced the number of neighborhood dogs and cats that are put to sleep will undoubtedly increase dramatically. Together they have built something that's value could never be quantified, a reputation of integrity and compassion. She asked them to not diminish their accomplishment by assigning it a monetary worth. She was positive that the Council had the best interest in mind while they consider outsourcing. The people of Fair Lawn will lose something of even greater value than dollars and cents. If animal control services are outsourced the personalized attention and sincere empathy they have always enjoyed from Fair Lawn Animal Control Officers who consider it a privilege to serve them. She felt that even more cats and dogs will pay the ultimate price for saving a few dollars by losing their lives.

John Timmons, 138 9th Street, Passaic, New Jersey, reviewed the last cost analysis from 2009 and asked them to look at it. Attorney Mondello advised they could not look at it. Animal Control Officer Timmons stated they were supposed to do the shared services and there were many grants that were not looked into. He did not understand why \$30,000 was put in to repairing the pound and they did not even attempt to do the shared services. He thanked his boss, Tracey Coates and the other officers that he has worked with. He did not think this was well thought out.

Tracey Coates, 47 Dewey Avenue, Clifton, New Jersey, stated she was before them with a heavy heart because she was obligated to the residents of Fair Lawn that she served for over 20 in her capacity as Animal Control Officer. In 2009 and 2010 they were before the Mayor and Council with this cost analysis. In 2011 she did a cost analysis in which the Borough would go out for shared service with Elmwood Park, Glen Rock and Saddle Brook. The Animal Control Pound has been in existence since 1950 and is the only remaining municipal pound that still serves its residents. The pound was refurbished in 2012 and the residents were promised shared services. There are a lot of grants that were not pursued. There were fees that were supposed to be raised in 2015. In her analysis of using the County or Tyco, there will not be a cost savings for the Borough. She felt they were making a huge mistake.

Rich DeBarton, Georgia and Butler, New Jersey, a former Animal Control Officer wanted to know if no one can talk about Animal Control how can they vote on this, how was this democracy and how did it have the best interest of the town. He wondered how they came up with this cost analysis if no one can ask questions. He also asked about grants that were not ever acted upon or the shared services that were not done.

Attorney Mondello stated that he had advised the Mayor and Council not to say anything because at some point in time, one of the Animal Control Officers who filed a lawsuit may have each one in a deposition at the taxpayer expense.

Mr. DeBarton thought it would be prudent to advise the Council to delay making a decision until something is determined with the lawsuit. Attorney Mondello advised him to look at the resolution because it basically says that the governing body is accepting the opinion of the Borough Manager.

Mr. DeBarton said no one can talk to the Manager about how he got his figures. He felt this was a political dance. Attorney Mondello advised it was his job to protect the town and the Council. Mr. DeBarton stated that the residents can sue the town.

Mayor Cosgrove stated the one question he will answer because he saw his post about them doing away with the mini bus because they are not doing away with that service. He stated that the Council is frustrated with this too.

Mr. DeBarton mentioned all the grants that were not applied for, all the money that has been donated to the town for the pound, the Borough residents have offered money to keep the pound going, but no one can answer any questions. He wondered how this was in the best interest of the town by going with just the Borough Manager's opinion. It seems that no one can question his opinion.

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

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 86-2015 was unanimously passed.

PUBLIC COMMENTS

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Peluso, 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.

ADJOURNMENT:

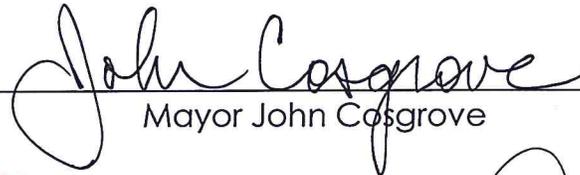
Upon motion by Councilmember Peluso and second by Deputy Mayor Dunay the meeting was adjourned at 9:25 p.m.

Respectfully submitted,



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

The undersigned have read and approve the foregoing minutes.



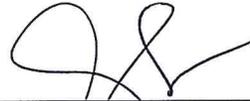
Mayor John Cosgrove



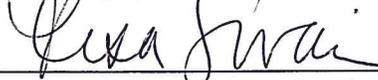
Deputy Mayor Daniel Dunay



Councilmember Kurt Peluso



Deputy Mayor Amy E. Lefkowitz



Councilmember Lisa Swain

