

REGULAR MEETING OF MAY 12, 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 Kruijning, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

Mayor Cosgrove stated that at the last Council meeting he read a proclamation for Municipal Clerk's Week. Municipal Clerk/Deputy Manager Kwasniewski was not present, however, as she was attending the Municipal Clerk's Convention where she was named 2015 Municipal Clerk of the Year. He presented Municipal Clerk/Deputy Manager Kwasniewski with a proclamation recognizing her achievement.

AUXILIARY POLICE OFFICER SWEARING IN AND PROMOTIONS

Chief Magarelli thanked the Mayor and Council, the Police Department and the Office of Emergency Management for allowing the promotions of Lt. Steven Milnes, who has served 16 years in the Auxiliary Police, to Captain; Sgt. Michele Luscombe to Lieutenant and Corporal Howard Schlesinger to Sergeant.

Daniel Carrone, a recent graduate of the Auxiliary Police Academy, was sworn in as a new Auxiliary officer. He is a resident of Elmwood Park and a member of the Elmwood Park Ambulance Corps. Auxiliary Officer Carrone will finish his field training in October.

Mayor Cosgrove congratulated all the Auxiliary Police officers on their promotions.

COUNCIL COMMENTS

Councilmember Swain congratulated the Auxiliary Police officers that were sworn in. She wished them luck. They are fortunate to have them here in Fair Lawn.

She announced that the Library restroom will be undergoing renovations in the Children's Section through May 26th. Last weekend they celebrated Arbor Day.

The event was well attended. She thanked the many groups who were present to educate the residents about plants, nature and recycling.

Last night she and Councilmember Peluso attended the Memorial Middle School National Junior Honor Society induction ceremony. The High School has a National Honor Society program and it was exciting to also see such a program at Memorial Middle School, where a large number of students were acknowledged for a superior academic performance.

The River Road Improvement Corp. will be holding the following classic car shows from 6:00 p.m. to 9:00 p.m.: May 21st – Blues and Cruise, June 18th – Rocking River Road and July 16th – Rendezvous on River Road. There will be some amazing cars and music.

She concluded by stating that Glen Rock's mayor sent a letter acknowledging the help and support they received from the Fair Lawn Fire Department. She thanked the Fire Department for lending assistance at the Glen Rock fires.

Councilmember Peluso thanked the Auxiliary Police for the work they do. Chief Magarelli does a great job. It is exciting to see people from other communities join the Fair Lawn Police Auxiliary.

He thanked the Boy Scouts for coming tonight. He and his children appreciate the efforts of an Eagle Scout who has been cleaning Gregory Park. He has never seen an Eagle Scout that does not succeed.

He congratulated Municipal Clerk/Deputy Manager Kwasniewski for being named Municipal Clerk of the year. There are over 500 communities in New Jersey, so being named the number one Municipal Clerk is very special. The Council knows the great work she does and it is nice to see her recognized on a State level.

He and Mayor Cosgrove attended the dinner at the Chamber of Commerce, which honored Columbia Bank and Sandvik for their community service. He, Mayor Cosgrove and Councilmember Swain attended an event sponsored by Columbia Bank. It was nice to meet the employees who work at Columbia Bank. They are such great advocates for the community.

He attended the Memorial Middle School Junior National Honor Society induction. The principal, Scott Helfand, brought in the program because schools honor students in the arts and in sports, but he wanted to honor education and the hard work put forth by the students. It is great that Mr. Helfand is making sure students focus on what really matters.

He concluded by congratulating the Fair Lawn High School Girls Track Team for winning the championships this winter and spring. They will be honored by the Council on May 26th.

Deputy Mayor Dunay thanked the Auxiliary Police, who volunteer many hours keeping the town and the courtroom secure. The Auxiliary Police give up weekdays, weekends and holidays to serve Fair Lawn as do all the emergency responders. It is amazing how many people step up to make Fair Lawn such a wonderful place to live.

He wished a happy birthday to Mr. Vaughn, whom he knows from the Knights of Columbus. He recognized the Boy Scouts and thanked them for leading them in the flag salute and attending the meeting. He knows some of the scouts helped out at the First Day 5K on January 1st.

He concluded by wishing a belated Happy Mother's Day to all the mothers in town. He hoped they enjoyed a nice day.

Deputy Mayor Lefkowitz congratulated Municipal Clerk/Deputy Manager Kwasniewski and thanked her for all she does. She congratulated the Auxiliary Police officers who received promotions and welcomed the new Auxiliary Police officer. It is great to see someone from another town dedicating their time and service to Fair Lawn. She thanked the Boy Scouts for attending the meeting and leading them in the flag salute. She hopes they find the meeting interesting and informative.

She encouraged residents to attend the Memorial Day Parade on May 25th at 10:30 a.m. The Chamber of Commerce Street Fair, another great event, will take place in Radburn on May 31st. The Alliance for Substance Abuse Prevention has put out a notice regarding a new bereavement group, founded by two individuals who lost children to an overdose. Meetings are held at the Calvary Lutheran Church, 165 West Crescent Avenue in Allendale on the first and third Wednesdays of the month from 7:30 to 9:00 p.m.

She concluded by congratulating Planning Board Chairman Brent Pohlman and his wife, Gabrielle on the birth of their son, Grayson Robert, born seven weeks premature on May 6th. She asked for everyone's thoughts and prayers to continue so that Grayson can come home soon to his family.

Mayor Cosgrove thanked the Boy Scouts for meeting with him before the Council Meeting. It was nice to talk to them and learn about the Scouts working towards their Eagle Scout projects. The Scouts always help the Veterans place flags at Fair Lawn Memorial Cemetery and he appreciated their help. He encourage residents to attend the Veterans ceremony at the cemetery on Sunday afternoon.

He attended the Chamber of Commerce Installation Dinner. It was nice to see Columbia Bank and Sandvik honored. The Chamber will be placing American flags throughout town and they will remain up until September 11th. Anyone wishing to sponsor a flag can do so by making a \$50 donation. Residents can call the Chamber of Commerce at 201-796-7050 for more information.

He attended the Handang Tumulong Association with the Filipino-American Association. He thanked Nelsie and Steve Parrado, who work tirelessly to help people affected by natural disasters in the Philippines. The Association presented a generous check to a representative from Nepal to help with earthquake assistance.

He attend the New Jersey Aids Walk at the Ridgewood Duck Pond with the New Jersey Buddies. He was amazed to see a quilt containing the names of those who died from Aids. Fortunately the number of names is decreasing as treatments are helping and less people are dying from this disease.

He attended Arbor Day at the Arboretum, which is located on Fair Lawn Avenue just past Radburn Road on the left side. The Shade Tree Commission and Garden Committee have done a lot of work there.

He recognized the hard work of Fair Lawn All Sports, who welcomed over a 1,000 people to a dual track meet that they hosted. It was a nice event.

He attended the Fair Lawn Athletic Club annual dinner, where he saw Rich Meyers, a talented Fair Lawn musician who performs at many venues at the shore. It was a great night.

He reported that Children's Aid and Family Services have chosen Fair Lawn as "Municipality of the Year". There will be an event in September honoring the town.

He concluded by announcing the sad news that John Gatens, a Fair Lawn resident for over 50 years, had passed away. Mr. Gatens was taken prisoner during the Battle of the Bulge and spent six months in a Nazi prison camp. Mr. Gatens attended a previous Council Meeting to accept a proclamation remembering POWs/MIAs. He was a member of the 106th Infantry and a great American. He was proud to have had known him. He knows the Council joins him in extending sympathy to the Gatens family.

ORDINANCES ON FIRST READING:

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

**ORDINANCE NO. 2352-2015
(RESOLUTION NO. 239-2015)**

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING THE REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 5834, LOT 1.02 IN THE BOROUGH IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

There being no discussion, upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 239-2015 introducing Ordinance No. 2352 -2015 was unanimously passed.

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. 2353-2015
(RESOLUTION NO. 240-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 163 ENTITLED "PEDDLING AND SOLICITING", MORE PARTICULARLY SECTION 163-9 ENTITLED "PROHIBITED ACTS"

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Peluso, Resolution No. 240-2015 introducing Ordinance No. 2353-2015 was discussed.

Councilmember Peluso stated that the ordinance was being amended as a result of concerns raised by residents living near Memorial Pool, who had many vendors soliciting after dark. The Council and Police reviewed the ordinance and determined a revised time restriction that was comfortable for everyone. This is another example of Council acting as a result of residents' concerns. He encouraged residents to bring issues or concerns to their attention. The Council does listen and will take action when necessary.

Mayor Cosgrove stated that the ordinance reduced the solicitation time to 5:00 p.m. from 7:00 p.m. If residents have solicitors coming after 5:00 p.m. they should notify the Police Department.

There being no further discussion, Resolution No. 240-2015 introducing Ordinance No. 2353 - 2015 was unanimously passed.

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. 2354-2015
(RESOLUTION NO. 241-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 125 "ZONING" AND CHAPTER 49 "AFFORDABLE HOUSING" PERTAINING TO INCLUDING THE NEWLY ESTABLISHED OVERLAY DISTRICT ENTITLED, "R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT", WITHIN CODE SECTION 125-9, "ZONES ESTABLISHED", DEPICTING THIS NEWLY ESTABLISHED OVERLAY DISTRICT ON THE BOROUGH'S ZONING MAP, WHICH IS INCORPORATED BY REFERENCE THROUGH CODE SECTION 125-10 "OFFICIAL ZONING MAP", AND INCLUDING A NEW SECTION IN CHAPTER 49 ENTITLED "49-14.1 R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT", WHICH INCORPORATES THE ASSOCIATED REDEVELOPMENT PLAN INTO THE CODE BY REFERENCE

There being no discussion, upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, Resolution No. 241-2015 introducing Ordinance No. 2354 - 2015 was 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. 2343-2015
(RESOLUTION NO. 242-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-68 ENTITLED "PEDESTRIAN SIGNS"

Howard Mark, 12-23 Ferry Heights questioned the zoning change in the previous ordinance. Mayor Cosgrove explained that the change pertained to affordable senior housing at the Kem site, which will allow them to obtain funding from the State.

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

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 242 -2015 adopting Ordinance No. 2343-2015 was discussed.

Mayor Cosgrove explained that the ordinance pertains to a pedestrian sign near Mandon Place.

There being no further discussion, Resolution No. 242 -2015 adopting Ordinance No. 2343 – 2015 was unanimously passed.

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

**ORDINANCE NO. 2345-2015
(RESOLUTION NO. 243-2015)**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN NEW EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS AMENDED (PARKING ENFORCEMENT OFFICER PART TIME)

There being no comments by the public, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, it was unanimously agreed to close the time for public hearing.

There being no discussion, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 243-2015 adopting Ordinance No. 2345-2015 was unanimously passed.

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. 2346-2015
(RESOLUTION NO. 244-2015)**

"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 FROM THE COUNTY OF BERGEN, DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT THEREFORE (HANDICAPPED ACCESSIBLE CURB RAMPS)."

Pam Coles, 13-34 George Street asked if the grants were an extension to continue the work presently being done. Mayor Cosgrove stated there are three Community Development Block Grants from the County.

There being no further 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 Peluso and a second by Councilmember Swain, Resolution No. 244-2015 adopting Ordinance No. 2346-2015 was discussed.

There being no discussion, Resolution No. 244 -2015 adopting Ordinance No. 2346-2015 was unanimously passed.

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. 2347-2015
(RESOLUTION NO. 245-2015)**

"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 FROM THE COUNTY OF BERGEN, DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT THEREFORE (ROAD RESURFACING)."

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.

There being no discussion, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 245-2015 adopting Ordinance No. 2347-2015 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. 2348-2015
(RESOLUTION NO. 246-2015)**

"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 FROM THE COUNTY OF BERGEN, DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT THEREFORE (SENIOR CENTER HAND RAILINGS)."

There being no comments by the public, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, it was unanimously agreed to close the time for public hearing.

There being no discussion, upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, Resolution No. 246-2015 adopting Ordinance No. 2348-2015 was unanimously passed.

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. 2349-2015
(RESOLUTION NO. 247-2015)**

"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 (NJDOT PLAZA ROAD)."

Pamela Coles, 3-34 George Street asked if the ordinance pertained to installing a traffic light at the intersection. Mayor Cosgrove explained that the ordinance accepts funding from the New Jersey DOT to pave from Romaine Street to Fair Lawn Avenue.

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

There being no discussion, upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 247-2015 adopting Ordinance No. 2349-2015 was unanimously passed.

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

**ORDINANCE NO. 2350-2015
(RESOLUTION NO. 248-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 13, ENTITLED "FIRE DEPARTMENT"

There being no comments by the public, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, it was unanimously agreed to close the time for public hearing.

There being no discussion, upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, Resolution No. 248-2015 adopting Ordinance No. 2350-2015 was unanimously passed.

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. 2351-2015
(RESOLUTION NO. 249-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 104 ENTITLED "FIRE PREVENTION" MORE SPECIFICALLY SECTION 104.5 ENTITLED "ORGANIZATION"

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. 249-2015 adopting Ordinance No. 2351-2015 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Councilmember Peluso 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 #12-2015

Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Consent Agenda 12-2015 containing the following items was unanimously passed.

- a. Resol. #250-2015 - Approval of Minutes:
 - Closed Session 4/7/15
 - Work Session 4/7/15
 - Closed Session 4/7/15
 - Regular Meeting 4/14/15
- b. Resol. #251-2015 - Refund of Overpayment of Taxes
- c. Resol. #252-2015 - Authorizing Awarding of Contracts with Certain Approved State Contract Vendor - Hertrich Fleet Services (Parking Enforcement Officer's Vehicle)

- d. Resol. #253-2015 - Interlocal Agreement with the Township of Saddle Brook for the Use of Memorial Pool
- e. Resol. #254-2015 - Interlocal Agreement with the Borough of Haledon for the Use of Memorial Pool
- f. Resol. #255-2015 - Authorizing Execution of Land Lease Agreement with the Fair Lawn Board of Education - Tennis Court
- g. Resol. #256-2015 - Award of Bid: Water Main, Sanitary Sewer, Storm Water Facility Repairs
- h. Resol. #257-2015 - Extension of Traffic Regulations - Memorial Junior High School
- i. Resol. #258-2015 - Authorizing Approval of Massage Establishment License - Green Jersey Garden, Inc.

PUBLIC COMMENTS

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

Pamela Coles, 13-34 George Street acknowledged the Council for the work they were doing regarding capital improvements. The public does not realize they worked hard for many years to get the traffic light on Broadway. There are also improvements at the Senior Center and other areas around town. The Borough Manager stayed ahead of potholes, saving wear and tear on everyone's cars. Residents do not realize the work that takes place at Council Work Sessions. She thanked the Council for their efforts.

Rich Seibel, 33-07 Halsey Road thanked the Mayor and Council for all they do. It is hard work.

A Marine Corps helicopter assisting in the earthquake efforts, went down in Nepal but it has not been found yet. They need to honor their military as much as possible, especially during Memorial Day. This is the time of year when high school students enlisting in the military are reviewing paperwork and asking who to list as their next of kin and beneficiary. It is heart rendering to go through this process. He asked everyone to pray for the missing Marines. He wished everyone a great Memorial Day.

Councilmember Swain reminded residents that the Borough now has a Veterans Liaison, Nick Magarelli. Any families with questions or concerns can reach Mr. Magarelli in the Borough Manager's office. Mr. Siebel added that residents who are or were deployed and are now back in civilian life can ask Mr. Magarelli about several job programs for veterans.

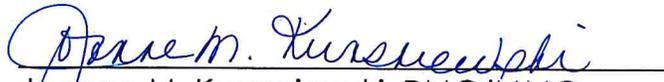
Howard Mark, 12-23 Ferry Heights stated that he saw a program on the news that a French organization made a replica of the 18th Century ship used by General Lafayette that will be arriving in New York on July 4th.

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

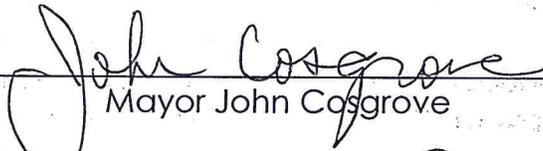
ADJOURNMENT:

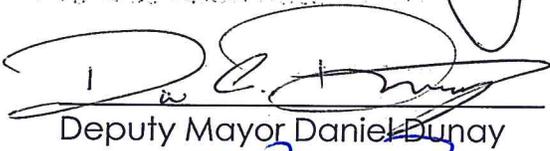
Upon motion by Councilmember Swain and second by Deputy Mayor Dunay, the meeting was adjourned at 8:45 p.m.

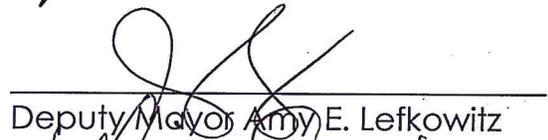
Respectfully submitted,

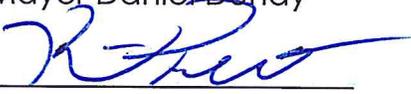

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

The undersigned have read and approve the foregoing minutes.


Mayor John Cosgrove


Deputy Mayor Daniel Dunay


Deputy Mayor Amy E. Lefkowitz


Councilmember Kurt Peluso


Councilmember Lisa Swain