

REGULAR MEETING OF JULY 21, 2015

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

In accordance with the Open Public Meetings Act, notice of all meetings of the Borough of Fair Lawn was published in "The Record" issue of January 16, 2015. 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.

MOMENT OF SILENCE:

Mayor Cosgrove asked for a moment of silence for the four Marines and the Navy sailor that were killed in Tennessee. Today President Obama ordered flags at half staff.

SWEARING IN OF POLICE OFFICERS

Mayor Cosgrove stated it was a great night for all of them when they swear in a Police Officer.

Chief Cauwels stated it was a special day for his department but more importantly it was more important for the three Police candidates. He told them that beginning today their life will change. The way they lived their life to this point will be completely different from now on. They will make sacrifices every day as a Police Officer. When their friends are out having a good time, they will be at work, when their wife is home sleeping, they will be at work, when friends are on vacation, they will be at work but it is a way of life. He would not change his life for anything. This has been the most rewarding job he has ever had and he was sure it will be the same for the candidates.

Chief Cauwels stated that Timothy Ammann was a Navy veteran and felt he will be a great asset to the department.

Mayor Cosgrove was joined by the Council to swear in Timothy Ammann as Police Officer in the Borough of Fair Lawn.

Chief Cauwels stated that Anthony Ferreira, Jr. was a dispatcher with the department who went to the corrections department and now will be a Police Officer here. His father is a Sergeant in the Police Department.

Mayor Cosgrove stated it was a great honor for him because he served in the Fire Department forty years ago with Anthony's grandfather.

Mayor Cosgrove swore Anthony Ferreira, Jr. in as a Police Officer in the Borough of Fair Lawn.

Chief Cauwels stated that Juan Hinojosa has been a resident of Fair Lawn for eighteen years.

Mayor Cosgrove swore Juan Hinojosa is as a Police Officer in the Borough of Fair Lawn.

PROCLAMATION: 25TH ANNIVERSARY OF SIGNING OF ADA LAW

Municipal Clerk / Deputy Manager Kwasniewski read the proclamation.

Mayor Cosgrove stated that he was sure everyone agreed that this piece of legislation was one of the great pieces of legislation passed. It is evident here in this community where so many people have independence because of that.

COUNCIL COMMENTS

Councilmember Peluso stated that earlier this month he, Councilmember Swain and Mayor Cosgrove did the tree walk at Milnes Elementary School. He thanked the Brownies and Scouts, the members of the Tree Committee and especially Cornell Christensen who put the whole thing together. It was a great walk with a wide variety of trees in that small area. Later they will hold a Radburn Tree Walk. He encouraged everyone to attend because it is very educational.

Last week he and Mayor Cosgrove attended the Grand Opening of the Massage and Wax Center in the promenade. Many of the store owners were telling them they were happy with the amount of volume that goes there.

The Pool Committee met regarding Memorial Pool. The numbers have been great. They also have a movie night on Wednesday July 29th and are looking to do another movie in August.

Councilmember Swain stated that the ADA law was signed 25 years ago. As the liaison to the ADA Committee she thanked the Council, Borough Manager and the various organizations and residents that have contributed to the playground or have sponsored the ADA dances. Fair Lawn All Sports established the Stars Program which has grown by leaps and bounds. The July dance was a summer beach party and was funded by a grant from Alliance from Substance Abuse Prevention and the refreshments were donated by Rich Seibel. She thanked everyone for making this community such a wonderful one.

Councilmember Swain congratulated the officers that were just sworn in and wished them tremendous luck and safety. Fair Lawn is very fortunate to have these officers join the force.

Councilmember Swain stated that the Arts Council was doing another photo essay for Fair Lawn residents who should take pictures and send them in online. The deadline was August 1. The top 11 pictures will be in the Borough calendar next year.

Deputy Mayor Dunay congratulated and welcomed the officers that were just sworn in. He felt it was an honor to have such distinguished men join the force. It reminds them how important it is to have a strong Police force.

Deputy Mayor Dunay thanked the ADA Committee for everything they do continuously to support the Borough's efforts to work with those with disabilities. It was amazing the efforts the Borough puts forth in that area. They are often reminded by others that Fair Lawn has been pioneers in that area and that is a real statement about the ADA Committee.

He happened to be in Radburn Park over the weekend and noticed the tree signs there. He thanked Cornell Christiansen for his efforts in putting it together.

Deputy Mayor Lefkowitz offered a warm welcome and congratulations to the newly sworn in officers. She thanked them in advance for the services they will perform for the community.

She hoped everyone was enjoying the summer. She saw many people at the fireworks and felt there was a greater presence this year. Many people have commented on what a great show it was and such a fun night for families to be out. National Night Out will be held on August 4th at Memorial Park.

The Alliance for Substance Abuse put out a flyer regarding The Center for Hope and Safety who will host a woman's self help support group for women affected by intimate partner abuse. It will be held every Monday at 12 Overlook Avenue in Rochelle Park from 7:00 to 8:30 p.m.

Mayor Cosgrove stated he attended the opening of the Fair Lawn Jewish Day Camp and thanked Rabbi Mendel, Rabbi Kanelski and Rabbi Burrell for getting him a birthday cake and having 350 campers sing happy birthday to him.

Last Friday night he threw out the first pitch at the Fair Lawn All Sports Girls Softball tournament which went through the night. He was glad to see the girls wore their green stigma free t-shirts.

The ADA Committee in Fair Lawn speaks for itself. Whenever there is talk about forming an Access for All or an ADA Committee in any community in Bergen County they contact Fair Lawn's chair persons. Not only is the ADA Committee doing great work in Fair Lawn they are also helping other people in other communities in the County.

He thought the fireworks were great. He thanked the Borough Manager and his staff for doing a great job, all of the volunteers that man the gates and the emergency services that attend.

Mayor Cosgrove reported that they have issued a purchase order to start the electrical work on the traffic light at River Road and Morlot Avenue. The Borough has a controller and now they will start running the conduit and electrical lines to complete it. He felt it was a long awaited relief for people that travel that area.

Mayor Cosgrove urged residents to attend National Night Out and enjoy the night.

Councilmember Swain mentioned that the River Road Improvement Corp hosted their last classic car show. They finally had a beautiful night to see the classic cars and listen to the bands. Mayor Cosgrove stated it was very well attended and he gave a trophy to a Plymouth that had only 1,500 of them made in the 1960's. It was an unusual car.

MANAGER'S REPORT

Manager Van Kruijning stated the monthly Manger's Report has been submitted and there are no changes and if anyone has questions to feel free to contact his office.

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. 2357-2015 (RESOLUTION NO. 315-2015)

AN ORDINANCE FIXING THE SALARIES OF CERTAIN NEW EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS AMENDED (BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER-PER HOUR)

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 Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz Resolution No. 315-2015 adopting Ordinance No. 2357-2015 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 and open the time for public comments.

**ORDINANCE NO. 2358-2015
(RESOLUTION NO. 316-2015)**

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, ADOPTING THE FINANCIAL AGREEMENT, ACCEPTING THE APPLICATION FOR LONG TERM TAX EXEMPTION PURSUANT TO N.J.S.A. 40A:20-1 ET SEQ AND AUTHORIZING TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES IN CONNECTION WITH THE AFFORDABLE HOUSING PROJECT TO BE DEVELOPED BY FAIR LAWN SENIOR HOUSING URBAN RENEWAL, L.P.

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

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz Resolution No. 316-2015 adopting Ordinance No. 2358-2015 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 and open the time for public comments.

**ORDINANCE NO. 2359-2015
(RESOLUTION NO. 317-2015)**

AN ORDINANCE FIXING THE SALARIES OF THE EXISTING SUPERVISORS ASSOCIATION OF FAIR LAWN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (SUPERVISOR OF WATER DISTRIBUTION)

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

Upon motion by Deputy Mayor Lefkowitz and a second by Deputy Mayor Dunay Resolution No. 317-2015 adopting Ordinance No. 2359-2015 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. 2360-2015
(RESOLUTION NO. 318-2015)**

AN AMENDMENT TO ORDINANCE #2266-2013 FIXING THE SALARIES OF EXISTING FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED (SR. WATER TREATMENT PLANT OPERATOR)

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

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz Resolution No. 318-2015 adopting Ordinance No. 2360-2015 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. 2361-2015
(RESOLUTION NO. 319-2015)**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN NEW FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED (ASSISTANT WATER TREATMENT OPERATOR)

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 Peluso and a second by Councilmember Swain, Resolution No. 319-2015 adopting Ordinance No. 2361-2015 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz the time for public comments on Agenda items only was opened.

Pamela Coles, 13-34 George Street, asked for more information on Resolution No. 338-2015. Municipal Clerk / Deputy Manager Kwasniewski stated the resolution was to authorize the Mayor and herself to sign the Developer's Agreement once Attorney Mondello approves it so they do not lose the entire month because they don't meet again until August.

Attorney Mondello advised that he spoke to the Attorney for the Planning Board who was still making changes. Municipal Clerk / Deputy Manager Kwasniewski noted the agreement is based on the agreement with the Promenade.

There being no further 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 #16-2015

Upon motion by Councilmember Peluso and a second by Deputy Mayor Dunay Consent Agenda 16-2015 containing the following items were unanimously passed.

- a. Resol. #320-2015 - Approval of Minutes:
 - Work Session 6/9/15
 - Closed Session 6/9/15
 - Regular Meeting 6/16/15
- b. Resol. #321-2015 - Renewal of Liquor Licenses 2015-2016
- c. Resol. #322-2015 - Professional Services: Post Retirement Actuarial Services – UHY Advisors Inc.
- d. Resol. #323-2015 - Professional Services: Conflict Counsel Worker's Compensation – John J. Feczko, Esq.
- e. Resol. #324-2015 - Professional Services: Consulting Engineering Services for Fair Lawn Avenue Improvements – Boswell Engineering
- f. Resol. #325-2015 – Tax Appeal Settlement: Zerega c/o Darling Corporation
- g. Resol. #326-2015 - Tax Appeal Settlement: 12-15 Broadway Professional, LLC
- h. Resol. #327-2015 - Tax Appeal Settlement: Zienat Tawfik
- i. Resol. #328-2015 - Tax Appeal Settlement: Wallace Property Group, LLC
- j. Resol. #329-2015 - Tax Appeal Settlement: FM Grosso, LLC
- k. Resol. #330-2015 - Tax Appeal Settlement: 12-51 River Road, LLC
- l. Resol. #331-2015 - Tax Appeal Settlement: 93 Hillsdale Management, LLC
- m. Resol. #332-2015 - Tax Appeal Settlement: SRH Investments, LLC
- n. Resol. #333-2015 - Tax Appeal Settlement: Leon Rutkowski
- o. Resol. #334-2015 - Award of Bid: Bioxide (Liquid Calcium Nitrate) Odor & Corrosion Control Chemical
- p. Resol. #335-2015 - Refund of Overpayment of Taxes
- q. Resol. #336-2015 – Audit Report
- r. Resol. #337-2015 – Corrective Action Report

- s. Resol. #338-2015 - Authorizing the Execution of the Developer's Agreement with Bergen Development Group, LLC (Successor in Interest to Landmark at Radburn, LLC)

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.

Pamela Coles, 13-34 George Street, thanked Manager Van Kruiningen for the awesome job on the pocket park on George Street. She mentioned the men working on the recycling trucks and what a good job they do. Ms. Coles commented that she is at Memorial Pool almost every weekend and what a great job that staff is doing. It has been packed every time.

Ms. Coles questioned why Barrister went before the Planning Board versus the Zoning Board. Attorney Mondello advised that they went to the Planning Board for what is known as a conceptual plan. Basically it tells them what they have in mind. They cannot proceed before the Planning Board unless at some point in time the Governing Body decides to rezone that property. He advised that the whole idea was to give the Planning Board a conceptual and they get give and take from the members and that is the extent of it. Mayor Cosgrove added that the Planning Board will give them a report.

Ms. Coles wondered if there was an update on the Senior Housing plan. Mayor Cosgrove stated that most of the funding over the last three to four years has gone to Hurricane Irene and Superstorm Sandy throughout the State. He believed at the end of this month, United Way will be applying again for funding. The Borough has tried to make it more attractive for them to gain the funding so that it could be built. He had spoken to the Municipal Clerk who had spoken to their attorney who said they had a preliminary meeting with the State and that it looked very favorable for funding. He informed Ms. Coles that they have a developer and are shovel ready. They just need the money from the State.

Councilmember Peluso stated that the pocket park has really turned out nice. He sees people using the benches. In regard to the trailers at Memorial Park, Superintendent Graff is looking at other options keeping in mind the flooding and the cost. The Pool Committee has been looking at it as well. The Senior Housing is definitely needed in Fair Lawn.

Kyle Mazza, 13-09 Berdan Avenue, questioned what work Boswell Engineering will be doing in Fair Lawn. Mayor Cosgrove explained that they will be doing the prep work for the bump outs and also the work on Saddle River Road. Manager Van Kruiningen

added that they will do the inspection of all the new ramps installed on Fair Lawn Avenue. Since the Borough is receiving Federal funds it is a requirement to have an outside engineering firm to inspect the installation of the ramps to make sure the sidewalks meet the proper code.

There being no further comments, upon motion by Deputy Mayor Dunay 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 8:55 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

