

REGULAR MEETING OF SEPTEMBER 29, 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 Mayor Dunay, Councilmembers Peluso and Swain.

ABSENT: Deputy Mayor Lefkowitz

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

PROCLAMATIONS: BREAST CANCER AWARENESS MONTH

Municipal Clerk / Deputy Manager Kwasniewski read the proclamation.

COUNCIL COMMENTS:

Councilmember Peluso thanked the Knights of Pythias for holding their annual Bike-a-thon and Hand of Friendship. The Bike-a-thon raises money for those with special needs and the Hand of Friendship is a bunch of games they set up at the bike path for children and adults with special needs to play the games.

The Pool Committee looking forward to discussing the past season and ways to improve the next season at their next meeting on November 9th.

Councilmember Peluso thanked Shade Tree Supervisor Water Neill, DPW Superintendent Neggia, Manager Van Kruningen and Chief of Staff Magarelli for removing the dead tree that was blocking the waterway in Jordan Creek. He reminded the residents that if they see a downed tree to let the Borough know because if they are aware of it they will work hard to get rid of it.

Councilmember Swain stated she was also at the Hand of Friendship event with Councilmember Peluso. She thanked the Knights of Pythias for raising money for the special needs people and for many of the emergency management personnel who benefit from their charities.

She thanked Dave Drahouzal for setting up the Pet Adoption Day at the Dutch House. There were a lot of pets and it seemed that many of them were adopted. As a parent of an adopted pet she felt it was a worthwhile experience. She suggested the next time anyone wanted a pet to attend one of these adoption events

The ADA Committee held a 60's themed dance which was sponsored by the Fair Lawn Democratic Organization and the Saddle Brook Women's Club. Over 150 people attended the dance. The next dance will be held on Friday, October 16th with a Halloween Theme.

The Stigma Free Committee is holding a dance at the Community Center. Tickets may still be online for purchase.

Councilmember Swain commented that the County would be holding Art in the Park at Van Saun Park on Saturday, October 3rd.

Councilmember Swain stated she serves on the Community Development Program where the Borough tries to get grant money for some of the projects in town. Fortunately the Borough will be getting grants for Road Resurfacing in the amount of \$183,000 and the Senior Center Room Divider in the amount of \$21,400.

She mentioned that during the month of October on Mondays, Anthony's Coal Fired Pizza will be donating money to the L.E.A.D. program which is the Law Enforcement against Drugs program which the officers in the Borough support.

Councilmember Swain offered her wishes for a Happy New Year to their Jewish friends in the Borough.

Deputy Mayor Dunay hoped that everyone had a wonderful Rosh Hashanah and a Happy New Year to all those that celebrate. He mentioned one of the nice things about Fair Lawn is they can go away for a month and come back and find things are still relatively quiet and peaceful despite the fact that the Pope visited, they had a new Speaker of the House coming in and the United Nations is celebrating its 70th anniversary. There have been a lot going on in foreign affairs and yet in Fair Lawn everything is very peaceful. It reminds him of how wonderful it is to live here.

He thanked the New Song Church for raising approximately \$1,500 during their flea market which was then donated to support the Veteran's outreach that Nick Magarelli is spearheading. It was very nice of the church community to support the veterans in town.

Mayor Cosgrove clarified that the tickets will be available until 12 midnight by going to the Stigma Free Facebook page or their website. Half the proceeds will be donated to the Stigma Free programs in Paramus and Fair Lawn.

On Tuesday, October 13th the Fair Lawn Avenue Vision Plan will be held at the Community Center from 4:00 to 8:00 p.m. Different planners will be available for discussion. This plan is just an idea.

The League of Women's Voters will be holding a Meet the Council Candidates debate on Thursday October 15 in the Council Chambers at 8:00 p.m. It will also be running on FLTV.

Mayor Cosgrove stated he did the coin toss for the Fair Lawn Football Association and since that time the Pee Wee's juniors and seniors are undefeated. They have won nine games.

He attended the Eagle Scout presentation for Ryan Greff who is a great young man out of Troop 53. They have kept a record of how many Eagles they have had over the years and Ryan is the 7th one.

Mayor Cosgrove spoke about going to Shop Rite to bag for hunger with Councilmember Swain and Councilmember Peluso. He thanked Shop Rite of Fair Lawn for sponsoring that event and donating to the food pantry.

Last Saturday he was the Master of Ceremonies at the Fair Lawn High School Athletic Hall of Fame's ten year reunion. In attendance was Bruce Jankowski who was the greatest football player from Fair Lawn.

Mayor Cosgrove thanked everyone at Fair Lawn TV for what they do and reminded everyone about the great station they have. The volunteers cover so many events including this Council meeting.

MANGER'S REPORT:

Municipal Clerk / Deputy Manager Kwasniewski stated the Manager's Report was on the table with no changes and if there were any questions to please reach out to the Manager.

ORDINANCES ON FIRST READING:

Upon motion by Councilmember Peluso and a second by Councilmember Swain it was unanimously agreed to read the following ordinance by title.

ORDINANCE NO. 2365-2015

(RESOLUTION NO. 371-2015)**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "FEES", ARTICLE VI, "SCHEDULE OF FEES"**

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain Resolution No. 371-2015 introducing Ordinance No. 2365-2015 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.

**ORDINANCE NO. 2366-2015
(RESOLUTION NO. 372-2015)****AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 62 ENTITLED "ANIMALS", ARTICLE 1 ENTITLED "DOGS" AND CHAPTER 94 ENTITLED "FEES", ARTICLE VI ENTITLED "SCHEDULE OF FEES"**

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain Resolution No. 372-2015 introducing Ordinance No. 2366-2015 was unanimously passed.

ORDINANCE ON SECOND READING:

Upon motion by Councilmember Swain 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. 2362-2015
(RESOLUTION NO. 373-2015)****AN ORDINANCE 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**

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 Dunay and a second by Councilmember Peluso Resolution No. 373-2015 adopting Ordinance No. 2362 -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 and open the time for public comments.

**ORDINANCE NO. 2363-2015
(RESOLUTION NO. 374-2015)**

**AN ORDINANCE FIXING THE SALARIES OF NEW PART TIME EMPLOYEES
OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS
AMENDED**

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 Dunay and a second by Councilmember Peluso Resolution No. 374-2015 adopting Ordinance No. 2363-2015 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 and open the time for public comments.

**ORDINANCE NO. 2364-2015
(RESOLUTION NO. 375-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND
TRAFFIC", MORE PARTICULARLY SECTION 232-45 ENTITLED "THROUGH
STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-
WAY STOP INTERSECTIONS"; AND SECTION 232-68 ENTITLED
"PEDESTRIAN SIGNS"**

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 Councilmember Peluso and a second by Deputy Mayor Dunay Resolution No. 375-2015 adopting Ordinance No. 2364-2015 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

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

RESOLUTIONS BY CONSENT #19 - 2015

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso Consent Agenda 19-2015 containing the following items was unanimously passed.

- a. Resol. #376-2015 – Approval of Minutes:
 - Work Session 7/21/15
 - Closed Session 7/21/15
 - Regular Meeting 7/21/15
- b. Resol. #377-2015 – Cancellation of Capital Ordinances
- c. Resol. #378-2015 – DOT Municipal Aid Program Grant Application
- d. Resol. #379-2015 - Auction of Surplus Equipment
- e. Resol. #380-2015 – Confirmation of Fire Board Actions
- f. Resol. #381-2015 - Authorizing Issuance of Massage Establishment License: Taiji Oriental Massage
- g. Resol. #382-2015 - Refund of Overpayment of Taxes
- h. Resol. #383-2015 - Endorsement of CDBG Application Care Plus New Jersey
- i. Resol. #384-2015 - Authorizing Execution of Bergen County Community Development Block Grant - Senior Center Room Divider
- j. Resol. #385-2015 - Authorizing Execution of Bergen County Community Development Block Grant - Roadway Improvements to Various Street
- k. Resol. #386-2015 - Award of Bid: Tree Trimming
- l. Resol. #387-2015 - Award of Bid: Tree & Stump Removal
- m. Resol. #388-2015 - Authorizing Purchases with Sullair Corporation through the National Joint Powers Alliance (NJPA)
- n. Resol. #389-2015 - Authorizing Awarding of Contract with Certain Approved State Contract Vendors - Mall Chevrolet

- o. Resol. #390-2015 - Authorizing Participation in the Passaic County Cooperative Pricing System

RESOLUTION NO. 391-2015 - APPROVAL OF MINUTES:

Work Session 8/18/15

Closed Session 8/18/15

Regular Meeting 8/18/15

There being no discussion, upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 391-2015 was passed with the abstention of Councilmember Peluso.

RESOLUTION NO. 392-2015 - APPROVAL OF MINUTES:

Work Session 9/8/15

Special Meeting 9/8/15

Closed Session 9/8/15

There being no discussion, upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 392-2015 was unanimously passed.

PUBLIC COMMENTS:

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

Marc Coyler, 39-08 Van Duren Avenue, questioned the Barrister project and hiring the planner. Mayor Cosgrove corrected him that it was being sent to the Borough planner. Attorney Mondello advised that it had been tabled until the October 6th Work Session.

Mr. Coyler wondered if it was common for a developer to come before the Mayor and Council to try to get a zoning change. Attorney Mondello advised that it is very usual as long as it is done out in public and not behind any closed doors. The developer would approach the Mayor and Council to get an idea as to what they think about their particular application and proposal. Mr. Coyler felt they wanted to spend money to send it to another planner. Mayor Cosgrove said they have to realize that the Planning Board unanimously recommended the change. There were members of the Council that felt it should be sent to the Borough's planner to see if it was appropriate or not. There are circumstances that surround this proposal such as knowing the house is there and that they have talked about taking the house down if the plan is not approved.

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.

CLOSED SESSION RESOLUTION:

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain the following closed session resolution was unanimously adopted at 8:04 p.m.

WHEREAS; the Open Public Meeting act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Governing Body; and

WHEREAS; the Mayor and Council of the Borough of Fair Lawn desire to discuss Personnel – Conflict Attorney; and

WHEREAS; these matters are ones which permit the exclusion of the public from such discussions; and

WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since these matters as set forth above are ones which permit the exclusion of the public from such discussions.

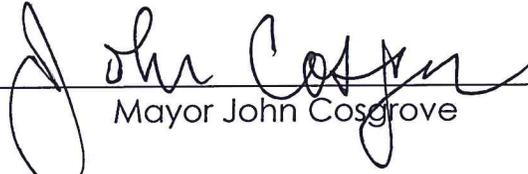
ADJOURNMENT:

Upon motion by Councilmember Swain and seconded by Deputy Mayor Dunay, 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



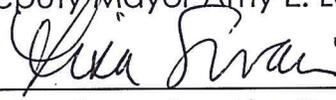
Deputy Mayor Daniel Duncay



Councilmember Kurt Peluso

Absent

Deputy Mayor Amy E. Lefkowitz



Councilmember Lisa Swain

