

REGULAR MEETING OF FEBRUARY 16, 2016

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 18, 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. 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, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

SWEARING IN OF AUXILIARY POLICE OFFICERS & PROMOTION:

Mayor Cosgrove commented that they had the distinct honor once again of swearing in some new Auxiliary Police Officers. For those that don't know, the Auxiliary Police Officers are a great testament to the town. They dedicate their time, they volunteer and assist the Police Department for which the Borough is very fortunate.

Auxiliary Police Chief Magarelli announced the promotion and the officers to be sworn in. Michael Grossi will be promoted to Lieutenant. He has been an Auxiliary Police Officer since 2011 and has been assigned to patrol, special events, traffic and emergency call outs. He has been the Field Training Officer and has one of the highest amounts of hours in the Auxiliary. Michael Moore is a 2015 graduate of Fair Lawn High School. He was a member of the Rescue Squad. Currently he is attending Bergen Community College for Criminal Justice. He will be attending the Police Academy the end of February. Jibin John is a 2007 graduate of Fair Lawn High School. He is an Accounts Manager for a pharmaceutical company. He will also be attending the Police Academy in February. Peter Kortright III, who has lived in Fair Lawn for the past sixteen years is an Air Force Veteran and a transfer from Bergen County's Auxiliary Police and will start his field training immediately. He is employed with Bergen County. He is also a member of the Planning Board.

Mayor Cosgrove stated that Mr. Kortright wears multiple hats in the Borough. He is thankful for so many volunteers that do so many things.

Mayor Cosgrove and the rest of the Council, swore the Lieutenant in along with the officers.

Mayor Cosgrove thanked all of the Auxiliary Police that were sworn in tonight and for helping our community.

PROCLAMATION: BLACK HISTORY MONTH

Municipal Clerk / Deputy Manager Kwasniewski read the proclamation.

COUNCIL COMMENTS:

Councilmember Swain stated in honor of Black History Month the person she thought of honoring especially in light of the death of Antonin Scalia was Thurgood Marshall. He was the first African American Justice. He served from 1967 to 1991 and really left a special mark on our society. He obviously made way for other people of color to join the justice system.

She announced that the ADA Committee was holding their next dance on March 11th which will be sponsored by the Garden State Grandmas. She thanked them for their generous contribution.

The Green Team and the Environmental Commission have been holding a Green Fair for the last several years. The next fair will be held on Wednesday, March 9th at the Community Center.

Last week the Knights of Pythias held their annual dinner event where they give out all of the money they raise to the organizations in town and other charitable groups that help so many people. Councilmember Swain thanked the Knights of Pythias for what they do.

Councilmember Swain stated she would like to see the elected officials, especially those in the Senate, do what they were elected to do and that is to move the Supreme Court Justice nomination along.

Councilmember Peluso congratulated all of the Auxiliary Police Officers that were sworn in or promoted. It is a great volunteer organization that does a lot of work for this community. As the Mayor mentioned many of these people volunteer in many different capacities throughout the town.

He attended the Citizen Police Academy along with Mayor Cosgrove, Deputy Mayor Lefkowitz and Councilmember Swain. Councilmember Peluso thanked the Police Officers for putting the Police Academy together and doing a great

job in giving these individuals basic training. Many of these individuals go on to volunteer for CERT, Fire Department, Auxiliary Police and Rescue Squad.

Last week he attended the STEM Competition. High Schools competed by building a solar paneled model car to go on a track. He thought it was a great idea.

The Knights of Pythias put on a great event. It was amazing the amount of money they raise for the charities they donate to.

Today he received his first call from the Garden Committee to begin the spring clean up. He suggested if someone wants to get their hands a little dirty they should join the Garden Committee and help beautify this town.

Deputy Mayor Dunay stated he was glad to hear that the High School was now having a solar powered car contest. They have really come a long way since he was building pasta bridges.

He picked up a copy of The Financial Times which laid out interesting facts about who was being considered on President Obama's short list to be nominated to the Supreme Court. Considering it is Black History Month, it was fascinating to look at the list and see how diversified it was. To think thirty years ago when Antonin Scalia was put on the Supreme Court it was considered a revolutionary idea that an Italian American would be on the Supreme Court. It goes to show how far this Nation has come and how more progress is being made.

Deputy Mayor Dunay thanked the Knights of Pythias who raise tens of thousand dollars a year and give the funds out to dozens of charitable institutions from around the area. All these organizations make an impact on various ailments or medical conditions.

Deputy Mayor Lefkowitz echoed the sentiments about the Knights of Pythias presentation and the Citizens Police Academy that she attended. She congratulated the Auxiliary Police on their new members and the promotion.

She participated in the third annual President's Day service at Temple Emanuel in Franklin Lakes. This is a ceremony where the Rabbi has developed the Gettysburg Address to be chanted in Hebrew. It was amazing to see the diverse group of elected officials in attendance and participating. It was a very bipartisan atmosphere and a wonderful way to acknowledge the Presidents and the past.

Deputy Mayor Lefkowitz stated that the Governor had declared this past week as Congenital Heart Defect Awareness week which was designed to encourage residents to join in the campaign to increase awareness regarding congenital heart defects. As many know she holds this dear to her heart because the Planning Board Chairman, Brent Pohlman and his wife, Gabrielle gave birth to a son this past May who was born with a congenital heart defect. He has undergone two open heart surgeries and is home continuing to recover. She wanted to encourage everyone to support early detection and increase awareness.

Deputy Mayor Lefkowitz mentioned a Parent's Guide from Bergen County which is available on the Borough website. It lists many programs that are available to families and individuals in regard to different resources, support lines and meetings for anyone that could be going through any type of mental health and/or substance abuse issues. She encouraged everyone to take a look at this if case you may know someone that might need these resources.

Lastly, the Center for Drug Resources has put out a flyer regarding Volunteering Recovery Coach Academy. This is a program that allows former Opiate users who are living a life of recovery to volunteer as a Recovery Coach Peer Mentor. These individuals would help support those who have overdosed and who are brought to the hospital Emergency Room and have received Narcan. She thought it would impact so many people.

Mayor Cosgrove pointed out that he attended the Milnes Character Education Assembly which spoke about the six pillars of responsibility. Some of these things are missing in society such as civility. It was very informative and the kids responded well. He thanked the Principal, Joe Falco and the members of the PTA for inviting him.

He attended the Knights of Columbus fundraiser for a member of the Knights, Bob Walsh who had passed away from cancer. Two hundred fifty people attended and it was a very successful event. The money will be donated to causes that help fight cancer.

The Bergen Regional Medical Center Foundation has made a \$500 donation to Fair Lawn's Stigma Free Committee. As everyone knows, Fair Lawn has been declared a Stigma Free Area to educate people about people who have problems with behavioral health there is no stigma for those that that have that issue. There are a lot of great agencies for those who need help. If any information is needed on the Stigma Free Committee or if the Borough can help in any way, just call the Mayor's office so you can be directed to the right people.

MANAGER'S REPORT:

Manager Van Kruijning stated the monthly Manager's Report has been submitted and there were no changes. If anyone had any questions to please feel free to contact his office.

ORDINANCES ON FIRST READING:

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

**ORDINANCE NO. 2374-2016
(RESOLUTION NO. 90-2016)****AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.
40A: 4-45.14) CALENDAR YEAR 2016**

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 90-2016 introducing Ordinance No. 2374-2016 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.

**ORDINANCE NO. 2375-2016
(RESOLUTION NO. 91-2016)****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 (NAUGLE-
VANDERBECK HOUSE)**

Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 91-2016 introducing Ordinance No. 2375-2016 was unanimously passed.

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

**ORDINANCE NO. 2379-2016
(RESOLUTION NO. 92-2016)**

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 ADMINISTRATION AND FINANCE COMMUNITY DEVELOPMENT DIVISION THEREFORE (ROAD RESURFACING)

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 92-2016 introducing Ordinance No. 2379-2016 was discussed.

Mayor Cosgrove stated the Borough would be receiving \$183,900 from Bergen County Community Development for road resurfacing.

There being no further discussion, Resolution No. 92-2016 introducing Ordinance No. 2379-2016 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.

**ORDINANCE NO. 2380-2016
(RESOLUTION NO. 93-2016)**

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 ADMINISTRATION AND FINANCE DIVISION OF COMMUNITY DEVELOPMENT THEREFORE (SENIOR CENTER ROOM DIVIDER)

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, Resolution No. 93-2016 introducing Ordinance No. 2380-2016 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. 2381-2016
(RESOLUTION NO. 94-2016)**

AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 94-2016 introducing Ordinance No. 2381-2016 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.

**ORDINANCE NO. 2382-2016
(RESOLUTION NO. 95-2016)**

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 13 ENTITLED "FIRE DEPARTMENT" BY ADDING ARTICLE XIX "ENTITLED REFLECTIVE SYMBOL ON STRUCTURES USING ENGINEERED LUMBER"

Upon motion by Deputy Mayor Lefkowitz and a second by Deputy Mayor Dunay, Resolution No. 95-2016 introducing Ordinance No. 2382-2016 was unanimously passed.

ORDINANCE ON SECOND READING:

Upon motion by Deputy Mayor Dunay 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. 2372-2016
(RESOLUTION NO. 96-2016)**

AN ORDINANCE TO AMEND CHAPTER 30 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "PERSONNEL" TO ADD ARTICLE V ENTITLED, "ANTI-NEPOTISM POLICY"

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 Lefkowitz and a second by Deputy Mayor Dunay, Resolution No. 96-2016 adopting Ordinance No. 2372-2016 was discussed.

Councilmember Peluso thanked the Mayor and Council for agreeing to adopt this ordinance and the Borough Manager for exploring all the different anti-nepotism ordinances that are out there. As elected officials they should be serving one interest and that is the interest of the residents. By not allowing any of them to hire family members to full time positions really ensures the trust between the residents and the elected officials that they were asked to serve.

There being no further discussion, Resolution No. 96 -2016 adopting Ordinance No. 2372- 2016 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. 2373-2016
(RESOLUTION NO. 97-2016)**

**AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE
BOROUGH OF FAIR LAWN 2000, ENTITLED, "POLICE DEPARTMENT" TO
ADD ARTICLE XIV ENTITLED, "POLICE CHAPLAIN"**

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 Deputy Mayor Dunay and a second by Councilmember Peluso Resolution No. 97-2016 adopting Ordinance No. 2373-2016 was discussed.

Councilmember Peluso thanked retired officer Detective Boone for volunteering for this position. Detective Boone has served as the Police Chaplain for many years. He retired from the Police Department at the end of 2015 and wants to stay on as a volunteer to serve the department.

There being no further discussion, Resolution No. 97-2016 adopting Ordinance No. 2373-2016 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Deputy Mayor Dunay 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 Councilmember Swain by the time for public comments was unanimously closed.

RESOLUTIONS BY CONSENT # 4-2016

Upon motion by Councilmember Peluso and a second by Deputy Mayor Dunay Consent Agenda #4-2016 containing the following items was unanimously passed.

- a. Resol. # 98-2016 - Approval of Minutes:
 - Work Session 12/15/15
 - Special Meeting 12/15/15
 - Closed Session 12/15/15
 - Reorganization Meeting 1/5/16
 - Work Session 1/12/16
 - Closed Session 1/12/16
- b. Resol. # 99-2016 - Transfer of Funds
- c. Resol. #100-2016 -Authorizing Execution of License Agreement with New Song Church - Farmer's Market
- d. Resol. #101-2016 -Authorizing Submission of Recycling Tonnage Grant
- e. Resol. #102-2016 -Petty Cash Funds
- f. Resol. #103-2016 -Refund of Water Meter Payment
- g. Resol. #104-2016 -Refund of Overpayment of Taxes
- h. Resol. #105-2016 -Authorizing Multi-Year Contract: Copiers
- i. Resol. #106-2016 -Authorizing Multi-Year Contract: Police Computer Maintenance - Spillman Technologies, Inc.
- j. Resol. #107-2016 -Authorizing Execution of Contract for Emergency Notifications with Emergency Communications Network Inc.
- k. Resol. #108-2016 -Award of Bid: Arcade Games Fair Lawn Community Center - H. Betti Industries, Inc.
- l. Resol. #109-2016 -Authorizing Awarding of Contract with Certain Approved State Contract Vendors - Morning Pride
- m. Resol. #110-2016 -Interlocal Services Agreement with Elmwood Park: Construction Official
- n. Resol. #111-2016 -Award of Bid: Uniforms, Police, Auxiliary Police, Crossing Guard - Some's Uniforms, Inc.
- o. Resol. #112-2016 -Confirmation of Fire Board Actions
- p. Resol. #113-2016 -Tax Appeal Settlement: 3KRealty, LLC, 9-10 Saddle River Road
- q. Resol. #114-2016 -Tax Appeal Settlement: 3KRealty, LLC, 9-02 Saddle River Road
- r. Resol. #115-2016 -Tax Appeal Settlement: Fair Lawn Associates, 11-19 Saddle River Road
- s. Resol. #116-2016 -Tax Appeal Settlement: Lepore, 2-02 Fair Lawn Avenue

- t. Resol. #117-2016 -Tax Appeal Settlement: 24-19 Broadway, LLC,
24-19 Broadway
- u. Resol. #118-2016 -Tax Appeal Settlement: John & Nancy Coleman,
11-19 River Road
- v. Resol. #119-2016 -Tax Appeal Settlement: Corrado & Kristen
Gugliotta, 2-32 Grunauer Place
- w. Resol. #120-2016 -Budget Self Examination
- x. Resol. #121-2016 –Award of Professional Services: Insurance Only
Ambulance Billing Services Collection Firm
- y. Resol. #122-2016 –Approving Change Order #2 – Project No. 2232
Library Restroom Renovation

RESOLUTION NO. 123-2016 - INTRODUCTION OF BUDGET BY TITLE ONLY

Upon motion by Deputy Mayor Dunay and seconded by Deputy Mayor Lefkowitz, Resolution No. 123-2016 was discussed.

Deputy Mayor Lefkowitz thanked Manager Van Kruiningen, CFO Palermo, Municipal Clerk / Deputy Manager Kwasniewski and everyone on the Council for working together so well to put this budget together. She knows it takes a lot of time, energy, hard work, frustration and she thought the residents of Fair Lawn are very well served by the budget that was put together.

Councilmember Swain echoed Deputy Mayor Lefkowitz comments, especially Manager Van Kruiningen because she knows that this budget did not start out this way. There were a lot more requests and he really had to be tough to keep the requests down to a minimum so they could deliver to the taxpayers the best possible budget with the least amount of an increase.

Mayor Cosgrove echoed those sentiments and thanked all of the employees for helping out. The fact that this budget will be \$900,000 below the 2% cap is a feather in the cap to all the professionals and especially this Council who worked together to get to where they are.

There being no further comment Resolution No. 123-2016 was unanimously passed.

RESOLUTION NO. 124-2016 - INTRODUCTION OF RIVER ROAD IMPROVEMENT CORPORATION BUDGET BY TITLE ONLY

Upon motion by Deputy Mayor Dunay and seconded by Councilmember Swain, Resolution No. 123-2016 was unanimously passed.

RESOLUTION NO. 125-2016 - INTRODUCTION OF BROADWAY IMPROVEMENT CORPORATION BUDGET BY TITLE

Upon motion by Deputy Mayor Lefkowitz and seconded by Deputy Mayor Dunay, Resolution No. 125-2016 was unanimously passed.

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.

Marc Colyer, 39-08 Van Duren Avenue, thanked Manager Van Kruijning for having the wood on the window on the Naugle House repaired. . He felt the proposed construction may cause the Naugle House to be rendered useless and cause it to fall down. He wondered what would happen to the funds from the County. Attorney Mondello assumed if the structure completely caved in and was not salvageable or could not be repaired, the money would have to be returned.

Mr. Colyer stated in the past he tried to get people to help clean up the property and it came down to insurance issues about having volunteers going on to the property. He wondered if he should try again this year to get a volunteer group to do some work. Attorney Mondello advised there have been extensive discussions with the Borough's Risk Manager and he is of the opinion that it is not a good idea because it is not completely safe and if someone gets hurt the liability would be high for the Borough.

Councilmember Peluso stated he was in the Naugle House about two years ago and it was after a cleanup but there was still a lot of stuff on the ground and the staircase is not firm. He would not feel safe with having a group of volunteers going into that house or the land.

Mayor Cosgrove stated that around the end of the 2017 the repairs should be complete.

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

ADJOURNMENT:

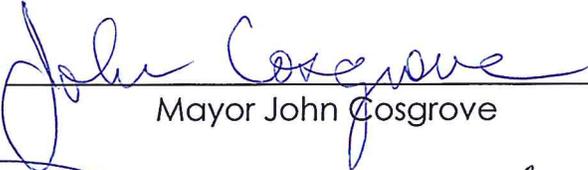
Upon motion by Deputy Mayor Dunay and second by Councilmember Swain the meeting was adjourned at 8:29 p.m.

Respectfully submitted,

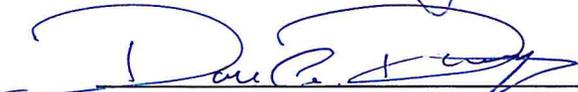


Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

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