

REGULAR MEETING OF MAY 17, 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 Kruiningen, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

SWEARING IN OF POLICE OFFICERS & PROMOTIONS:

Chief Cauwels stated that it was a special night for the Police Department. They are promoting Sergeant Eric Leitman to Lieutenant. He has been an asset to the department for his whole career.

The Mayor swore in Eric Leitman as Lieutenant.

Chief Cauwels announced the promotion of Police Officer Joseph Mecionis to Sergeant. It was a pleasure for him to have the opportunity to promote him to Sergeant. There is no doubt in his mind that Officer Mecionis will do a great job.

The Mayor swore in Joseph Mecionis as Sergeant.

Chief Cauwels stated they would be swearing in a new officer, Javier Gutierrez, who worked for the Paterson Police Department for 13 years. This is his official swearing in since he was sworn in two weeks ago and has been working since then.

The Mayor swore in Javier Gutierrez as Police Officer.

Mayor Cosgrove congratulated all of the officers on their promotions.

PROCLAMATIONS: MENTAL HEALTH AWARENESS

Mayor Cosgrove stated that a few years ago Fair Lawn became the second community in Bergen County to declare it stigma free to wipe out the stigma around mental health and behavior health problems. They know that one in every four people at some time in their lives suffer some type of behavior health problem. He thanked Tammy Smith for the great job she has done with the stigma free committee.

The Mayor and Council presented the proclamation to Tammy Smith of the Stigma Free Task Force Committee.

COUNCIL COMMENTS:

Councilmember Peluso state that Fire Co. 2 held a pet adoption and a flower sale on Mother's Day weekend. The Garden Committee had Arboretum Day on Mother's Day because it was postponed the weekend before due to heavy rain. He suggested taking a look at what they have done over there.

Councilmember Peluso congratulated the newest members of the Police Department. The Citizens Police Academy had their graduation last week. He thanked the Fair Lawn Police Department for putting that together.

He welcomed the new Police Officer and congratulated the new Lieutenant and Sergeant on their promotions.

The Veteran's Fair at the Community Center was a huge success. He spoke with many Veterans' who were very grateful for the Borough putting this together.

This morning he and the Mayor attended the Flag retirement ceremony at Memorial Pool. He felt it was great to see so many flags being flown in Fair Lawn.

Councilmember Swain congratulated the new Police Officer and the Officers that were promoted wishing them much success in their careers. She congratulated many of Fair Lawn's children who graduated college and wished them a bright future as they move on. Her daughter will be graduating and she is very proud of her.

She attended the Veteran's Fair which was really terrific. There were so many sponsors and vendors. Fair Lawn's veteran Jack O'Neill sent a letter which referenced what this community was all about and the work that Veteran's Affairs Liaison Nick Magarelli put into this event. Councilmember Swain thanked Jack O'Neill for representing the Veterans.

The Arts Council held the Poetry Reading this past weekend. There was a great turnout and some very talented poets. She thanked Jane Spindel and everyone on the Arts Council.

Councilmember Swain attended the Columbia Bank business reception at Macaluso's. She thanked Columbia Bank for being such a terrific partner for Fair Lawn. They support so many of the Borough events.

Last Thursday was the Citizen's Police Academy graduation and they had a great graduating class. They are volunteers who go through the training and lend an extra set of eyes and ears to keep Fair Lawn safe.

There was a very interesting speaker at the ADA meeting who presented information on special needs traveling. She suggested that if anyone needed information to contact her. The ADA Committee will be hosting a dance with a prom theme. At the dance they will acknowledge the Ambulance Corps.

Councilmember Swain encouraged everyone to get out and vote in the Primary on June 7th.

Deputy Mayor Dunay congratulated Councilmember Swain on her daughter's graduation. He also congratulated the two Police Officers who were promoted and to the one newly sworn in Police Officer. It was a pleasure to see the outpouring of support from the other members and retired members of the Police Department. He offered congratulations to Chief Cauwels for all that he has done in continuing to grow and build the Police force.

He thanked the people who work with the Stigma Free Zone for everything they are doing in Fair Lawn and in Paramus. He felt that so many people are touched by mental health challenges. It is not always comfortable to talk about it. It is important that they keep working on mental health and be supportive to friends and family.

Deputy Mayor Dunay thanked the residents for applying for the Zoning Board position. Unfortunately there was only one opening so they will have to make a decision. It is a great way to serve the community.

The Primary will be held on June 7th. He urged people to vote. He has heard complaints about both candidates. Part of the challenge is the turnout in the Primary. New Jersey's Primary is very late in the process so there won't be that much competitive tension. He thought it was important to remember each election, not just the presidential election.

Deputy Mayor Lefkowitz congratulated the new Police Officer and welcomed him to Fair Lawn. She congratulated the new Lieutenant and Sergeant.

Deputy Mayor Lefkowitz congratulated Mayor Cosgrove for receiving a Citizen's Leadership Award from the Daughters of the American Revolution last Saturday. She also congratulated the Board of Education member, Michael Rosenberg, who also received an award.

She congratulated Milnes School for holding their carnival for the past twenty years. It was a well run carnival and an exciting event celebrating their twentieth anniversary.

Deputy Mayor Lefkowitz attended the Veteran's Fair. She thanked Veteran's Affair Liaison Nick Magarelli and everyone involved for what they did. It was so impressive. CFO Palermo's son, Mark, read an amazing poem that he had written during one of the presentations that brought everyone to tears.

She attended the Chamber of Commerce dinner that honored Alan Krutchkoff for his work with Adopt-a-Soldier which is an amazing accomplishment.

Deputy Mayor Lefkowitz congratulated the high school for putting on the musical, Chaplin and receiving ten metro award nominations. She wished them good luck.

In regard to the Mental Health Proclamation, she thanked everyone that is involved in the stigma free organization. Fair Lawn was the second community to claim itself stigma free. On the Borough website there is a parent handbook with all of the resources available regarding substance abuse and mental health issues.

Deputy Mayor Lefkowitz wished everyone a pleasant Memorial Day weekend. She asked that everyone come out to the parade. Along with it being a fun weekend, it should be a time to reflect and honor those who have given their lives and all those who do everything to keep us free.

Mayor Cosgrove thanked Veteran's Affair's Liaison Nick Magarelli but also thanked the committee of Liz Twiggs, Nichole Chrysler and Michele Coles. There were hundreds of veterans present.

Mayor Cosgrove mentioned that he was in Washington, D.C. two weeks ago and had the honor and privilege to go to Arlington National Cemetery. Every time he goes there he finds it very moving to see all those graves. Memorial Day should be about remembering those that served and those that made the ultimate sacrifice for all of us.

He attended a seminar entitled "Building Bergen" held at Bergen Community College. It was extremely informative and was about redeveloping downtowns in Bergen County. The panel featured the County Executive along with planners and architects.

Mayor Cosgrove thanked the Veteran's Council for the flag retirement ceremony. He announced there was a collection box for flags on the Parmelee Avenue side of the building. Also the Fair Lawn Chamber of Commerce will be placing flags on Fair Lawn Avenue, River Road, and Berdan Avenue for the Memorial Day parade which will remain up until September 11th. The flags can be purchased from the Chamber of Commerce for a cost of \$50 and will be hung and honored and listed in the Community News.

He thanked Sergeant Metzler and Officer Gerard Graziano for the great job they did with the Citizens Police Academy. Another class will be held soon.

Mayor Cosgrove received a call from Governor Christie's office in regard to Fair Lawn receiving a Clean Communities Grant in the amount of \$69,000. That was because of the great work being done by the Green Team and Ron Lottermann from the Recycling Division.

He extended his sympathies to former Mayor Steve Weinstein on the death of his father, Philip Weinstein. He knows that the whole Borough family is saddened to hear of his passing. He was an Air Force Veteran and a very nice man. His condolences go out to the Weinstein family.

MAYOR'S APPOINTMENTS:

Mayor Cosgrove announced the appointments of Howard Sperling and C. Boyd Cote to the Historic Preservation Commission as Class C members.

ORDINANCES ON FIRST READING:

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. 2388-2016 (RESOLUTION NO. 187-2016)

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "FEES" ARTICLE VI, SCHEDULE OF FEES, SUBSECTION 94-12 ENTITLED "MISCELLANEOUS FEES" AND CHAPTER 208 "STREETS AND SIDEWALKS"

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 187-2016 introducing Ordinance No. 2388-2016 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.

**ORDINANCE NO. 2389-2016
(RESOLUTION NO. 188-2016)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "FEES" ARTICLE VI, SCHEDULE OF FEES, SUBSECTION 94-12 ENTITLED "MISCELLANEOUS FEES" AND CHAPTER 160, ENTITLED PARKS AND RECREATION AREAS, SUBSECTION 160-6B NON-SWIMMER MEMBERSHIP BADGE

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 188-2016 introducing Ordinance No. 2389-2016 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. 2390-2016
(RESOLUTION NO. 189-2016)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 220 ENTITLED "TOBACCO"

Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 189-2016 introducing Ordinance No. 2390-2016 was discussed.

Councilmember Swain thanked the Council and Attorney Mondello for the support she received when she brought this to them. She felt very fortunate that this community will support raising the age of the sale of tobacco products from 19 to 21. They know from research that this is the way to help prevent the youth from starting a terrible habit that is difficult to kick.

Councilmember Peluso echoed Councilmember Swain's comments. He thanked her for bringing this to the Council and the Council for passing this. Since they first discussed this ordinance he has spoken with a number of

educators within Fair Lawn who felt this was a great step toward helping circumvent the youth from using tobacco products.

There being no further discussion, Resolution No. 189-2016 introducing Ordinance No. 2390-2016 was unanimously passed.

ORDINANCE ON SECOND READING:

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. 2383-2016
(RESOLUTION NO. 190-2016)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 125 "LAND DEVELOPMENT" AS IT PERTAINS TO AMENDING THE ESTABLISHED "R-5-1 TOWNHOUSE RESIDENTIAL DISTRICT" WITHIN CODE SECTION 125-21 TO INCLUDE "AGE-RESTRICTED TOWNHOUSES" AS A PERMITTED USE AND AMENDING THE "R-5-1 TOWNHOUSE RESIDENTIAL DISTRICT" ON THE BOROUGH'S ZONING MAP TO REZONE BLOCK 1702, LOTS 5 AND 6 FROM THE "R-1-2 ONE-FAMILY RESIDENTIAL DISTRICT" TO THE "R-5-1 TOWNHOUSE RESIDENTIAL DISTRICT."

Marc Colyer, 39-08 Van Duren Avenue, stated he was wholeheartedly against this zone change. The property is surrounded on three sides by parks and a river. If they are concerned about the health of the town, this is part of the health of the town - open space. Not to mention the Veteran who fought in the Revolutionary War and lived in that house.

Mr. Colyer asked for an Engineering survey on the Naugle House to make certain that none of the construction on the adjoining property would affect it. The town has spent millions of dollars of taxpayers' money to buy and preserve that property. They need to make sure it is not destroyed by the construction nearby.

Mr. Colyer made a generous offer to give the Borough money towards buying the Vanderbeck property. He spoke to Jane Diepeveen who was concerned about the wording in the ordinance.

Mr. Colyer said that work was being done on the Vanderbeck house and was not sure if any permits were taken out.

Robert Moss, 17 New Street, Bloomfield, New Jersey, Green Acres Issues Coordinator for the New Jersey Chapter of the Sierra Club believed that the Ordinance could be challenged as spot zoning. The consultants that labeled this as compatible use have not provided a technical definition of compatible. By their logic the proposal that should be here before them ought to be just merging all the residential zones because they are all compatible.

Howard Mark, 12-23 Ferry Heights, stated he sent a letter to Green Acres asking for verification about a road being put in through the Naugle property. The idea to rezone was to protect the Vanderbeck house. There is no legal agreement between the Borough of Fair Lawn and the developer. Attorney Mondello advised that the Planning Board, if they decide to approve the relief sought by the applicant, would require reasonable conditions concerning preserve the house to be in a resolution and a deed. It would not be the historical code. He reminded Mr. Mark that the developer could knock the building down today. Mr. Mark's concern was that this house should have standards that stand up to historical code not the building code.

Robert Milanese, Barrister Land Development Corp., stated he wanted to clear up a couple of things. There is a lot of concern about them constructing a road on the easement close to the Naugle House. He assured the Council and members of the public that it was not in the plan. They will not be using the easement for a roadway. The closest construction would be around 180 to 200 feet from the Naugle House. He did not suspect that there would be any adverse effect.

On an emergency basis they went in to see the Building Inspector for a permit for reroofing the historical side which was caving in and to also do some emergency structural work of shoring up some beams. That was the extent of the work done. There was no demolition of the inside. There has been a lot of vandalism so they boarded up the house. Once they get approval they will get the permits necessary to restore the historical section and also the front of the right side of the building.

Mr. Milanese stated they are aware they will have to work with the Planning Board and have reasonable conditions for it to be open to the public and define how they are going to restore the historical section. They intend to hire the Historical Architect that is currently working on the Naugle House.

Pamela Coles, 13-34 George Street, commented that the plans that were presented to the Council are for the best use. This is a means to protect and preserve the house. Possibly Barrister could go back to the Historical Preservation Commission to see what materials should be used to keep the historic value in place. She suggested once the Naugle House was cleaned up

the two properties should somehow be linked. It would be presented almost like the Naugle - Vanderbeck neighborhood. She commented that it was a historic site so they should have someone that was committed to preserving it and keeping it historic. She thought this was the best plan to preserve the house and yet have the developer do whatever they need to do to preserve it with integrity.

Walter Tuers, 17 Richmond Avenue, Ridgewood, commented that it was a good idea to blend the two properties together because that is how they were originally. His fifth great Grandfather, Jacob Vanderbeck, built two or three other houses and among them was the Naugle House but was referred as Vanderbeck Jr.'s house.

Mayor Cosgrove stated this has been a very long journey for everyone. The Council had always wanted to save the house. Originally there was a proposal for an assisted living facility to be built there. They spoke to New Jersey Green Acres to have the land transferred to try to save the house and keep it intact but that plan fell through. Then went to the County asking if they would help with Open Space funds for historic preservation but they had no interest in doing that. Mr. Milanese from Barrister Construction was asked to put a moratorium on this project and he agreed. As Attorney Mondello stated Barrister could tear that house down whenever they want. The house will be saved. Mr. Milanese has made the development for 55 and older. This is a financial decision also. The Borough cannot afford to buy the house. After checking with CFO Palermo they would have to lay off ten to twelve employees and cut services in order to buy the property. He knows that the Council has come up with a compromise. Mr. Milanese has agreed to allow the Historical Preservation Commission to take with tours in the home.

Robert Berger, 38-39 Fair Lawn Avenue, wondered about the new housing and traffic issues along with safety issues. Those issues came up last year when an Assisted Living facility was discussed. Mayor Cosgrove stated that would come up again with the Planning Board. This ordinance is just to change the zone designation. They are not saying they can build. They will have to submit their plans to the Planning Board. Mr. Berger asked how many homes will be built. Mayor Cosgrove advised that the proposal is between twenty and twenty-four.

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 Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Resolution No. 190-2016 adopting Ordinance No. 2383-2016 was discussed.

Councilmember Swain reiterated that this has been a very difficult process regarding this ordinance. She had spoken to many residents that will be impacted by this development. Some would be thrilled with townhouses and some wanted open space preserved. She thought this plan represents everyone. When faced with making a difficult decision you have to make the decision that is the best one for the community. They pressed the developer to make this a development that would serve a need in Fair Lawn and that was age restricted townhomes. By making this for 55 and over this really does serve a need because there are residents in Fair Lawn that cannot live in their homes anymore but want to stay in Fair Lawn.

Deputy Mayor Lefkowitz echoed Councilmember Swain's comments on the difficulty of the decision. She assured everyone that as a Councilmember that sits on the Planning Board that the Planning Board is extremely thorough, rigorous and determined to make sure that the decisions are made appropriately. She knows that the Planning Board will make sure that everyone's concerns are met and that appropriate conditions are set, if there is an application made and if the application is to be approved. Right now there is only a zone change before the Council.

Deputy Mayor Dunay thought he spoke for many on the Council, he was only voting for this proposal because he believed that this was the only way to save the house. He thought back to three or four years ago when opening The Record and seeing articles about the Zabriskie house in Paramus where they went through the same process. The developer decided to just bulldoze it. As Barrister as told them, the house is not in good shape. He did not believe there was another way to preserve the house. He felt it was a win for Fair Lawn that they will save the house.

There being no further discussion, Resolution No. 190 -2016 adopting Ordinance No. 2383-2016 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. 2384-2016
(RESOLUTION NO. 191-2016)**

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 (MEMORIAL POOL)

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 Councilmember Peluso, Resolution No. 191-2016 adopting Ordinance No. 2384-2016 was discussed.

Councilmember Peluso thanked Superintendent Jim Graff for a plan to use the funds which will go towards upgrading Memorial Pool significantly. They will start adding more shading, benches and what they see as successful this summer will be carried over next summer. He thought they have seen great improvements at Memorial Pool and look forward to continuing that path. He thanked the Parks and Recreation Department for putting these proposals together.

There being no further discussion, Resolution No. 191 -2016 adopting Ordinance No. 2384- 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 and open the time for public comments.

**ORDINANCE NO. 2385-2016
(RESOLUTION NO. 192-2016)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94-12 ENTITLED "MISCELLANEOUS FEES" TO REVISE CHAPTER 160, ENTITLED PARKS AND RECREATION AREAS ARTICLE VI SCHEDULE OF FEES, SUBSECTION 160-6A MEMORIAL POOL, INTER-LOCAL POOL MEMBERSHIP AGREEMENTS AND SUBSECTION 160-14 FREE MEMBERSHIP FOR DISABLED PERSONS

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 Deputy Mayor Lefkowitz, Resolution No. 192-2016 adopting Ordinance No. 2385-2016 was discussed.

Mayor Cosgrove stated the free membership for disabled persons is another commitment by Fair Lawn who has one of the few pools in Bergen County with handicapped ramps.

There being no further discussion, Resolution No. 192-2016 adopting Ordinance No. 2385-2016 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 and open the time for public comments.

**ORDINANCE NO. 2386-2016
(RESOLUTION NO. 193-2016)**

AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "POLICE DEPARTMENT", SPECIFICALLY ARTICLE XIV, PARKING ENFORCEMENT OFFICER, MORE SPECIFICALLY TO ADD SECTION 33-39

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 Swain, Resolution No. 193-2016 adopting Ordinance No. 2386-2016 was discussed.

Councilmember Swain explained what the Parking Enforcement Officer will police the train parking lot and handicap spots. He has been finding a lot of offenses. She felt they were fortunate that the Manager added this position to the Police roster.

Mayor Cosgrove commented that this was a good thing because previously they had a full time officer patrolling the lots.

There being no further discussion, Resolution No. 193-2016 adopting Ordinance No. 2386-2016 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. 2387-2016
(RESOLUTION NO. 194-2016)**

"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 (20th STREET)."

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

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 194-2016 adopting Ordinance No. 2387-2016 was discussed.

There being no discussion, Resolution No. 94 -2016 adopting Ordinance No. 2387- 2016 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Councilmember Peluso and a second by Deputy Mayor Lefkowitz, 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 #7-2016

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Consent Agenda #7 -2016 containing the following items was unanimously passed.

- a. Resol. #195-2016 – Approving the 2015 LOSAP Certification List
- b. Resol. #196-2016 – Requesting Approval of Special Item of Revenue - NJACCHO - Health Grant
- c. Resol. #197-2016 – Opposing Parole for Christopher Righetti
- d. Resol. #198-2016 - Authorizing Donation of Snow Plow to the Borough of Midland Park
- e. Resol. #199-2016 – Cancelling Resolution No. 171-2016
- f. Resol. #200-2016 – Authorizing Approval of Massage Establishment License – Angel Wellness
- g. Resol. #201-2016 - Interlocal Agreement with the Borough of Elmwood Park for the Use of Memorial Pool
- h. Resol. #202-2016 - Issuance of Estimated Tax Bills for Third Quarter 2016
- i. Resol. #203-2016 - Authorizing the Knights of Pythias Circus at Memorial Pool
- j. Resol. #204-2016 - Approval of Minutes:
Regular Meeting 4/19/16
Closed Session 4/19/16
- k. Resol. #205-2016 – Tax Collector Appointments

- l. Resol. #206-2016 - Endorsement of CDBG Application: AAH of Bergen County
- m. Resol. #207-2016 - Soft Drink & Food Concession Stand Memorial Pool
- n. Resol. #208-2016 - Award of Bid: Chlorine - Accu-Tab Blue Calcium Hypochlorite
- o. Resol. #209-2016 - Appointment to Environmental Commission
- p. Resol. #210-2016 - Appointment to Zoning Board of Adjustment
- q. Resol. #211-2016 - Award of Bid: Municipal Facilities HVAC Maintenance and Repair
- r. Resol. #212-2016 - Change in Custodian of Petty Cash Fund
- s. Resol. #213-2016 - Authorizing Purchases with Pumping Services, Inc.
- t. Resol. #214-2016 - Award of Bid: Project #2259 Roadway Improvements 2016 - Contract 1
- u. Resol. #215-2016 - Interlocal Agreement with the Borough of Woodland Park for the Use of Memorial Pool
- v. Resol. #216-2016 - Refund of Overpayment of Taxes

RESOLUTION NO. 217-2016 - APPROVAL OF MINUTES:

Work Session 4/5/16

Closed Session 4/5/16

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Resolution No. 217-2016 was passed with Mayor Cosgrove abstaining.

PUBLIC COMMENTS

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

Pamela Coles, 13-34 George Street, wondered if senior housing comes under COAH laws. Attorney Mondello advised that it does. In fact they have to check with the Planner to see what percentage will be incorporated into the affordable housing obligation. The project that Bergen County United Way is taking on is 100% COAH credits. Mayor Cosgrove stated that project was for affordable senior housing.

Ms. Coles stated that when units from the Promenade were transferred the Borough had to go before a Special Master. Attorney Mondello stated there may be a percentage that may have to be affordable housing or a payment in lieu of affordable housing.

Ms. Coles complimented Memorial Pool. She pointed out that Councilmember Peluso was doing an awesome job as liaison to the Pool Committee. She thanked Councilmember Peluso and Manager Van Kruijning for getting grants.

Ms. Coles had an issue regarding labeling people disabled. There are physical disabilities and mental disabilities or both. She wondered what the definition of disabled was. Attorney Mondello stated he would have to look into and see what the definition is.

Ms. Coles objected to raising the age for buying tobacco products in Fair Lawn. These are adults. In the State of New Jersey it is legal to buy tobacco products at the age of 19. They can vote and serve our Country. She felt this was a severe overreach of government. She would like the Mayor and Council to revisit this matter.

Craig Miller, 5 Ramapo Terrace, thought that after sitting through Planning Board and Zoning Board meetings when the applicant gets turned down by a Board, they either use the Courts to get leverage or the Mayor and Council to get what they want. The Historic Commission has not made an attempt to raise funds to purchase the house or save it. There are massive buildings going up and using up green areas.

Mayor Cosgrove stated that the Historic Preservation Commission did vote in favor of the proposed plan that they voted on tonight. Mr. Miller felt there should be an outcry to raise money for this house.

Mr. Miller wondered when the paving for 20th Street would be done. Mayor Cosgrove stated that it will be done in the fall. Mr. Miller also wondered about the schedule for resurfacing Plaza Road and Ramapo Terrace. Mayor Cosgrove explained that part of the problem is the Landmark development that will be digging up the street for utilities.

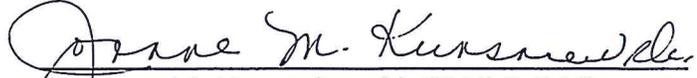
Mr. Miller stated the lines are faded in the parking lot behind CVS. It is hard to tell where to park. Mayor Cosgrove asked Manager Van Kruijning to look into it. Manager Van Kruijning said it is private property but they could notify the property owners.

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 Deputy Mayor Dunay and second by Deputy Mayor Lefkowitz the meeting was adjourned at 9:20 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