

REGULAR MEETING OF JUNE 21, 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 and Attorney Mondello.

Mayor Cosgrove asked for a moment of silence for the victims of the Orlando tragedy and their families, and Fire Marshal Jay Bender who passed away this month.

COUNCIL COMMENTS:

Councilmember Peluso stated that Fire Marshall Bender was very dedicated to making sure this town was safe. His passing is a great loss for the Borough.

He remembered those that recently passed in the Orlando massacre. He heard a comment that the bright light through this tragedy is that many people that fostered hate are now more accepting of the different life styles people are choosing. He was happy to see this country moving in the right direction in that sense and for accepting people for who they are and letting them live their lives.

He, Mayor Cosgrove and Councilmember Swain attended the Knights of Pythias event honoring Dr. Wisch. It was great to see someone so dedicated to the community for so many decades being honored.

This past Saturday he and Mayor Cosgrove attended the dedication of the Administration Building at Memorial Pool, which was named in honor of longtime pool employee Liz Giszack. He thanked Superintendent Graff, Assistant Superintendent Homa, Rob Lado and Parks Supervisor Young for the great job they did in putting the dedication together.

He attended the All Sports Dinner last night with Mayor Cosgrove. He thanked the members of All Sports for honoring so many young athletes in town. All Sports does a lot for the community and it is great to see their program continue to grow and include children with special needs.

He thanked the members of FBLA, many of whom were seniors, for their service. He hoped they will continue to serve as they graduate and go on to college.

Councilmember Swain read a statement expressing concern.

There was another massacre and still nothing has been done to strengthen gun control laws or to have common sense gun control or make sure that guns stay out of the wrong hands.

She also expressed concern that the elected officials in Washington were unwilling to stand up to the NRA.

She concluded that she will do everything she can to make sure that the residents of Fair Lawn are protected and she will support the people who will make the change for a better and safer future – one that includes common sense gun control. For parents who are having difficulty discussing this tragedy with their children, there is information available on the Borough's website as well as many other websites.

She reported that she and Mayor Cosgrove attended the Weight Loss Challenge that encouraged participants from Fair Lawn and Ridgewood to start exercising to lose weight. It was the program's third year.

The ADA Committee presented five scholarships that were made possible by funding from Sunrise Rotary, the Salerno's, Steve Weinstein and the ADA Committee. The Summer Beach Dance for adults with special needs will be on July 15th.

The Arts Council will be holding a puppetry event in the fall, and anyone interested in participating can attend workshops being held this summer. She thanked the Police officers who participated in the Torch Run and raised money for Special Olympics. Everything they can do to help other people in need is a worthwhile example.

Family Fun Day on Saturday on River Road was well attended. She thanked the River Road Improvement Corp. for another exciting event.

She reported that there will be another paper shredding event on June 26th from 8:00 a.m. to 12:00 p.m. or until the truck is filled.

She congratulated teachers Peter Arts and Craig Cohen from Memorial Middle School and Deborah Kempin from Lyncrest Elementary School, who were awarded BCUA Environmental Awareness Grants.

She concluded by stating that she was sorry she missed the dedication ceremony at the Pool on Saturday. She thanked Liz Giszack for her many years of service in Fair Lawn.

Deputy Mayor Dunay acknowledged his father who was present for tonight's meeting and thanked all the residents who attended.

He was saddened to hear about the passing of Fire Marshall Jay Bender, who went above and beyond. It was hard to imagine another Fire Marshall who could match the devotion, service and spirit that Jay Bender brought to Fair Lawn. He will be missed.

He thanked everyone who came to watch the Memorial Day Parade. He thanked Mayor Cosgrove, Superintendent Graff and Assistant Superintendent Homa for making the tough call to hold the parade despite predictions of thunderstorms, as it ended up only being overcast. The parade was as moving and powerful as always. He thanked Manager Van Kruijning for announcing the groups and organizations as they walked by.

He concluded by stating he was looking forward to attending the fireworks on Thursday, June 30th. He recommended that everyone try to see them.

Deputy Mayor Lefkowitz echoed the comments of the Council regarding the terrible tragedies in Orlando. She hoped that the world will become a better place for themselves and their children.

She extended condolences to the family and friends of Fire Marshall Bender, who was a hard worker. She also sent condolences to Health Officer Carol Wagner, her family and friends on the loss of Carol's husband, Ted Wagner. As an attorney she worked with Ted on many cases when he was a Health Inspector in other towns. He will be greatly missed.

She thanked everyone involved with the Memorial Day parade. It was an amazing experience that ended powerfully with the veterans' ceremony. She also had the pleasure of attending the veterans' ceremony the day before at Fair Lawn Cemetery. She thanked those involved with organizing these events.

She congratulated Deputy Mayor Dunay and his wife, Kristina on their wedding last weekend. She wished them a wonderful life together. They are a beautiful couple.

She acknowledged Emily Pasqual, who runs a franchise of the Singers Company, a small singing group for young girls ages five through 13. They put on a 50's show and the students and their families brought in non-perishable food items that were given to the Borough's Food Pantry. She felt including social action in the program sends the children a powerful message.

She thanked Ms. Bell and the High School seniors who participated in the child care program that her daughter attended. They held a graduation ceremony for the children on June 9th. The students do an amazing job of teaching the children. She wished the seniors the best of luck in their post graduate education and careers.

There is a Quit Moms phone line in New Jersey that offers counseling to those trying to cease the use of tobacco or tobacco products. The number is 1-866-657-8677 and the website is www.njqquitline.org. The program is sponsored by the Rosewell Park Cancer Institute. She suggested posting the information on the website.

She concluded by stated that the annual fireworks will be on Thursday, June 30th at 9:00 p.m. She encouraged residents to come join them. The past two shows have been amazing. She wished everyone a safe Fourth of July.

Mayor Cosgrove congratulated Deputy Mayor Dunay and his lovely wife, Kristina on their recent wedding, which he attended. He had a great time.

Last week he made a presentation on behalf of the Borough at Montclair State University regarding the Clariant and Topps Cleaner sites. Twenty organizations were present including the Federal EPA, FEMA, DEP as well as representatives from the County and the State, who are looking for brownfields to remediate. An environmental team from Clariant was also on hand. Hopefully they can get the brownfields remediated.

He extended condolences to the family of Ira Eckstein, who passed away at age 96. Mr. Eckstein flew several missions over Europe during WWII. Although he was shot down once, Mr. Lowenstein returned and flew other missions with his crew. He lived in Fair Lawn for 63 years. He will be sadly missed.

He congratulated John Giresi and the cast, crew and pit orchestra of Fair Lawn High School's musical, Chaplin the Musical, who were the recipients of many nominations and awards. He was very proud of the young people and their accomplishments.

He attended the event honoring Dr. Wisch with Councilmember Swain and Councilmember Peluso. He remembered attending Cub Scout Den meetings in

Dr. Wisch's home when he was a child. Dr. Wisch is an incredible man who has done a lot of good things for many people.

He continued by stating that Liz Giszack was most deserving of her recognition, and has given the Borough over 50 years of dedicated service at Memorial Pool. She did a great job and he was glad they were able to honor her last weekend.

He attended the Eagle Scout Court of Honor Ceremony for Ryan Raghubans. Colonel Jack O'Neil, the 8th eagle scout of Troop 53 back in the 1940's was in attendance and received a standing ovation.

He had the honor of speaking at the funeral of Fire Marshall Jay Bender, who was a longtime friend. Jay had a passion for protecting life and property and saving lives. He will be sadly missed.

He concluded by stating that he and Councilmember Peluso attended the dinner for the All Sports Scholarship Awards, which are named after people who have made major contributions to Fair Lawn in the area of sports. It is nice to see the students receive the awards and learn about the people who have made All Sports such a wonderful organization.

MANAGER'S REPORT:

Manager Van Kruijning stated that he was pleased to announce that the Mayor and Council has approved allowing all active military personnel and their immediate family members to attend the fireworks display on Thursday, June 30th at no cost. Proper identification must be shown to the gate attendants. More information can be obtained by contacting Veterans Liaison Nick Magarelli in the Manager's office.

The Monthly Manager's report has been submitted and there are no changes. Residents with questions should contact his office.

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. 2293-2016 (RESOLUTION NO. 220-2016)

**BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW
MINIATURE GOLF COURSE IN AND BY THE BOROUGH OF FAIR
LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING
\$550,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF**

**\$488,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING
SUCH APPROPRIATION.**

There being no discussion, upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 220-2016 introducing Ordinance No. 2293-2016 was unanimously passed.

ORDINANCE ON SECOND READING:

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. 2388-2016
(RESOLUTION NO. 221-2016)**

**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"**

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. 221-2016 adopting Ordinance No. 2388-2016 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. 2389-2016
(RESOLUTION NO. 222-2016)**

**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**

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 Councilmember Swain, Resolution No. 222-2016 adopting 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 and open the time for public comments.

**ORDINANCE NO. 2390-2016
(RESOLUTION NO. 223-2016)**

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

Cindy Meacham, 15 Greenwich Road, Hewett, thanked the Council for considering this Ordinance, which she hoped will prevent children from starting to smoke. Children who start smoking before the age of 15 or 18 usually become lifetime smokers but if they haven't started smoking by age 21, they usually don't start.

There being no further 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 Councilmember Swain and a second by Councilmember Peluso, Resolution No. 223-2016 adopting Ordinance No. 2390-2016 was discussed.

Councilmember Swain thanked the Council for moving quickly on this Ordinance. She thanked Health Officer Wagner who helped with some of the language and Ms. Meacham and other members from her organization. Fair Lawn is a Healthy Town and this is one step towards making them healthier.

Councilmember Peluso thanked Councilwoman Swain for bringing this issue to a Council Work session. The Council had a healthy debate and made some changes on the Ordinance as a result. He thanked Health Officer Wagner for her suggestions and for fine tuning the Ordinance. There was input from both the Council and the Borough professionals and he was proud of the resulting Ordinance.

There being no further discussion, Resolution No. 223-2016 adopting Ordinance No. 2390-2016 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Upon motion by Deputy Mayor Lefkowitz 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 Councilmember Swain and a second by Deputy Mayor Dunay, the time for public comments was unanimously closed.

RESOLUTIONS BY CONSENT #9-2016

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Consent Agenda 9-2016 containing the following items were unanimously passed.

- a. Resol. #224-2016- Authorizing Contracts with Certain Approved Vendors - Winner Ford
- b. Resol. #225-2016 - Refunding an Overpayment from the State of New Jersey for Severe Storm 10/29/11
- c. Resol. #226-2016 - Approving Change Order#1 - Police Communications Center - Goosetown Communications
- d. Resol. #227-2016 - Refund of Overpayment of Taxes
- e. Resol. #228-2016 - Approval of Minutes:
Regular Meeting 5/17/16
- f. Resol. #229-2016 - Authorizing an Emergency Contract Pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 - Reiner Group, Inc.
- g. Resol. #230-2016 - Confirmation of Fire Board Actions
- h. Resol. #231-2016 - Tax Appeal Settlement: Noritake Company, Inc. 15-22 Fair Lawn Avenue
- i. Resol. #232-2016 - Tax Appeal Settlement: 17-17 Realty Associates, LLC - 17-17 Route 208
- j. Resol. #233-2016 - Authorizing Contracts with Certain Approved State Contract Vendors - Lawmen Supply Company, NJ, Inc.
- k. Resol. #234-2016 - Authorizing Awarding of Contract with Fisher Scientific Company, LLC (Fire Department Air Cylinders)
- l. Resol. #235-2016 - Appointment of Community Development Representatives

- m. Resol. #236-2016 - Authorizing a Contract with a Vendor which Provides Proprietary Good or Services in Accordance with N.J.S.A.40A:11-2(39) and N.J.A.C. 5:34-0.1 (Packetalk)
- n. Resol. #237-2016 - Authorization to Execute Municipal Snow Plowing Agreement with the County of Bergen
- o. Resol. #238-2016 - Approving Additions to the 2015 LOSAP Certification List
- p. Resol. #239-2016 - Interlocal Agreement with the Borough of Prospect Park for the Use of Memorial Pool
- q. Resol. #240-2016 - Interlocal Agreement with the Township of Saddle Brook for the Use of Memorial Pool
- r. Resol. #241-2016 - Interlocal Agreement with the Borough of Haledon for the Use of Memorial Pool
- s. Resol. #242-2016 - Authorizing Use of Memorial Pool by Intellichild Academy
- t. Resol. #243-2016 - Renewal of Liquor Licenses 2016-2017
- u. Resol. #244-2016 - Authorizing Contracts with Certain Approved State Contract Vendors - Skylands Area Fire Equipment & Training
- v. Resol. #245-2016 - Authorizing Contracts with Certain Approved State Contract Vendors - Motorola Solutions, Inc.
- w. Resol. #246-2016 - Authorizing the Purchase of Emergency Services Equipment under National Cooperative Purchasing Contract Pursuant to N.J.S.A. 52.34-6.2 and P.L. 2011,c.139
- x. Resol. #247-2016 - Professional Services - Alcohol and Drug Testing: Valley Medical Group
- y. Resol. #248-2016 - Award of Bid: Containers - Rectangular Open Top Roll-Off
- z. Resol. #249-2016 - Referring the Amended Redevelopment Plan - KEM Site/Fair Lawn Senior Housing
- aa. Resol. #250-2016 - Authorizing Execution of Grant Agreement with Bergen County Open Space Trust Fund Municipal Program - Miniature Golf Course
- bb. Resol. #251-2016 - Interlocal Agreement with the Board of Education for the Use of Memorial Pool

**RESOLUTION NO. 252-2016 - APPROVAL OF MINUTES:
Work Session 5/3/16
Closed Session 5/3/16**

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, Resolution No. 252-2016 was passed with Mayor Cosgrove abstaining.

PUBLIC COMMENTS

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

Howard Mark, 12-23 Ferry Heights felt there should be a referendum on the mini golf course so that residents can vote on whether or not they wanted it. Mayor Cosgrove stated there are referendums for major expenditures, such as Board of Education projects, but they have elected officials for matters like this. Mr. Mark noted they did not have a referendum for the Community Center, which cost \$12 million dollars. There should be a definition as to what is considered a large project. Councilmember Swain noted that residents always have an opportunity to attend Council Meetings and voice their opinion about projects the Borough is undertaking. Residents who are unable to attend the meeting can watch them online and email their comments to the Council.

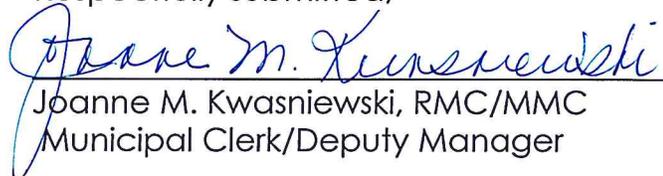
Mr. Mark asked how much revenue was anticipated from the mini golf course. Manager Van Kruijning stated that Mr. Mark can stop by his office and he will give him a copy of the report he prepared for the Council.

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.

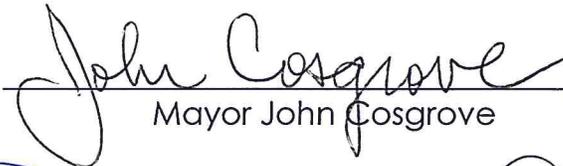
ADJOURNMENT:

Upon motion by Deputy Mayor Dunay and second by Councilmember Swain, 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.



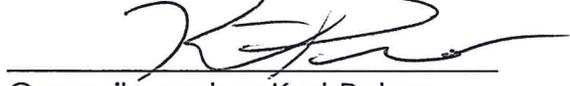
Mayor John Cosgrove



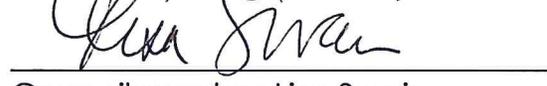
Deputy Mayor Daniel Dunay



Deputy Mayor Amy E. Lefkowitz



Councilmember Kurt Peluso



Councilmember Lisa Swain

