## REGULAR MEETING OF JULY 19, 2016

Mayor Cosgrove called the meeting to order at 8:05 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, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

Mayor Cosgrove asked for a moment of silence in regard to the fallen Police Officers in Baton Rouge, Louisiana.

**COUNCIL COMMENTS:**

Councilmember Peluso spoke about Memorial Pool and how beautiful it is. He thanked the Recreation Department for the banners and new ads that are up. The last few times he has been there it has been packed with a lot of smiling kids and happy seniors.

He had a few meetings with the Radio Club regarding creating a communication system Borough wide in case of an emergency situation. They currently have a tower at the Community Center and individuals have devices set up that can communicate with each other. He thought if the Borough could add to that and partner up with the emergency services it would be a real benefit for the town. They will be putting together a proposal that he will give to the Manager and Council.

The fireworks were held on June 30th with a great turnout. He realized that prior years everyone said it was the best fireworks but he felt this year was the best. The vendor seems to outdo himself every year. He thanked all of the sponsors who have subsidized the cost significantly. There is always a discussion as to whether they should continue the fireworks and he was glad they did.

Councilmember Peluso felt the moment of silence was very appropriate with the shootings that have happened in Dallas and Baton Rouge. These events have

been heartbreaking. He prays for all of the Police Officers here in Fair Lawn and everywhere else to be safe and thanked them for what they are doing.

Councilmember Swain concurred with Councilmember Peluso about Memorial Pool. It has been great and is such a beautiful place. The water was also beautiful this past weekend.

Last Friday the ADA Committee hosted a summer beach dance party. There was a tremendous amount of people there and everyone had a great time.

The Green Team is starting the anti idling program in the fall. There is a state law that prohibits idling in your car for more than three minutes.

The Arts Council will be holding their puppetry workshops in August and September. Then they will be displayed in September.

She asked Manager Van Kruiningen when they would see the water test results. She asked that this discussion be put on a Work Session Agenda.

She noticed on Facebook people were talking about speeding in Fair Lawn and people are driving faster than the posted 25 mph. She urged everyone to be aware of their speed.

The Governor vetoed banning smoking in the parks on the state level but she reassured everyone that Fair Lawn already banned smoking in the parks.

She felt strongly that they need to have common sense gun control. She urged everyone to vote for people who are in favor of common sense gun control laws so that our Police can go out and know that they are in charge and can protect the public.

Deputy Mayor Dunay thanked everyone who went to the fireworks a couple of weeks ago. It was a tremendous time and he highly recommends it. There is always a discussion among the Council as to whether they should do the fireworks, he wholeheartedly recommended to everyone they should continue it. He thanked Mayor Cosgrove and Councilmember Peluso for their effort in raising money.

He thanked CFO Palermo, Manager Van Kruiningen and Auditor Steve Wielkotz for their continued leadership and thoughts about long term financial planning. They want to make sure they continue to solidify the financial standing of the municipality for the foreseeable future. One of the things everyone on the Council agrees is that they love Fair Lawn and love all of the services and

capabilities that Fair Lawn provides to its citizens. To do that and not raise the taxes ever year is their goal.

Deputy Mayor Dunay commented on the horrific Police shootings that have taken place. It is very sad to see the headlines. Fair Lawn lost Mary Anne Collura it sent such a panic through the town and something everyone has not forgotten. The Police put their lives in harm's way constantly. Sadly once in awhile we lose one of them and it is really horrible. He thanked all of the Police around the Country for what they do.

Deputy Mayor Lefkowitz echoed everyone's sentiments about the fireworks. It was a fantastic night. She thanked Manager Van Kruiningen and all of the Borough employees and volunteers who made the night so special and made them all feel very safe. It is almost commonplace now to be expecting the news of some type of violence. It is very scary. She was hopeful that everyone can unite to make sure they can prevent this violence.

On August 2nd National Night Out will be held in Memorial Park and it is a great night filled with a lot of sponsors.

Deputy Mayor Lefkowitz thanked the Library for a walking live story telling event in Berdan Grove Park. The programs they are doing this summer are fantastic.

The Alliance has been doing a lot of work with the stigma free project and project graduation. She thanked Health Officer Wagner for continuing to make sure these programs happen.

Mayor Cosgrove attended the installation dinner for both Rotary Clubs in Fair Lawn. He congratulated the Club's Presidents Michael Baer of the Fair Lawn Rotary Club and Ilene Levine of the Sunrise Rotary. Both meet in Fair Lawn and are great organizations.

He attended grand openings at Jiffy Scripts in the Promenade and also Kim Chi Mama on Fair Lawn Avenue. He welcomed them to the Fair Lawn business community.

He was at the field day for the Radio Club with Councilmember Peluso and Councilmember Swain. They have a great set up. The Radio Club will be at a Council meeting in September in recognition of their 60th Anniversary.

Mayor Cosgrove attended the Korean War Veteran ceremony at the Arcola Methodist Korean Church in Paramus. It was an aspiring night. He feels that sometime the Korean and Vietnam Vets are overlooked and they don't receive the credit they deserve.

He attended another Eagle Scout Court of Honor at Troop 53. He offered his congratulations.

The Fair Lawn Filipino Association had their scholarship luncheon and presented Proclamations and checks to three winners.

He thanked the Veterans Council and Richard Seibel for the flags that are out in front of the Municipal Building. They look great and will stay up until 9/11. He thanked the Chamber of Commerce for their flag program where flags are hung all along Fair Lawn Avenue, River Road and Morlot Avenue.

Mayor Cosgrove reflected on the attacks in France and the Police shootings. They need to be there for each other and show people there is good in the world. He suggested walk up to a Police Officer thanking them. He hoped that they can get through these trying times and show Fair Lawn as a shining example.

Councilmember Swain mentioned the Story Walk and is a wonderful idea. She thanked Kuiken for donating the lumber for the Story Walk.

**ORDINANCES ON FIRST READING:**

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. 2392-2016**
**(RESOLUTION NO. 253-2016)**

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

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 253-2016 introducing Ordinance No. 2392-2016 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. 2393-2016**
**(RESOLUTION NO. 254-2016)**

**AN ORDINANCE FIXING THE SALARIES OF FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

Upon motion by Deputy Mayor Dunay and a second by Councilmember Peluso, Resolution No. 254-2016 introducing Ordinance No. 2393-2016 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.

**ORDINANCE NO. 2394-2016**
**(RESOLUTION NO. 255-2016)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED (PBA/SOA)**

Upon motion by Deputy Mayor Lefkowitz and a second by Deputy Mayor Dunay, Resolution No. 255-2016 introducing Ordinance No. 2394-2016 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.

**ORDINANCE NO. 2395-2016**
**(RESOLUTION NO. 256-2016)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED (STIPENDS)**

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, Resolution No. 256-2016 introducing Ordinance No. 2395-2016 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. 2396-2016**
**(RESOLUTION NO. 257-2016)**

**AN ORDINANCE TO AMEND CHAPTER 33 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "POLICE DEPARTMENT" TO ADD ARTICLE XV ENTITLED, "SPECIAL LAW ENFORCEMENT OFFICER – CLASS ONE"**

Upon motion by Deputy Mayor Dunay and a second by Deputy Mayor Lefkowitz, Resolution No. 257-2016 introducing Ordinance No. 2396-2016 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. 2397-2016**
**(RESOLUTION NO. 258-2016)**

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "ADMINISTRATION, DEPARTMENTS AND BUDGET AND FISCAL PROCEDURES" TO AMEND ARTICLE XIIIA ENTITLED, "DEPARTMENT OF EMERGENCY SERVICES"**

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 258-2016 introducing Ordinance No. 2397-2016 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. 2398-2016**
**(RESOLUTION NO. 259-2016)**

**AN ORDINANCE TO AMEND CHAPTER 24 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, ENTITLED, "LENGTH OF SERVICE AWARDS PROGRAM" TO AMEND SUBSECTION 24-24-3 ENTITLED, "CRITERIA FOR ELIGIBILITY"**

Upon motion by Deputy Mayor Lefkowitz and a second by Deputy Mayor Dunay, Resolution No. 259-2016 introducing Ordinance No. 2398-2016 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. 2399-2016**
**(RESOLUTION NO. 260-2016)**

**AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 5834, LOT 1.02 IN THE BOROUGH IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.**

Upon motion by Deputy Mayor Dunay and a second by Councilmember Swain, Resolution No. 260-2016 introducing Ordinance No. 2399-2016 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.

**ORDINANCE NO. 2400-2016**
**(RESOLUTION NO. 261-2016)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 125 "ZONING" AND CHAPTER 49 "AFFORDABLE HOUSING" PERTAINING TO INCLUDING THE NEWLY ESTABLISHED OVERLAY DISTRICT ENTITLED, "R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WITHIN CODE SECTION 125-9, "ZONES ESTABLISHED," DEPICTING THIS NEWLY ESTABLISHED OVERLAY DISTRICT ON THE BOROUGH'S ZONING MAP, WHICH IS INCORPORATED BY REFERENCE THROUGH CODE SECTION 125-10 "OFFICIAL ZONING MAP," AND INCLUDING A NEW SECTION IN CHAPTER 49 ENTITLED "49-14.1 R-7 AGE-RESTRICTED AFFORDABLE MULTIFAMILY RESIDENTIAL OVERLAY DISTRICT," WHICH INCORPORATES THE ASSOCIATED REDEVELOPMENT PLAN INTO THE CODE BY REFERENCE.**

Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, Resolution No. 261-2016 introducing Ordinance No. 2400-2016 was unanimously passed.

**ORDINANCE ON SECOND 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 and open the time for public comments.

**ORDINANCE NO. 2391-2016**
**(RESOLUTION NO. 262-2016)**

**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 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. 262-2016 adopting Ordinance No. 2391-2016 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 # 10-2016**

Upon motion by Councilmember Peluso and a second by Deputy Mayor Dunay, Consent Agenda #10-2016 containing the following items was unanimously passed.

a. Resol. #263-2016 - Authorizing Purchases with CarQuest Auto Parts through U.S. Communities Government Purchasing Alliance
b. Resol. #264-2016 - Refund of Overpayment of Taxes
c. Resol. #265-2016 - Confirmation of Fire Board Actions

d. Resol. #266-2016 - Award of Bid: Fire Department Uniforms
e. Resol. #267-2016 - Approval of Minutes: Regular Meeting 6/21/16
f. Resol. #268-2016 - Extension of Contract: Ductile Iron Pipes, Fittings & Valves
g. Resol. #269-2016 - Extension of Contract: Hydrants and Hydrant Parts
h. Resol. #270-2016 - Traffic Regulations - Politt Drive and Pollitt Drive Extension
i. Resol. #271-2016 - Honoring the Bergen Volunteer Center on Its 50th Anniversary
j. Resol. #272-2016 - Professional Services – Conflict Attorney (CGL Claims): Matthew R. Petracca
k. Resol. #273-2016 - Interlocal Agreement for Nursing Case Management for Childhood Lead Poisoning
l. Resol. #274-2016 - Audit Report
m. Resol. #275-2016 - Corrective Action Report
n. Resol. #276-2016 – Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29
o. Resol. #277-2016 – Authorizing Contracts with Certain Approved County Cooperative Contract Vendors Pursuant to N.J.S.A. 40A:11-11 and N.J.A.C. 5:34-7 and Contracts for Certain Approved National Cooperative Contract Vendors Pursuant to N.J.S.A. 52:34-6.2 and P.L. 2011, c. 139
p. Resol. #278-2016 - Licensing Agreement – 8-71 Cedar Street
q. Resol. #279-2016 - Authorizing Purchases with Foley Inc. through National Joint Powers Alliance
r. Resol. #280-2016 – Renewal of Liquor License 2016-2017
s. Resol. #281-2016 – Authorizing Awarding of Contract with Foley Inc. (Compressor)
t. Resol. #282-2016 - Professional Services – Architectural Services Naugle House Phase 1 Construction Phase: HMR Architects
u. Resol. #283-2016 - Award of Bid: Project #2259 2016 Roadway Improvements Contract II
v. Resol. #284-2016 – Tax Refund – 2-22 Saddle River Road
w. Resol. #285-2016 – Tax Appeal Settlement: Pollitt Drive Ventures - 16-00 Pollitt Drive
x. Resol. #286-2016 – Tax Appeal Settlement: 2000 Avik & V Corp. – 20-00 Fair Lawn Avenue
y. Resol. #287-2016 – Tax Appeal Settlement: 12-15 Broadway

Professional, LLC – 12-15 Broadway

z. Resol. #288-2016 – Tax Appeal Settlement: Santomenno – 0-46 Fair Lawn Parkway

**RESOLUTION NO. 289-2016 - APPROVAL OF MINUTES:**

**Work Session 6/14/16**
**Special Meeting 6/14/16**
**Closed Session 6/14/16**

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, Resolution No. 289-2016 was passed with Deputy Mayor Dunay and Councilmember Peluso abstaining.

**RESOLUTION NO. 290-2016 - LIQUOR LICENSE PERSON TO PERSON TRANSFER - B&B LIQUORS TO ONG STRATEGIC BUSINESS OBJECTIVES LLC**

Upon motion by Councilmember Peluso and a second by Councilmember Swain, Resolution No. 290-2016 was unanimously passed.

**PUBLIC COMMENTS:**

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

Pamela Coles, 13-34 George Street, thanked Engineer Garrison for being so proactive regarding the water. He is an expert in his field. She also thought Memorial Pool was fabulous. Councilmember Peluso thanked her for the compliment and stated that the Recreation Department has done a great job.

Bruce Silverman, 30-06 Gentner Road, addressed the speeding issue in Fair Lawn. He pointed out the speeding on Radburn Road heading into Glen Rock. Manager Van Kruiningen stated he would add radar on Radburn Road.

Rich Seibel, 33-07 Halsey Road, thanked Jack O'Neil and the Veterans Council for their donation for the flag in front of the Municipal Building. He thanked Sunrise Rotary for the POW flag. He thanked the active duty members and the Veterans for all they do.

Craig Miller, 5 Ramapo Terrace, echoed the sentiments about speeding. He pointed out how motorcycles feel the road and think they own the road. He thought enforcement should be in place around town. He asked for better communication from the Borough in regard to road closures.

There being no further comments, upon motion by Deputy Mayor Lefkowitz 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 9:05 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