

REGULAR MEETING OF MARCH 13, 2012

CALL TO ORDER BY THE TOWN CRIER:

Town Crier Tim Yuskaitis called the meeting to order at 7:35 p.m.

In accordance with the Open Public Meetings Act, annual notice of all meetings was published in "The Record" issue of December 16, 2011. 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 Baratta, Deputy Mayors Cosgrove and Trawinski, Councilmembers Peluso and Swain.

ALSO PRESENT: Acting Manager Metzler, Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Mondello

PROCLAMATION: WOMEN'S HISTORY MONTH

Town Crier Tim Yuskaitis read the proclamation for Women's History Month. Mayor Baratta thanked the Borough's esteemed Town Crier for joining them tonight and reading the proclamation like no one else can.

COUNCIL COMMENTS

Councilmember Peluso stated the Garden Committee and the Community Garden Committee teamed up for a meeting last Sunday at the Recreation Center. They went over basic garden techniques.

He spoke about the study the JIF did on the Borough's Crossing Guards who did very well. He sees them every day and they do a standout job. He thanked them for the good job they do.

Councilmember Peluso thanked Fair Lawn TV members for the time they put into the Borough. It shows the outstanding work they do.

He wishes everyone happy a Happy St. Patrick's Day!

Mayor Baratta stated that since it was Women's History Month, she did not want to forget to say Happy Birthday to one of their special women here in the Borough, Assistant Municipal Clerk Marilyn.

Deputy Mayor Cosgrove pointed out that Eagle Scout candidate Ryan Vogel, Troop 60 is collecting various items for Shelter our Sisters. The items can be dropped off at various locations such as the Borough Hall, St. Anne's Church, the Church of Atonement, Warren Point Presbyterian Church and at St. Anne's Knights of Columbus Hall.

He attended the Fair Lawn All Sports Certification last Sunday. There were a few hundred coaches getting ready for the spring season. He thanked them on behalf of the Mayor and Council. It is a great job they do for all of the kids in Fair Lawn.

Councilmember Swain stated in honor of Women's History Month, she looked through a book of women who served in the military. She felt that with World War II fading from the memories of some people, it is very important to remember the people that served the County. Jacqueline Cochran was an aviator. She took her first flying lesson in 1932 and earned her commercial flying license in 1933. In June of 1941, prior to the United States' entry into World War II she was granted a commission in the Army Air Corp Reserve and became the first woman to pilot a heavy bomber across the Atlantic Ocean. She proved that women could handle heavy aircraft. She was successful despite taunting by male co-workers.

Cordelia Cook was the first woman to receive the Bronze Star. She was the first Lieutenant in the Army Nurses Corp during World War II. She served over seas in Italy in 1943 and when her field hospital was attacked, she continued to perform her duties despite repeated bombardments from November 1943 to January 1944. For her coolness under fire, Ms. Cook was awarded the Bronze Star. For wounds she received in January 1944, she was awarded the Purple Heart, making her the first woman to receive two awards.

Unfortunately today women are still fighting for equal rights and always fighting to make the right decisions for ourselves. She reminded women the most important decision they can make is to vote.

Deputy Mayor Trawinski stated that last night they attended the Annual Awards Dinner held by Bergen Regional Medical Center for its foundation members. It is the largest hospital located in Paramus. Dr. Lucille Joel, a psychiatric nurse was one of the recipients of the award. She had been affiliated with Bergen Regional since 1960. She has remained active and has raised funds for nearly fifty years. The Chairman of the Board, Deputy Mayor Cosgrove, was the other recipient. He has known Deputy Mayor Cosgrove for close to thirty years and one thing he never knew him as an eloquent speaker. He told a very moving story of someone that the Bergen Regional Center was able to help who looked like he was condemned to look like he would live the rest of his life on a

ventilator. Deputy Mayor Cosgrove used that story to illustrate that the human spirit cannot be denied because of the efforts of a lot of people; this person was able to return home to his family. The people at Bergen Regional made the patient aware of a surgery that could ultimately let him leave the hospital. These two recipients are a credit to the volunteerism not only in Fair Lawn but also in Bergen County.

He spoke about the Annual Report that they received from the Zoning Board. He asked the Manager and Municipal Clerk to put this on the next agenda. He thanked the Zoning Board for giving them the report. By getting this report, the Mayor and Council can take a look at variances and other deviations that the Zoning Board is either granting or not granting in order to address concerns that they as a Council would be appropriate in the Zoning process.

Finally, he attended the Broadway Improvement Corp. meeting. They are focusing on is slowing down pedestrian traffic on Broadway. They are now moving to the next phase on that slowdown to make it a safer area for pedestrians. He was pleasantly surprised that their first focus is going to be the intersection at Warren Point Grammar School. It will not only benefit the businesses but it will provide significant assistance to the children.

Deputy Mayor Trawinski thanked the women in his life and for showing him the way of how they suffered through their lives. He sees it in the case of his two daughters. Yes it is a fight that needs to be fought. Finally, having the privilege of having to work very closely with two women, the County Executive's Chief of Staff, Jeanne Baratta and his boss, Kathy Donovan who is the first female County Executive in Bergen County. She was also the first female elected to County Office when she was elected the County Clerk. It is a privilege to work for both of them and they never let him forget who he works for.

Mayor Baratta announced that the Mayor and Council will be starting their budget proceedings on March 20th at 5:30 p.m. The Manager has set up meetings with various department heads. She invited everyone to attend.

She stated that yesterday was the 100th Anniversary of the Girl Scouts which is another terrific organization that helps to empower women. She is proud member of the Girl Scouts.

When Councilmember Swain spoke about voting, she was absolutely right. Women did not have the right to vote until 1920. Women suffered the night of terror because these women were put through a lot. She named a few, Lucy Burns, Laura Lewis and Pauline Adams. HBO did a phenomenal special called Iron Jawed Angels which portrayed the terror that these women faced.

As a Mom, she wanted to mention two women that she admires which are her daughters. Even though they have only begun their journey, these are the ones who have helped her become the person she is today. She thanked her daughters for empowering her.

Deputy Mayor Cosgrove thanked Deputy Mayor Trawinski for the kind words he said about Bergen Regional. He would be remiss if he did not mention Senator Bob Gordon and his wife, Gail and also Matt Marinello who works in the Senator's office who gave a great deal of help. This person who grew up in Fair Lawn is home with his family. He also thanked County Executive Kathy Donovan and her Chief of Staff, Jeanne Baratta.

ORDINANCE ON FIRST READING

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

ORDINANCE NO. 2235-2012

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 HOUSE PRESERVATION PLAN)

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Resolution No. 111-2012 introducing Ordinance No. 2235-2012 was discussed.

Deputy Mayor Trawinski commented that he wished they could adopt more ordinances like this accepting funding from various grant sources.

There being no further discussion, Resolution No. 111-2012 introducing Ordinance No. 2235-2012 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

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

RESOLUTIONS BY CONSENT #6-2012

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Consent Agenda #6-2012 containing the following items was unanimously passed with the exception of Resolution No. 122-2012.

- a. Resol. #112-2012 – Approval of Minutes:
 - Work Session 2/7/12
 - Closed Session 2/7/12
 - Work Session 2/14/12
 - Closed Session 2/14/12
 - Regular Meeting 2/14/12
- b. Resol. #113-2012 - Transfer of Funds
- c. Resol. #114-2012 – Authorizing Multi Year Contract for Copiers
- d. Resol. #115-2012 – Refund of Overpayment of Taxes
- e. Resol. #116-2012 – Award of Bid: Project 2202 SCADA System Maintenance
- f. Resol. #117-2012 – Authorizing the Acceptance of a Grant from the Bergen Joint Insurance Fund for Accreditation Services
- g. Resol. #118-2012 - Authorizing the Open Public Sale at Auction of Block 5709.01, Lot 2 (9-06 Campbell Road)
- h. Resol. #119-2012 - Authorizing the Open Public Sale at Auction of Block 5709.1, Lot 3 (9-08 Campbell Road)
- i. Resol. #120-2012 - Authorizing the Open Public Sale at Auction of Block 6806, Lots 59,60,61 (97 Heights Avenue)
- j. Resol. #121-2012 - Authorizing a Contract with the Bergen Joint Insurance Fund for Third-Party Administration Services
- k. Resol. #122-2012 – Removed

RESOLUTION NO. 122-2012 – AUTHORIZING PAYMENT TO THE MEL

Upon motion by Deputy Mayor Cosgrove and a second by Deputy Mayor Trawinski, it was discussed.

Councilmember Swain stated she pulled this resolution off of the Consent Agenda because she was not satisfied with the way it was drafted. She did not feel that the wording was correct and the dollar amount was not included. She suggested that Attorney Mondello redraft this resolution. She also suggested that the Mayor and Council adopt the third version of the resolutions that Attorney Mondello sent to them today.

Attorney Mondello advised that there were three changes he made to the resolution that was just read into the record. The first one was to take out old type of language, the second part was to actually include the settlement dollar amount that is to be paid to the plaintiff and the third change was to attach copies of the release that is associated with this lawsuit and the repayment agreement the Borough has with the MEL.

Upon motion by Deputy Mayor Trawinski with a second by Councilmember Swain, Resolution No. 122-2012 was unanimously tabled as read.

Deputy Mayor Trawinski commented that the fact that he moved to table this resolution has not changed his position on the propriety of the settlement. He felt they all should have an opportunity to read it. He felt the settlement was a reasonable and fair settlement under the circumstances. Mayor Baratta agreed.

PUBLIC COMMENTS

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

Rich Seibel, 33-07 Halsey Road, made a presentation of a bouquet of flowers to Mayor Baratta on behalf of the Republican Club as a token of appreciation and in honor of Women's History Month. He also wanted to recognize all of the women that make Fair Lawn a great place to live.

He also wanted to express his gratitude to all of the mothers, sisters, wives, daughters and girlfriends of all those serving in the Armed Forces overseas and for recognizing the sacrifices they make for this Country. Mayor Baratta thanked him for the flowers.

Pam Coles, 13-34 George Street, wondered where the Borough was on the cell tower issue. Acting Manager Metzler stated the Borough has a contract with the cell tower vendor. There has been no progress. The company has not given him any information as to what their intentions are or when they plan on starting the project. Ms. Coles also asked if anything has been accomplished. Acting Manager Metzler said nothing has been done.

Ms. Cole stated the Ordinance for the Naugle House was very important. The restoration of the Naugle House will become a study for a college in New Jersey.

Eileen Kahn, 360 Owen Avenue, stated that the water tower needs to be painted. It can be seen from many places. She questioned when it was going to be painted. She suggested that possibly they hold a contest to put a saying and or graphics on the water tower. Ms. Kahn also thought that possibly the

high school art students might be interested. She felt it was critical that whatever they put up there has to be readable. Acting Manager Metzler advised her that the Capital Budget includes 1.3 million dollars for the painting of the water tower. He understood that it will be the same shade of blue paint and have Fair Lawn painted on it, as it is now.

Deputy Mayor Cosgrove assured her if they could find a reputable company that would pay 1.3 million dollars that wants to paint the water tower and put their name on it, the Borough would definitely consider it.

Ms. Kahn spoke about Walsh Pool and wondered if there ever was a discussion about a dog park. Mayor Baratta stated they have had discussions about this and would keep it in mind.

Anna DiNardo, 13-06 Second Street, stated she read an article about burglar alarm having to be registered. Mayor Baratta stated those alarms should always be registered except that no one knew about it. Acting Manager Metzler said there was a recommendation and a discussion on the part of the Council about charging a fee for the registration of burglar alarms and a review of the fees that are charges based on a number of alarms. As a result of that discussion, Council had instructed his office to do a follow up report, he had the sense there was not a willingness to charge a fee to register alarms but to increase the amount of education to the residents. He was to ascertain from other communities of similar size how much they charge for repeated false alarms. A report has been forwarded to the Council and further discussion will take place at a future Work Session.

Ms. DiNardo wondered what the justification was for registering the alarms. Acting Manager Metzler said there were a number of reasons given by the Police Department. By registering the alarms contact information would be provided so if you are on vacation and your alarms is going off all night, there would be another person they could contact. Repeated false alarms at the same place do cause complacencies with the Officers that are responding. Ms. DiNardo felt the fines usually resolve that. She felt there was an invasion of privacy. Acting Manager Metzler explained that the policy has been in place for quite some time. Fair Lawn's fee schedule tends to be in the middle of what other towns charge.

Ms. DiNardo felt that residents did not know the alarms had to be registered. Acting Manager Metzler said he agreed and once they resolve what the fees will be there will be a heightened public awareness program so they will know. Ms. DiNardo said she did not know they had to be registered and what if they chose not to register. Acting Manager Metzler said under the fine structure, they

would be fined a higher amount which still has to be determined. Ms. DiNardo felt they were losing their privacy.

Councilmember Swain clarified this as a work in progress. She was one of the Councilmembers who felt they did not need a fee to register the alarm. However, some of the registration information could be helpful. In case someone is not home; there would be another person to contact. She thought the focus would be on the repeat false alarms. Ms. DiNardo felt if there was an alarm company, they would have all of the information. She wondered why that type of alarm would have to be registered. She thought that down the line there was going to be a fee but felt the houses that do not have alarms and get broken into should be charged the fee.

Deputy Mayor Trawinski stated the other reason they looked at this and was persuaded by the Police on the issue of the complacency. There were a couple that were in excess of twenty false alarms. God forbid it is the real thing and it does not get properly addressed or don't have the ability to contact someone to tell them the alarm is going off that is the concern he has. It is a public safety issue. Frankly, as they are asking the Police Department to do so much more with so much less, he personally does not want them to focus on false alarms but focus more on other situations. Ms. DiNardo suggested looking at the fines for that. Deputy Mayor Trawinski explained that the fine collections were not as strong as they would like to see and it did not generate the solution that they were looking to generate. He felt they were headed in a practical solution; they want to get the word out that they need to register their alarms. Ms. DiNardo stated if someone is paying an alarm company, the ones that do not have alarms companies should be looked at.

Craig Miller, 5 Ramapo Terrace, seemed to recall that when the Police Department receives an alarm and do not have contact information, instead of sending one officers they have to send two. For the safety of the officers, they would rather have the contact information.

Rich Seibel, 33-07 Halsey Road, suggested painting an American flag on the water tower. Mayor Baratta said it was a wonderful suggestion.

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

ADJOURNMENT:

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC,CMC,MMC
Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Jeanne Baratta

Deputy Mayor John Cosgrove

Councilmember Kurt Peluso

Councilmember Lisa Swain

Deputy Mayor Trawinski