

REGULAR MEETING OF JUNE 12, 2012

Mayor Baratta called the meeting to order at 7:35 p.m.

In accordance with the Open Public Meetings Act, annual notice of meetings from April through August 2012 was published in "The Record" issue of March 23, 2012. 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: Manager Metzler, Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Madaio.

PRESENTATION ON "HOORAY FOR HELMETS" BY FAIR LAWN ROTARY:

Pat LaRocca, 6-02 Morlot Avenue, was present to talk about a program she initiated with the Rotary about five years ago called it "Hooray for Helmets". They have partnered with the Fair Lawn Police Department encouraging the young people to wear approved helmets when they ride their bicycles, scooters and roller blading. The ice cream vendors in the Borough are solicited for coupons and every one of them has been very generous. She takes the coupon and makes a certificate which she gives to the Police Officers so that when they see children riding their bicycles with a helmet they give them a coupon for a free ice cream. At the end of the summer they invite the vendors to the Rotary meeting to thank them and give them a certificate for participating in the Community Service project.

Councilmember Swain thanked her for what she does. She thought it was wonderful to encourage young people to wear helmets. She wondered if there were any programs to encourage the parents to wear helmets. Ms. LaRocca did not know of any program for adults. She also realized the minute the kids turn 18 they take off the helmet and don't wear them anymore.

Deputy Mayor Cosgrove thanked her for this program but also for the tireless work she does for Rotary on so many projects.

Councilmember Swain mentioned that Ms. LaRocca is a recipient of the going green award for her sustainable home.

Mayor Baratta said they appreciate her for what she was doing and hoped that people watching would let their kids know. She felt it was important to thank the businesses as well. Ms. LaRocca provided a list of vendors who participate. Mayor Baratta mentioned the following vendors who have participated with this program and have been very generous: Baskin Robbins Ice Cream, Ice Cream Factoria, Haagen Dazs Ice Cream, Carvel Ice Cream and Yogurt Plus.

Deputy Mayor Trawinski asked the Manager to have the names of the businesses on the Borough website.

COUNCIL COMMENTS:

Councilmember Swain stated this Friday the ADA Committee is hosting another dance with a luau theme. She attended the press conference for New Jersey Transit at the Radburn Train Station because that is one of the busiest train stations in Bergen County where a number of commuters are doing a number of unsafe activities. June is National Safety Month so she encouraged everyone that does take the train to please be careful when crossing the tracks.

On June 23rd at 11:00 a.m. the Mayor and Council will be hosting the dedication for the Violet and Martin Etlar Park. Everyone is welcome to attend.

The paper shredding event was held on June 3rd. Many people took advantage of the event. She encouraged everyone to take advantage of the next event to get rid of unwanted documents.

There was a Picnic in the Park sponsored by the Fair Lawn Sunrise Rotary. It was very well attended.

Councilmember Swain congratulated Ron Dorso who is the Science Supervisor and Memorial Middle School and West Moreland School who were the recipients of the Bergen County Utilities Authority funds which are from the Department of Environmental Protect. These grants are allocated for recycling and environmental education.

She also wanted to congratulate the Boy's Volleyball Team for doing so well this season. She thanked all of the athletes who represent Fair Lawn.

Deputy Mayor Trawinski congratulated the Chamber of Commerce and the people in the Radburn business district for a highly successful street fair this past weekend. He also thanked the Borough employees who helped facilitate the closing of the street and to the Police for doing an excellent job at that event. He also congratulated Detective Dave Boone on becoming the Pastor of the

Van Riper Ellis Church. It is a real credit to become a pastor anywhere but he thought it was extra special matter of note when the pastor is also a police officer.

Deputy Mayor Trawinski thanked Robert Laux, Director of the Bergen County Public Utilities Authority and the members of the authority that continue to do good work. Fair Lawn is the tip of the ice berg in terms of recipients of the environmental grant. It goes throughout the County. He was proud that three Fair Lawn Schools won for the second year.

Deputy Mayor Trawinski advised everyone that the Planning Board has continued the application on the Landmark Development. They are working through the traffic issues. There does seem to be a willingness from the applicant to work with the Planning Board and the Borough as to what the Planning Board perceives to be a significant concern which is crossing Plaza Road at Ramsey Terrace. The application has a long way to go because it has to work its way through architectural planning and environmental issues. Many residents were in attendance and several questions provoked some good comments and suggestions from the Planning Board.

The Planning Board memorialized the application that they had approved in May on the nursery school on Pollitt Drive.

The Planning Board approved the recommendations of the Broadway Improvement Corporation for certain zone changes. There will be a letter coming to the Municipal Clerk. It was suggested that the provisions have a sunset period of five years so that the Municipality can tell if it was successful or not.

In the course of the hearing last night, it was mentioned that there is a considerable amount of underbrush on Plaza Road in the Borough's right of way. The reason that is a concern is that it impedes the sight line on Plaza Road coming around that curve. The Board will be sending a letter to the Mayor and Council to take the appropriate action to clear that out.

Councilmember Peluso stated that the canoe regatta was cancelled for June 9th. The regatta will be rescheduled for some time in the fall. He echoed all of the congratulations that were said before.

Deputy Mayor Cosgrove mentioned that over the past two weeks, Fair Lawn lost one of its finest citizens, Brett Clauss. He was sure that everyone in the Borough joined with him extending their sympathy to his wife and his two sons. He was 54 years old. The Clauss family was a long time family who used to own the Fair

Lawn Beach Club. They played a big part in history. Brett always bragged that his grandfather drove the bus to Trenton in 1924 to oppose Fair Lawn becoming a Borough at the time when it seceded from Saddle Brook Township. He was loved by all that knew him. He was one of the founders of the Fair Lawn Lacrosse Club, the Fair Lawn Touchdown Club and a member of the Fair Lawn High School Hall of Fame. He will always be known as Mr. Lacrosse to those in Fair Lawn. He coached and mentored and photographed so many athletes. He was a well known figure at sporting events. He thanked the Council for letting him participate in his memorial by naming that day Brett Clauss Day in Fair Lawn.

He also attended the Fair Lawn Jewish Center where they honored a couple that was married for 44 years for all of the service they provided.

Deputy Mayor Cosgrove mentioned the 100th Anniversary celebration of the Fair Lawn Fire Department. The celebration will be held at Memorial Park with food, rides and entertainment.

He joined with Councilmember Swain in celebrating the Boy's Volleyball Team for repeating as State Champions which was really a great feat.

Mayor Baratta congratulated the Boy's Volleyball Team for their repeat victory. She also had the honor of attending the installation of the Senior Pastor Boone on June 3rd. It was a joy to be there and to see everyone come out to support him.

The wonders of technology, she got a text message from FLTV downstairs letting her know they were going to put the information on the bike helmets on Fair Lawn TV. She thanked them for coming here every week and taping the meetings. She gave a special shout out to Fran Muldow.

Deputy Mayor Cosgrove and she had the honor this past weekend to attend Fair Lawn All Sports Track and Field awards dinner. It was like no other event. She congratulated all of the children that were present.

She mentioned that the dais was a little different that night because Attorney Mondello had to attend another meeting. Mark Madaio was appearing for Ron Mondello.

ORDINANCE ON INTRODUCTION:

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. 2241-2012**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS AMENDED (PUBLIC SAFETY TELECOMMUNICATIONS OPERATORS)**

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Resolution No. 183-2012 introducing Ordinance No. 2241-2012 was passed.

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

ORDINANCE NO. 2242-2012**ORDINANCE AUTHORIZING THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY BY THE BOROUGH OF FAIR LAWN OF CERTAIN AGREEMENTS IN CONNECTION WITH THE BERGEN COUNTY IMPROVEMENT AUTHORITY'S COUNTY GUARANTEED REFUNDING REVENUE BONDS, SERIES 2012 (FAIR LAWN COMMUNITY CENTER, INC. PROJECT)**

Upon motion by Deputy Mayor Cosgrove and a second by Deputy Mayor Trawinski, Resolution No. 184 -2012 introducing Ordinance No. 2242-2012 was discussed.

Deputy Mayor Trawinski stated that due to his position of County Administrator he asked the Borough Attorney whether or not he would have a conflict voting on this. He indicated that it would not be a conflict. This is something the County has decided to do for a number of municipalities. This is not new debt. This is refinancing existing debt. What they are doing is what homeowners have been doing, refinancing the debt at a much lower interest rate which would save the taxpayers approximately one million dollars. This is just sound economics.

There being no further discussion, Resolution No. 184-2012 introducing Ordinance No. 2242- 2012 was unanimously passed.

ORDINANCES ON SECOND READING:

Upon motion by Councilmember Peluso and a second by Deputy Mayor Trawinski, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2239-2012

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000 ENTITLED "ADMINISTRATIVE CODE", SPECIFICALLY ARTICLE XIII, DEPARTMENT OF PUBLIC SAFETY, MORE SPECIFICALLY SECTION 2-77.

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

Upon motion by Deputy Mayor Trawinski and a second by Deputy Mayor Cosgrove, Resolution No. 185-2012 adopting Ordinance No. 2239-2012 was discussed.

Deputy Mayor Trawinski stated this ordinance was part of the process of continuing the certification process for the Police Department which the Council authorized two years ago. The administrative code is being updated to include the rules and regulations for the Police Department.

There being no further discussion, Resolution No. 185-2012 adopting Ordinance No. 2239- 2012 was unanimously passed.

Upon motion by Deputy Mayor Trawinski and a second by Deputy Mayor Cosgrove it was agreed to read the following ordinance by title and open the time for public comments with Councilmember Peluso dissenting.

ORDINANCE NO. 2240-2012

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 2012

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

Upon motion by Deputy Mayor Trawinski and a second by Deputy Mayor Cosgrove, Resolution No. 186-2012 adopting Ordinance No. 2240-2012 was passed with Councilmember Peluso and Councilmember Swain dissenting.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY:

Upon motion by Councilmember Swain and a second by Deputy Mayor Trawinski, 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 #13 -2012:

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Consent Agenda No. 13-2012 containing the following items was unanimously passed.

- a. Resol. #187-2012 – Approval of Minutes:
 - Special Meeting 4/16/12
 - Regular Meeting 4/24/12
 - Budget Meeting 4/24/12
 - Closed Session 4/24/12
 - Work Session 5/1/12
 - Closed Session 5/1/12
 - Work Session 5/15/12
 - Special Meeting 5/15/12
 - Closed Session 5/15/12
- b. Resol. #188-2012 – Authorizing Execution of License Agreement with New Song Church
- c. Resol. #189-2012 - Authorizing Capital Alternatives to Submit DOT Grant Application – Broadway Streetscape and Berdan Avenue
- d. Resol. #190-2012 – Renewal of Liquor Licenses 2012-2013
- e. Resol. #191-2012 - Refund of Overpayment of Taxes
- f. Resol. #192-2012 – Supporting Assembly Bill A2027 Jessica Langford Act
- g. Resol. #193-2012 – Inter-local Agreement with the Borough of Prospect Park for the Use of Memorial Pool
- h. Resol. #194-2012 - Inter-local Agreement with the Fair Lawn Community School for Use of Memorial Pool

- i. Resol. #195-2012 - Professional Services: Private Collection of Municipal Court Debt

RESOLUTION NO. 196-2012 - AUTHORIZATION TO EXECUTE MUNICIPAL SNOW PLOWING AGREEMENT WITH THE COUNTY OF BERGEN

Upon motion by Councilmember Peluso and a second by Deputy Mayor Cosgrove was discussed.

Councilmember Swain questioned if this also included the brine solution. Manager Metzler said no it did not, it includes the snow plowing and they do provide the Borough with salt.

There being no further discussion, Resolution No. 196-2012 was passed with Deputy Mayor Trawinski recusing himself.

RESOLUTION NO. 197-2012 – APPROVAL OF MINUTES:

Work Session 4/17/12

Closed Session 4/17/12

Upon motion by Councilmember Swain and a second by Deputy Mayor Trawinski, Resolution No. 197-2012 was passed with Councilmember Peluso abstaining.

RESOLUTION NO. 198-2012 – APPROVAL OF MINUTES:

Regular Meeting 5/8/12

Upon motion by Deputy Mayor Trawinski and a second by Mayor Baratta, Resolution No. 198-2012 was discussed.

Councilmember Swain asked why it was being tabled. Deputy Mayor Trawinski explained that he did not think there were enough votes on the Council to pass this resolution.

Mayor Baratta said she would like to defer this to the Acting Counsel for his opinion.

Attorney Modaiio questioned if this was the minutes of the meeting that did not take place. Mayor Baratta said correct. Attorney Modaiio opined that he did not know how there would be minutes of a meeting that did not take place. Rather than having his opinion, he suggested tabling it and letting Attorney Mondello make the call on this matter. Minutes are frequently tabled.

There being no further discussion, Resolution No. 198-2012 was tabled.

PUBLIC COMMENTS:

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

Pam Coles, 13-34 George Street, brought to the Mayor and Council's attention that upon the initial survey of the Naugle House, the Architect found a lot of boxes which prevented him from going into the house. Manager Metzler advised that he has requested assistance from the Sheriff's Department for helping to clean out the house.

Rich Seibel, 33-07 Halsey Road, reminded everyone that Thursday was Flag Day. He suggested to fly the flag and think of the troops.

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

ADJOURNMENT TO WORK SESSION:

Upon motion by Councilmember Swain and second by Deputy Mayor Trawinski the meeting was adjourned to the Work Session at 8:15 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