

REGULAR MEETING OF NOVEMBER 5, 2012

Mayor Baratta called the meeting to order at 7:40 p.m.

In accordance with the Open Public Meetings Act, notice of this rescheduled meeting from October 30, 2012 to Monday, November 5, 2012 was published in "The Record" issue of November 2, 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.

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.

PROCLAMATIONS: NICK MESSINA

The Council presented the proclamation to Nick Messina.

Mr. Messina thanked them very much for this honor.

PANCREATIC CANCER AWARENESS MONTH

Mayor Baratta stated this topic was very near and dear to her heart because her Father passed from Pancreatic Cancer. He was diagnosed in November and he passed in April. It is a devastating illness if not caught early enough and that is why people pass within the first year. Andrea Millstein was present to accept the proclamation.

Andrea Millstein stated the New Jersey Pancreatic Cancer Action Network is a national organization created to bring hope in a comprehensive way through research, patient support and community outreach seeking a cure for this disease. She wanted everyone to be aware of this cancer. Her husband passed from this disease after three years and three months. His family misses him so much every day. This is a problem that can affect the entire community. There are estimates that say Pancreatic Cancer will increase by 50% by 2030. Currently there are no early detection tools or treatments. Just 6% of those diagnosed will survive more than 5 years. It is the only major cancer with a 5 year survival rate in the single digits.

She thanked the Borough of Fair Lawn for their important contribution to this national fight against Pancreatic Cancer. By declaring November 20, 2012 they

were helping them do the critical work of making the public is aware of this critical disease and its truly lethal nature. By working together they can continue to raise awareness, support patients and their families and raise funds to find a cure. She thanked them again for supporting this cause. Mayor Baratta thanked her for bringing this to their attention every year.

COUNCIL COMMENTS:

Mayor Baratta said the Governor declared that today was Halloween. She wished everyone a Happy Halloween but knew it was not happy for a lot of people.

Councilmember Peluso said it has been a rough week for the residents of Fair Lawn, the State of New Jersey and the majority of the East Coast. It was overwhelming to see the work and support of the Borough employees and volunteers. He was at the Command Center a few days this past week and the amount of work they were doing and the communication between departments was overwhelming. The CERT team was at the call center 24 hours a day answering calls from the residents.

One thing that stood out in this crazy week was that our volunteers and residents were not only helping people in the Borough but also outside of the Borough. There were so many volunteers that went outside of Fair Lawn to all of the different areas that were badly hit. The towns of Moonachie and Little Ferry are in desperate need of blankets, cleaning supplies and food if anyone wanted to donate. He suggested people contact him to collect the supplies.

This evening at the Trunk or Treat the Police, Fire, Ambulance, Rescue and employees who have been working so hard this past week were helping the kids celebrate Halloween. It made him so proud to be a resident and Councilman of this town. He offered his thanks to the employees and volunteers who have done so much.

Deputy Mayor Cosgrove thanked many people in the wake of Hurricane Sandy. Sometimes the worst of times bring out the best in people. He said that Manager Metzler did an outstanding job. He is an expert in Emergency Management and he helped the team. Manager Metzler had a lot of damage to his home but stayed here for hours. He thanked Jim VanKruiningen who made the phone calls every night. Many people were appreciative of being kept up to date with the calls. He thanked OEM Director Ira Marks, who is retiring, and the new Director Wendy Demeraski who worked so well together. He thanked all of the volunteers for going above and beyond. The Fire Department was sent to Toms River, Rescue was in Moonachie and Ocean County. The Police and Auxiliary Police have worked so hard. He offered a

special thank you to the CERT Team who manned the call center and helped the residents. Unfortunately they were not out of the woods. The residents came out and helped other neighbors.

He was out last week putting fliers on peoples doors because they did not have access to the information. It was a great effort on every one's part.

Deputy Mayor Cosgrove commented on the very successful Trunk or Treat that was held earlier tonight. He offered his thanks to the Board of Education President Michael Rosenberg and Bruce Watson for allowing the use of their parking lots. The Sunrise Rotary also helped out with Fire, Rescue and Police. He felt that tonight they were able to get away from the storm for a little while.

Councilmember Swain reminded everyone that there are still approximately three thousand residents without power. She suggested if anyone knew someone without power to help them. She thanked all of the Rescue workers because she knows they put in so much time while they had no power, while their families were home in a cold house and they were out helping other people. She thanked the Police for being at every corner where there was a gas station. She thanked the attendants of the gas stations for being there and putting up with everyone.

Councilmember Swain thanked the Borough employees. She especially thanked Joanne Kwasniewski, Marilyn Bojanowski and Marianne Pettineo who work in the Municipal Clerk's office. Their phones were ringing off the hook and on top of that tomorrow is Election Day. Not only have they been dealing with questions about loss of power, no heat and downed trees but now the questions were about where to go to vote.

Councilmember Swain thanked Jim VanKruiningen for keeping them up to date with all of his messages. She thanked the Manager for all the updates. She encouraged anyone that did not receive phone messages to put their number on the list so they could be kept up to date. It is the best and only way to be informed.

Councilmember Swain also thanked Scott Homa who helped man the Community Center. She thanked President Obama and Governor Christie for stepping in and taking swift action to help all of the residents of New Jersey and beyond our borders because they are going to need a lot of help.

Councilmember Swain thanked the League of Women Voters for helping get information out to their members.

While she knows that a lot of people are angry at PSE&G and Verizon but a lot of the workers they had come from all over the Country. They came to help during this time of needs. Her thanks went out to the residents that put up guests at their home or gave them dinner. At times like this, they can see what great neighbors they have and a wonderful community.

She reminded everyone that Sunday, November 11th was Veteran's Day so please let them not forget the American Heroes who have fought for our freedom.

Lastly she reminded everyone that tomorrow was Election Day and asked everyone to go out and vote. She suggested if someone knows someone that does not drive to please get them to the polls.

Deputy Mayor Trawinski said ditto to all of the thanks mentioned previously but added a few. For those that don't know it, the State Police, the National Guard, the Salvation Army and the people that protect the State Parks were in Bergen County providing backup and help that was needed, particularly the National Guard and their trucks that ventured into Moonachie when there was a danger to themselves. The trailer parks that were flooded with six to eight feet of water also had gasoline and kerosene in the water.

He mentioned the local OEM, the County OEM, the local Police Departments and the 3,000 linesmen that are now working to restore power in New Jersey. Normally PSE&G has 700 linesmen to cover the entire state but the other 2,300 linesmen have come from as far as California on a C-130 Airlift. He thanked the three EMT's that saved the life of a PSE&G linesman that had been electrocuted and was technically dead but was able to be resuscitated. He is being treated for the burns from the live wire. Most people don't know that PSE&G had to change its procedures slightly for approaching live wires. Evidently there was a defect in the protocol that they had put out which was how this person was electrocuted. That resulted in PSE&G being down for a while. When the gasoline shortage was coming to fruition, the Governor and State Emergency Coordinator ordered all utility crews to the port so that gasoline could start flowing again. That basically shut down the emergency repairs. There was miscommunication and misinformation from PSE&G. Today Mayor Baratta spoke to the President of PSE&G to articulate concerns of the Fair Lawn residents who have had their vapor intrusions devices not working because of a lack of electricity. The President has gone out in the field to assess the problems.

There was a rumor that the PSE&G union would not allow crews from Alabama or Virginia into New Jersey because they were not unionized. That was false because the PSE&G union went to the networks and the newspapers explaining

to them that whether they were union or not, all workers were welcome in New Jersey.

The other rumor was that Mayor Baratta had power at her house. After five days she found time for her and her husband to go to a Costco out of the state to get a generator. Her power only came back a couple of hours ago.

In terms of the Councilmember's not doing their jobs, their job was to listen to the residents which they did in different ways. He walked his neighborhood. He stopped at the EOC after spending two days with no sleep at the County OEC to visit Fair Lawn's workers. They worked as a Council individually doing things that needed to be done. They stayed out of the way of the professionals letting them do their jobs. The role of the politician in an event is to listen and stay out of the way and allow the professionals do their job.

Mayor Baratta stated she agreed with the rest of the Council on how proud she was to be a Fair Lawn resident and to be sitting in that position.

As Councilmember Swain suggested registering their phone numbers, she felt they should also register their cell phone number as well. A lot of people did not get the updates from the Borough because their power was out and the phones did not work.

People have been asking about garbage and recycling pick up. Garbage is going back to normal this week and Manager Metzler will explain the Recycling schedule.

She thanked everyone at the Community Center where it was a warming center and place where people could go to charge their cell phones, use the computer and take a shower. She was happy to see former Mayor Etler was taking advantage of it. A lot of people took advantage of it and were happy there was a place for them to go to. She thanked everyone that made them comfortable.

Tomorrow is Election Day. She reminded them that everyone votes at their normal voting location except if they vote at the Library then they will come to the Municipal Building to vote.

Mayor Baratta thanked her sister who had power and was able to take their Mom in this week. She also thanked Heather Blecher for opening her home to so many people this week so they could have a warm place to go.

She appreciated the malls being open this weekend and allowing people to go there. Governor Christie was thanked for relaxing the Blue Laws in Bergen County for this weekend.

Mayor Baratta saw a lot this week. She was called out at 2:00 a.m. on Tuesday morning when the devastation happened in Moonachie and Little Ferry. Within 30 minutes those people were under more than eight feet of water and it was terrifying. When she pulled up to the scene there was the Fair Lawn Rescue Squad with their boat. They were the first on the scene. She thanked the people that went to Seaside to help out. She met with the President of PSE&G about their communication which was a little bit better than last year's storm. She felt they let PSE&G know that.

This was a different storm for this area because they normally see flooding from the Passaic and Saddle Rivers. This was not a rain event but a wind event with gusts of 80 - 90 mph that caused all the downed wires and trees.

Mayor Baratta mentioned drop off points all over the County that were accepting donations. They need cleaning supplies, blankets, non perishable food, dog and cat food. She thanked the United Way for helping those people in the trailers parks with gift certificates.

She mentioned the Job Fair that is being held at Bergen Community College on Friday, November 16th from 9:00 a.m. to 3:00 p.m. There will be about 60 vendors there.

Deputy Mayor Trawinski felt the people of Fair Lawn should know that when the word was sent out by the County, the work enforcement board has received a \$15 million grant in order to provide additional workers to help participate in the clean up. The first town to put their name on the list was Fair Lawn.

He spoke about the potential nor'easter storm that was headed this way. There could be additional power outages because of wind gusts in the 40-50 mph range. There will be more trees coming down. They are planning in earnest for the storm. This week's Freeholder meeting has been cancelled.

Mayor Baratta thanked everyone who was involved with this, they all worked so hard and it is appreciated.

MANAGER'S REPORT:

Manager Metzler stated his report is on the table without change.

Manager Metzler said he had a conference call with the weather center today and as Deputy Mayor Trawinski stated the nor'easter will stall off the Jersey shore for a period of twenty-four hours. Currently they are calling for 1-2 inches of rain with a sustained wind of 40-50 mph. He repeated what emergency managers said a week ago – people should be prepared for this storm, it could result in power outages. Cash should be on hand, have additional medication and anticipate being without power for 72 hours since there are a lot of trees that are leaning against other trees which could come down.

Manager Metzler acknowledged his assistant, Jim VanKruiningen, who they have coined the voice of Fair Lawn, the OEM Coordinator, Ira Marks, who is retiring in December and his replacement Wendy Demeraski who passed on a week's vacation to spend her hours operating the EOC. The countless volunteers of the CERT Team and the Emergency Services. Many of the same volunteers are Fair Lawn employees who worked their regular job and then spent countless hours through the evening. In the EOC the people that volunteer knew no politics.

On numerous occasions when he had to reach out to Council, they had answers within two to three hours. He met with every Councilmember. They gave unprecedented access to the EOC to Zack from the Patch so he could see what was going on and allowed him to sit in on the countless conference calls from the utility companies.

All of the special needs residents were contacted twice during the course of the last week. Many required generators. All residents that were part of meals-on-wheels received a phone contact and all were offered transportation to a warming center or shelter if they could not stay in their homes.

As Councilmember Swain indicated there are about 3,300 residents without power. They had a major improvement when 2,000 residents' power was restored today. They expect that the number will drop to 100 in the next few days.

He has been in constant contact with PSE&G and has conveyed priorities of Fair Lawn residents to them. As per the Governor's Executive Order, gas rationing remains in effect. He has seen a substantial decrease in the gas lines in Fair Lawn today.

The schools are closed tomorrow but will be open on Wednesday, November 7th. The Community Center remains a warming and charging center. The showers are open. Fair Lawn High School will remain a charging center.

The Municipal Building has gotten power back along with the Senior Center. Power was also restored to the Library which will resume normal hours tomorrow.

He reminded everyone that there is a shelter that has been opened at 281 Campgraw Road in Mahwah which is the Bergen County Law and Public Safety Institute. It is a heated shelter. They will take individuals with special needs and it is a domestic pet friendly shelter.

Overnight parking and the 8:00 a.m. to 10:00 a.m. daytime parking has been suspended and will not be enforced. Enforcement will resume on November 13th.

In anticipation of the Nor'easter due to come in on Wednesday, the Recycling pick up for paper this Thursday in Section 4 and on Friday in Section 3 has been cancelled. Yard waste will be picked up. Garbage collection is back on a normal schedule. Fair Lawn Mini Bus is operating on a normal schedule however residents should expect delays because of road closures and detours.

All polling locations in Fair Lawn, except the Library, will be open. Residents that normally vote there will vote in the Municipal Building Council Chambers. All other voters should report to their normal polling location.

Manager Metzler shared how they make decisions during a storm. It is not the duty or responsibility to sort out as to PSE&G's schedule for when they can anticipate repairs will be completed. The Borough's responsibility is to convey to the public the best information received at a given time. That is a policy and that is how it is done. He explained that every morning his staff, the OEM Coordinator and particular department heads will go around trying to determine the best course of action.

Manager Metzler believed the residents were served very well. He knows if someone is sitting home in the dark because power has not been restored perhaps they may think things could be done differently.

ORDINANCES ON FIRST READING:

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

ORDINANCE NO. 2254-2012

AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF BLOCK 5407 LOT 4, BY THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE STATE

OF NEW JERSEY GREEN ACRES TRUST FUND AND THE UTILIZATION OF FUNDS IN THE BOROUGH OF FAIR LAWN OPEN SPACE TRUST

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Resolution No. 304-2012 introducing Ordinance No. 2254-2012 was unanimously passed.

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

ORDINANCE NO. 2255-2012

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 94 ENTITLED "FEES", BY AMENDING ARTICLE I "FEES FOR DOCUMENTS AND REPORTS"

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Peluso, Resolution No. 305-2012 introducing Ordinance No. 2255-2012 was unanimously passed.

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 Councilmember Swain and a second by Deputy Mayor Trawinski, the time for public comments was unanimously closed.

RESOLUTIONS BY CONSENT #22-2012

Upon motion by Deputy Mayor Trawinski and a second by Deputy Mayor Cosgrove, Consent Agenda #22-2012 containing the following items was unanimously passed.

- a. Resol. #306-2012 – Approval of Minutes:
 - Regular Meeting 10/2/12
 - Work Session 10/2/12
 - Closed session 10/9/12
 - Work Session 10/9/12
 - Closed Session 10/9/12
- b. Resol. #307-2012 – Confirmation of Fire Board Actions
- c. Resol. #308-2012 – Refund of Overpayment of Taxes

- d. Resol. #309-2012 – Authorizing the Establishment of and Yearly Prohibitive Premiums
- e. Resol. #310-2012 – Award of Bid: Project #2213 – Well Service 2012
- f. Resol. #311-2012 – Confirming Endorsement of CDBG Application for Care Plus, New Jersey
- g. Resol. #312-2012 - Appointment to Fair Lawn Recreational Facility Review Committee
- h. Resol. #313-2012 - Appointment to the Advisory Committee on the Americans with Disability Act

RESOLUTION NO. 314-2012 – TRANSFER OF FUNDS

Upon motion by Councilmember Peluso and a second by Deputy Mayor Cosgrove, Resolution No. 314-2012 was adopted with Deputy Mayor Trawinski recusing himself.

RESOLUTION NO. 315-2012 – WAIVER OF BUILDING DEPARTMENT PERMIT FEES FOR WORK DONE AS A RESULT OF HURRICANE SANDY

Upon motion by Deputy Mayor Cosgrove and a second by Councilmember Peluso, Resolution No 315-2012 was discussed.

Manager Metzler stated as a result of an inquiry by Deputy Mayor Trawinski, he polled the Council who agreed to waive the tree permits as well.

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Peluso, the proposed amendment to the resolution to add a waiver of tree permits for the same time period to the resolution was unanimously approved.

There being no further comment, Resolution No. 315-2012 as amended was unanimously passed.

PUBLIC COMMENTS

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

Joan Goldstein, 12 Bedford Place, stated she was thankful that no one lost their homes during the storm. She felt that all of the Councilmembers eloquently thanked everybody in town so she thanked all of the Borough employees. Mayor Baratta said it was appreciated.

Ms. Goldstein wondered about the resolution that was just passed that referred to Hurricane Sandy and she understood that it was not a hurricane and it would

be more helpful to people if it was not called a hurricane for insurance purposes.

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

Deputy Mayor Trawinski stated by bringing the storm to the Manager's attention, it was his intent to cover what technically became a cyclonic event named Sandy but for purposes for people to understand, he asked that it be referenced as Hurricane Sandy in the generic sense. It will be the weather services official classification to determine whether or not insurance is coverage for hurricane or cyclonic event.

ADJOURNMENT:

Upon motion by Deputy Mayor Trawinski and second by Councilmember Swain the meeting was adjourned at 8:45 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