

## **REGULAR MEETING OF DECEMBER 11, 2012**

Mayor Baratta and guest Lyncrest School Mayor Rio Matsumto called the meeting to order at 7:31 p.m.

In accordance with the Open Public Meetings Act, notice of meetings from September through December 2012 was published in "The Record" issue of August 16, 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 notice identified the meeting location and the time of Council Meetings and Work Sessions.

**PRESENT:** Mayor Baratta, Deputy Mayors Cosgrove and Trawinski (late), Councilmembers Peluso and Swain.

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

### **PROCLAMATIONS: FAIR LAWN ALL SPORTS TRACK AND FIELD**

Mayor Baratta stated that for the last number of years, Track and Field in Fair Lawn has done a phenomenal job and they are lucky to honor them every year. This year they are honoring the children that went to the Nationals.

Mayor Baratta read the proclamation. The Mayor, Council and guest Mayor Rio Mastumoto presented the proclamations to Sandra Abolade, Melissa Bocanegra, Evan Castro, Mya Drayton, Julianne Gerritsen, Kareem Kelsey, David Lysenko, Ksenia Nakonechny, Connor Newman, Dalton Newman, Kayla Ramirez, Erik Renn, Jacob Rosenberg, Alexandra Sacchinelli, Nicole Sacchinelli and Laurence Tobe.

Mayor Baratta pointed out the medals – Connor Newman for his 12:42 time in Shot Put, Discus, Nicole Sacchinelli for Javelin Throw, Ksenia Nakonechny for the 1500 meter race walk, Jacob Rosenberg for long jump, Erik Renn for the 1500 meter race walk, Sandra Abolade for the shot put 6 pound and Kayla Ramirez for the 1500 meter race walk. She congratulated all of them. A picture was taken with the Mayor and Council and the athletes.

JoMarie Sacchinelli, 23-17 Ellington Road stated that these kids really battled all season to get where they were. This year in the Junior Olympics, eight thousand children participated which was the largest event ever. They deserve extra credit for what they accomplished. Eight of these children are All American for 2012 in the nation. They placed 1-20 in the national event out of the entire year.

The rest of the children placed in the top 100 and are on the honor roll. This was a huge accomplishment.

Mayor Baratta suggested a round of applause for the Coaches.

Councilmember Peluso stated he was on the Junior Track Team which was a great opportunity for him to compete in track at the High School and College level. He remembers starting out at this young age. At one time, Fair Lawn All Sports did not have a track team but six or seven years ago, they met with the Assistant Recreation Director who wondered how many would play the sport. He recognized the coaches for their hard work and to the parents for their patience and support. Fair Lawn is very proud of what these athletes accomplished.

Councilmember Swain congratulated them and said she knew how hard they have worked. She grew up in a different time when there were no girls track teams but when she got to college she started the women's track team. Today it is a wonderful program. She congratulated all of them and also the parents for bringing them to practice and encouraging and supporting them. She hoped that they all continue with running or whatever kind of sport they enjoy in the coming years.

### **COUNCIL COMMENTS**

Councilmember Swain stated that she hoped residents would participate in the First Day 5K Run/Walk, which was 3.1 miles. The Green Team is launching an initiative "One Pound at a Time", which was about losing weight, reducing waste and keeping tires inflated to keep Fair Lawn a sustainable community. The program will be launched on New Year's Day at the First Day 5K Run. She hoped to see everyone there.

She reported that Ridgewood was installing an ADA ramp in Graydon Pool, which came about in part due to the work that has been done in Fair Lawn through the ADA Committee. She was proud of the ramps that were installed in Memorial Pool this past summer because it provided easier access for residents with disabilities and others who may have a hard time entering the pool.

She stated that the Senate failed to pass the UN Treaty on the rights for persons with disabilities. She and the ADA Committee were upset about this defeat, which will stop the progress that was made in this country. This was a bi-partisan effort that unfortunately did not get passed because of some members who felt this wasn't right. Nothing would have been lost in this country; this was about making access available throughout the world. When disabled veterans go to another country we want them to have the same rights that have in the United

States, but now they will have to wait for another vote before the ADA rules we have here are spread around the world.

She concluded by wishing everyone Happy Holidays.

Deputy Mayor Trawinski echoed the congratulations expressed to the Track Team and encouraged them to persist in whatever they choose to do. He thanked the parents and coaches for making time to allow the children to participate in these activities. He viewed them all as leaders in some fashion where life takes them. Today is just one of the recognitions they will receive throughout their life. He extended his heartfelt congratulations to the athletes, their parents and their families.

He wished everyone a very happy holiday season to those celebrating Christmas, Hanukah and Kwanza. Tonight was the candle lighting of the Menorah in front of Borough Hall. He and Mayor Baratta had the privilege to spend time with the Korean Ambassador to the United Nations. The Ambassador's general counsel to the United Nations has an uncle who lives in our community and was very proud to be a Fair Lawn resident. It was an exciting time that reminded them of the strength they gain from their diversity.

On Thursday evening Bergen County will honor designated emergency first responders from the various municipalities for their efforts during Hurricane Sandy. They will also be honoring the mayors of Little Ferry and Moonachie, the towns hardest hit by the storm at a dinner and evening of appreciation. The storm has faded from the news but there are many people who are still living with the hardships caused by Hurricane Sandy. He encouraged residents not to forget those who were still struggling and to help in whatever way they could during this holiday season.

Councilmember Peluso welcomed the visiting Mayor Rio Matsumoto, from Lyncrest School. This past week he was able to join the Chamber of Commerce festivities where they took donations for gift cards for toys for people who were less fortunate.

Last night he worked with the National YMCA at the Meadowlands YMCA and the Graycliff Manor to serve meals to 1,300 residents from Moonachie and Little Ferry. It was amazing to see so many people suffering from Superstorm Sandy. They were very grateful for the dinner, gifts and Santa.

Deputy Mayor Cosgrove congratulated the athletes and as a member of the Fair Lawn High School Athletic Hall of Fame, he was going to follow their careers and hopefully one day he would be able to vote someone in to that Hall of Fame.

This Saturday they will have "Wreaths across America" at the monument in front of Borough Hall. This organization will lay 500,000 wreaths throughout the United States. Fair Lawn is fortunate enough that the motorcade will stop here. Seven wreaths will be dropped off at Borough Hall.

Unfortunately this week, a woman in Fair Lawn, Ellen Pelosi, passed away and this Thursday her two sons will be hosting a buffet dinner at Giovanni's Deli. The donation will be \$15.00 so these two sons can give their mother the final farewell.

On January 12, 2013 the Adopt a Soldier Platoon will be holding a fund raising dinner dance. All of the former Mayors will be co-hosts along with Joe Tedeschi and Albee Palmeri. It will be held from 7:00 to 11:00 p.m. It is a \$50 ticket.

He concluded by wishing everyone a happy holiday and a safe one.

Mayor Baratta congratulated the Track and Field athletes. The Deputy Mayor mentioned the first responders and she named the two from Fair Lawn – Walter Neill and Neil Shore. They and everyone else in the Borough did an outstanding job. They will all get a commendation for the work they did. The County asked for just two people and she knew it was hard to choose. She was very proud of everyone that worked in Hurricane Sandy. She commended the Borough Manager and thanked the Borough staff for the work they did. She commented on the good job the Road Department does in picking up the leaves and other towns are just getting to the twigs.

She asked that the food pantry not be forgotten and asked people to pick up extra cans or boxes of food while out shopping. Deputy Mayor Baratta mentioned the collection of Toys for Tots in Borough Hall and also the collection of cell phones.

Manager Metzler reminded everyone that downstairs outside of the Health Department there is a giving wall. The Health Department has given out the ages and sex of children that will not have a holiday if Fair Lawn residents don't give.

In addition to the Toys for Tots there is also a box for the Adopt a Soldier Platoon supplies. In speaking with representatives from the Health Department the need is great this year. He urged everyone to be generous.

Mayor Baratta wished everyone a happy, healthy and safe holiday. She personally wanted to thank all of the members of Bris Avrohom who are always so welcoming when she goes there.

#### **ORDINANCES ON SECOND READING:**

Upon motion by Deputy Mayor Trawinski 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. 2256-2012**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY SECTION 124-41 CONCERNING SIGNS TO ACCOMMODATE THE SPECIAL NEEDS OF BUSINESSES IN THE PORTION OF THE B-2 ZONE ALONG BROADWAY AS WELL AS TO MAKE SELECTED SIGN REGULATION CHANGES NOT LIMITED TO SIGNS WITHIN THE B-2 ZONE ALONG BROADWAY.**

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

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Resolution No. 335-2012 adopting Ordinance No. 2256-2012 was discussed.

Deputy Mayor Trawinski thanked the business community of the RRIC, BIC and EDC for working together with the Planning Board and this Council to come up with an ordinance that makes sense for the business districts in Fair Lawn and makes sure there is not too much sign clutter. This represents a very reasonable approach by everyone involved.

There being no further discussion, Resolution No. 335 -2012 adopting Ordinance No. 2256-2012 was unanimously passed.

**PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**

Upon motion by Deputy Mayor Cosgrove and a second by Councilmember Peluso, 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 #26-2012**

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, Consent Agenda #26-2012 containing the following items was unanimously passed.

- a. Resol. #336-2012 – Approval of Minutes:
  - Closed Session 10/23/12
  - Work Session 10/23/12
  - Closed Session 10/23/12
  - Regular Meeting 11/5/12
- b. Resol. #337-2012 – Award of Bid: Fire Department Apparatus (Pumpers)
- c. Resol. #338-2012 – Establishing COBRA Rates
- d. Resol. #339-2012 – Establishing Premium Equivalent Rates
- e. Resol. #340-2012 – Authorizing the Renewal of the Borough's Partially Self-Funded Health Benefits Program with Insurance Design Administrators (IDA) for the Period 1/1/13 Through 12/31/13
- f. Resol. #341-2012 – Professional Services: Third Party Administrator
- g. Resol. #342-2012 – Mileage Reimbursement
- h. Resol. #343-2012 - Refund of Overpayment of Taxes
- i. Resol. #344-2012 - Authorization of Sales of Emergency Appropriation Notes

## **PUBLIC COMMENTS**

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

Felice Koplik, 6 Reading Terrace, thanked the Mayor and Council for their support of the work the Historic Preservation Commission has done this year. She detailed the things they accomplished. She presented art work and requested it be hung in the Council Chambers.

Deputy Mayor Baratta thanked them for all of the work they did.

Howard Mark, 12-23 Ferry Heights stated he researched how many feet from the river development can be placed. He felt if the Vander Platt property is developed, there will be more runoff and more flooding in that neighborhood.

Pam Coles, 13-34 George Street thanked the Mayor and Council for the work that was done on the sign ordinance. She felt this ordinance would bring a level of charm back to Fair Lawn.

She commended the work the Historic Preservation Commission has done all year and the work that Felice Koplik has done. The Historic Commission should

have input into the Master Plan. She questioned if the rezoning of the Naugle House has been done yet. Attorney Mondello said they are waiting for an opinion from the Zoning Board Attorney. This will be done first through the land use element of the Master Plan and then after that it would come to the Mayor and Council to either put it in place or do something else. There is a fair amount of work that has to be done in the next year and a half.

Ms. Coles personally thanked Manager Metzler for the work he did for the Borough in regard to Hurricane Sandy. She felt they have first class volunteers in this town and if it weren't for them, the town would not be half as good as it is. Manager Metzler stated the accolades go to the professional staff, the volunteers, professional emergency responders and volunteer responders who all did a phenomenal job.

Rich Seibel, 33-07 Halsey Road stated it was hard to believe that 2012 was coming to a close. He has watched all of the people on the staff and the ones behind the scenes. They all work as a team and tackle tough issues, such as Superstorm Sandy. They all have much to be proud of for putting Fair Lawn first and doing what was best for the Borough. He was sure he was not alone in thanking them for their professional leadership and guidance. He wished everyone an even more successful 2013. Deputy Mayor Baratta said his comments were very much appreciated.

Mr. Seibel reminded everyone about the Toys for Tots and cell phone boxes in the lobby of Borough Hall.

Manager Metzler reminded everyone that this Friday, December 14<sup>th</sup>, the Mayor and Council and employees will be honoring the retirees at a luncheon. The employees schedule lunch during 2:30 and 3:30 and there will be a skeleton crew here.

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.

Mayor Baratta presented a Letter of Accommodation to Rio Matsumoto the Mayor of Lyncrest School. She certified and commended Rio Matsumoto for serving as the honorary Mayor of the Borough at the December 11, 2012 Borough Council meeting. She thanked Rio Matsumoto for being a phenomenal guest Mayor.

**CLOSED SESSION RESOLUTION – Personnel – Appointments: Various Boards & Commissions**

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, the following closed session resolution was unanimously adopted at 8:25 p.m.

**WHEREAS;** the Open Public Meeting act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Governing Body; and

**WHEREAS;** the Mayor and Council of the Borough of Fair Lawn desire to discuss Personnel – Appointments: Various Boards & Commissions and Pending Litigation – Bolkin vs Borough of Fair Lawn; and

**WHEREAS;** these matters are ones which permit the exclusion of the public from such discussions; and

**WHEREAS;** minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since these matters as set forth above are ones which permit the exclusion of the public from such discussions.

**ADJOURNMENT:**

Upon motion by Deputy Mayor Trawinski and second by Deputy Mayor Cosgrove, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

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

The undersigned have read and approve the foregoing minutes.

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Mayor Jeanne Baratta

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Deputy Mayor John Cosgrove

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Councilmember Kurt Peluso

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Councilmember Lisa Swain

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Deputy Mayor Trawinski