REGULAR MEETING OF MARCH 24, 2020

Mayor Peluso called the meeting to order at 7:30 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 January 10, 2020. Notices were also sent to the Herald News and 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 Peluso, Deputy Mayors Reinitz and Rottenstrich, Councilmembers Cutrone and Krause.

ALSO PRESENT: Manager Van Kruiningen, Municipal Clerk Bojanowski, Deputy Municipal Clerk Olivola, Attorney Verrone and Auditor Steven Wielkotz.

This meeting was held electronically, with public participation, but no physical presence due to the COVID-19 pandemic and Governor Murphy’s Executive Order #104 limiting gatherings of individuals due to the virus.

PUBLIC HEARING ON 2020 BUDGET

Upon motion by Deputy Mayor Reinitz and a second by Councilmember Cutrone, the time for public hearing was opened.

Avidan Ackerson Baumgarten 12-55 Lexington Street, inquired about the 5.5 million dollar surplus in the budget and if there were any plans for that money to be used especially in light of the economic impact the Corona Virus is having on the town.

Borough Auditor Steven Wielkotz stated that the 5.5 million dollars in the budget is part of the surplus the Borough generated from previous years, and is part of the general revenues in the budget. The expenses incurred relative to the pandemic happening now, will be part impartial of the appropriations of the budget.

Mayor Peluso stated that OEM Coordinator Wendy Alverez has the Borough very prepared for the current situation. He said money and supplies were put aside to deal with this pandemic. He stated they will also receive money from the County and the State when the time comes and believed they are in a good place right now.
RESOLUTION NO. 125-2020 – ADOPTION OF 2019 BUDGET

Upon motion by Councilmember Krause and a second by Deputy Mayor Rottenstrich Resolution No. 125-2019 was unanimously passed.

PUBLIC HEARING ON RRIC BUDGET AND CONSIDERATION OF ASSESSMENTS IN THE RIVER ROAD IMPROVEMENT DISTRICT

Upon motion by Deputy Mayor Rottenstrich and a second by Deputy Mayor Reinitz the time for public hearing was opened.

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

RESOLUTION NO. 126-2020 – ADOPTION OF RRIC BUDGET

Upon motion by Councilmember Cutrone and a second by Councilmember Krause Resolution No. 126-2019 was unanimously passed.

PUBLIC HEARING ON BIC BUDGET AND CONSIDERATION OF ASSESSMENT IN THE BROADWAY IMPROVEMENT DISTRICT

Upon motion by Councilmember Krause and a second by Deputy Mayor Rottenstrich, the time for public hearing was opened.

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

RESOLUTION NO. 127-2020 – ADOPTION OF THE BIC BUDGET

Upon motion by Deputy Mayor Reinitz and a second Councilmember Cutrone Resolution No. 127-2020 was unanimously passed.

ORDINANCE ON FIRST READING:

Upon motion by Councilmember Cutrone and a second by Councilmember Krause it was unanimously agreed to read the following ordinance by title.

ORDINANCE NO. 2527-2020
(RESOLUTION NO. 128-2020)

AN ORDINANCE TO PROVIDE FOR CERTAIN CAPITAL IMPROVEMENTS
IN THE BOROUGH OF FAIR LAWN, AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS FROM THE COUNTY OF BERGEN, DIVISON OF LAND MANAGEMENT, OPEN SPACE, RECREATION, FLOODPLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (MEMORIAL PARK SPLASH PARK)

There being no discussion, Resolution No. 128-2020 introducing Ordinance No. 2527-2020 was unanimously passed.

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

ORDINANCE NO. 2530-2020
(RESOLUTION NO. 129-2020)

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF FAIR LAWN AND APPROPRIATING $4,022,900 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $3,820,000 IN BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

There being no discussion, Resolution No. 129-2020 introducing Ordinance No. 2530-2020 was unanimously passed.

Upon motion by Deputy Mayor Rottenstrich and a second by Deputy Mayor Reinitz it was unanimously agreed to read the following ordinance by title.

ORDINANCE NO. 2531-2020
(RESOLUTION NO. 130-2020)

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF FAIR LAWN AND APPROPRIATING $736,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $697,000 IN BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

There being no discussion, Resolution No. 130-2020 introducing Ordinance No. 2531-2020 was unanimously passed.

Upon motion by Deputy Mayor Reinitz and a second by Councilmember Cutrone it was unanimously agreed to read the following ordinance by title.
ORDINANCE NO. 2532-2020
(RESOLUTION NO. 131-2020)

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO VARIOUS ROADS LOCATED IN THE BOROUGH OF FAIR LAWN AND APPROPRIATING $1,010,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF $959,000 IN BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

There being no discussion, Resolution No. 131-2020 introducing Ordinance No. 2532-2020 was unanimously passed.

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

ORDINANCE NO. 2533-2020
(RESOLUTION NO. 132-2020)

AN ORDINANCE BY THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY TO ESTABLISH A NEW EMPLOYMENT POSITION AND SALARY THEREFORE

There being no discussion, Resolution No. 132-2020 introducing Ordinance No. 2533-2020 was unanimously passed.

ORDINANCE ON SECOND READING:

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

ORDINANCE NO. 2525-2020
(RESOLUTION NO. 133-2020)

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 2020

There being no comments by the public, upon motion by Councilmember Krause and a second by Deputy Mayor Rottenstrich it was unanimously agreed to close the time for public hearing.
Upon motion by Deputy Mayor Rottenstrich and a second by Deputy Mayor Reinitz, Resolution No. 133-2020 adopting Ordinance No. 2525-2020 unanimously passed.

Upon motion by Councilmember Cutrone and a second by Deputy Mayor Reinitz it was unanimously agreed to read the following ordinance by title and open the time for public comments:

**ORDINANCE NO. 2529-2020**
**(RESOLUTION NO. 134-2020)**

**AN ORDINANCE BY THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY TO ESTABLISH A NEW EMPLOYMENT POSITION AND SALARY THEREFORE**

Avidan Ackerson Baumgarten, 12-55 Lexington St. inquired about the creation of the position of Health Educator, what the position involves and what they would be doing.

Manager Van Kruiningen explained that the Health Educator Specialist is a certified position within the Health Department that will be training employees and offering different types of programs for the residents throughout the year. This was a position that was outsourced, but the Mayor and Council decided to bring it back as a part-time position in the Borough. He believes the position will be a great asset to the community. Mayor Peluso stated they believed it to be more prudent to pay someone part time for this position than to continue to outsource for it.

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

Upon motion by Deputy Mayor Rottenstrich and a second by Deputy Mayor Reinitz, Resolution No. 134-2020 adopting Ordinance No. 2529-2020 unanimously passed.

**PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**

Upon motion by Councilmember Cutrone and a second by Councilmember Krause the time for public comments on Agenda items only was opened.

There being no comments, upon motion by Deputy Mayor Reinitz and a second by Councilmember Krause the time for public comments was unanimously closed.
RESOLUTIONS BY CONSENT #6-2020

Upon motion by Councilmember Cutrone and a second by Deputy Mayor Reinitz Consent Agenda #6-2020 containing the following items was unanimously passed.

a. Resol. #135-2020 - Approval of Minutes:
   - Budget Meeting 1/21/2020
   - Regular Meeting 1/28/2020
   - Closed Session 2/4/2020
   - Work Session 2/4/2020
   - Closed Session 2/4/2020
   - Budget Meeting 2/11/2020
   - Regular Meeting 2/25/2020

b. Resol. #136-2020 - Professional Services: Economic Development and Downtown Revitalization Services – Civitas Development, LLC c/o Isaac D. Kremer

c. Resol. #137-2020 - Authorizing Refund of Overpayment of Taxes

d. Resol. #138-2020 - Authorizing Purchase Utilizing the State of NJ Cooperative Purchasing Program with Chas S. Winner, Inc. d/b/a Winner Ford for a 2020 Ford F150 4x4 Crew Cab with Options


f. Resol. #140-2020 - Award of Bid: UNIFORMS: Police, Special Police, School Crossing Guard

g. Resol. #141-2020 - Approving Fire Board Actions

h. Resol. #142-2020 - Authorizing Shared Services Agreement with the Fair Lawn Board of Education for Custodial Services

i. Resol. #143-2020 - Award of Bid: Project 2320 Scada System Improvements – Advantech Corporation

j. Resol. #144-2020 - Approving the Submission of the 2019 Recycling Tonnage Grant Application

k. Resol. #145-2020 - Authorizing Purchase Utilizing the State of NJ Cooperative Purchasing Program with Atlas Flasher & Supply Co. for a Traffic/Crash Impact Attenuator System Connector

l. Resol. #146-2020 - Supporting the Annual New Jersey Local Government Week
Flasher & Supply Co. for a Traffic/Crash Impact Attenuator System Connector

l. Resol. #146-2020 - Supporting the Annual New Jersey Local Government Week

m. Resol. #147-2020 - Award of Bid: Radio Shelter Rehabilitation (Gordon Place)

n. Resol. #148-2020 - Authorizing Participation in NPPGOV (National Purchasing Partners Gov)

o. Resol. #149-2020 - Re-appointment of the Municipal Clerk

p. Resol. #150-2020 - Appointments to the Historic Preservation Commission

q. Resol. #151-2020 - Appointment to the Senior Advisory Committee

r. Resol. #152-2020 - Appointment to the Fair Lawn Arts Council


t. Resol. #154-2020 - Professional Services: Private Collection of Municipal Court Debt – Gila LLC d/b/a Municipal Services Bureau

u. Resol. #155-2020 - Authorizing Cancellation of Insurance Reserve

PUBLIC COMMENTS

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

Joan Goldstein, 12 Bedford Place applauded the Mayor and Council’s move on adopting an ordinance banning the usage of single use plastic bags as the Borough is no longer able to sell recycling like they use too. It is imperative on everyone to reduce the use of plastic.

Mayor Peluso advised Ms. Goldstein that the ordinance to ban the use of single use plastic bags had been removed from the agenda and will be put back on at another date in the near future in order to give residents a chance to speak for or against the ordinance at a public meeting.

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

CLOSED SESSION RESOLUTION: PERSONNEL – COVID19 and GRIEVANCE

Upon motion by Councilmember Cutrone and a second by Councilmember Krause, the following closed session resolution was unanimously adopted at 8:02 p.m.
WHEREAS: the Open Public Meetings 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-Covid19 and Grievance; 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.

Manager Van Kruiningen said as he, Mayor Peluso and the Municipal Clerk had to be in to run the meeting, the following staff members did not and he sincerely thanked Deputy Clerk Sandra Olivola and his staff members Nick Magarelli, Michele Coles and Cathy Tyls for taking the time to come in to help with the meeting. Mayor Peluso echoed Manager Van Kruiningen statement and he thanked him and Chief of Staff Nick Magarelli for making it possible to have the meeting and setting it up electronically.

ADJOURNMENT:

Upon motion by Deputy Mayor Reinitz and second by Councilmember Krause the meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Marilyn B. Bojanowski
Marilyn B. Bojanowski, RMC
Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Kurt Peluso
Deputy Mayor Josh Reinitz
Councilmember Cristina Cutrone
Deputy Mayor Gail Rottenstrich
Councilmember Kris Krause