



BOROUGH OF FAIR LAWN  
MAYOR AND COUNCIL MEETING  
**MINUTES**

**COUNCIL MEETING MINUTES APRIL 25, 2023**

Mayor Peluso called the meeting to order at 7:30 p.m.

Municipal Clerk Magarelli reads Statement of Compliance

In accordance with the Open Public Meetings Act, adequate notice of this meeting, giving the time, date and information for accessing this public meeting, was advertised in 'The Record' and 'The Herald' newspapers on March 28, 2023, was posted on the bulletin board located on the 1<sup>st</sup> floor of the Municipal Building, was filed in the Office of the Municipal Clerk, and was posted on the Borough's website.

**PRESENT:** Mayor Peluso, Deputy Mayor Cutrone, Deputy Mayor of Community Affairs Krause, Councilmember Rottenstrich and Councilmember Reinitz.

**ALSO PRESENT:** Manager Van Kruijning, Attorney Verrone, Municipal Clerk Magarelli and CFO Palermo.

**FLAG SALUTE LED BY THE SIXTH GRADE GIRLS BASKETBALL TEAM**

**PRESENTATIONS AND PROCLAMATIONS**

Councilmember Rottenstrich read the Older Americans Month Proclamation and presented it to our Age Friendly Coordinator, Lisa MacClements.

Councilmember Rottenstrich read the Arbor Day Proclamation and presented it to the Green Team Representative, Carol Wagner.

Deputy Mayor Krause read the National Military Appreciation Month Proclamation and presented it to Veteran's Liaison, Ashlee Luther.

Councilmember Reinitz read the Mental Health Month Proclamation and presented it to members of the Stigma-Free Committee.

Deputy Mayor of Community Affairs Cutrone presented certificates to the Holi Celebration Volunteers, who raised \$500.00 dollars for the Fair Lawn Food Pantry.

Deputy Mayor Krause read the Girls Basketball Team Day Proclamation and presented it to the coach. Each player was given a certificate by the coach.

**COUNCIL COMMENTS**Councilmember Reinitz

He congratulated everyone who received proclamations and thanked the Health Department who has worked hard to promote mental health awareness. He thanked the Police and everyone involved in the Mary Ann Collura fund raiser. He announced that they will be passing a Budget with no increase for the sixth straight year. He thanked the leadership of the Manager's office, CFO, and the Mayor and Council.

Councilmember Rottenstrich

She congratulated the Girls Basketball Team and the Holi volunteers for lifting everyone's spirits. She expressed her gratitude to all Fair Lawn residents currently serving and veteran members of the military. In Fair Lawn, we don't just talk the talk, we walk the walk when it comes to showing appreciation to our service members. She also thanked everyone involved in the Mary Ann Collura Scholarship fundraiser. She thanked Tammy and Justin for speaking so eloquently about Mental Health Awareness month and how important it is to be a Stigma Free Community. She thanked the Mayor for allowing her to present the Arbor Day Proclamation.

April 30<sup>th</sup> - Arbor Day Celebration from 12 pm -2 pm Berdan Grove Park.

May 21<sup>st</sup> - Arboretum Day.

She thanked everyone who came out for this Saturday's Community Clean up. The next one is on May 10<sup>th</sup>, the information is on our website.

She spoke about the Community Relations Advisory's Committee's Holocaust Remembrance Event. The program educated the audience about what our educators are doing to fight all forms of hatred and bigotry. They are teaching our students, at a very young age, the concept of respect, kindness, and the power of words. She spoke about how anti-Semitism has affected her family and she realized after this program that confronting anti-Semitism, and other hate crimes, head on is the only way to stop them. She hopes that if the program on Sunday accomplishes one thing, it is that, the people of Fair Lawn will not be complicit.

Deputy Mayor Cutrone

She congratulated everyone who received proclamations this evening. The mental health proclamation is especially significant to her because she had an undiagnosed anxiety disorder for most of her life. She was finally diagnosed in college at 18 years old. After several years of getting help her anxiety doesn't control her. Learning that Fair Lawn is a Stigma Free town has given her the courage to share her story. She gave some advice on how to be kind to people with mental illness. She is thankful that they are a Stigma Free town and that the Mayor and Council acknowledges mental health Awareness Month each year.

She thanked Fair Lawn's Muslim community for hosting another wonderful interfaith Iftar dinner this year. She learned that only once every 30 years Passover, Easter and Ramadan all fall at the same time.

She apologized for not being able to attend the Mary Ann Collura event and the Holocaust Remembrance event. She thanked the Police and the Community Relations Committee.

May 22<sup>nd</sup> - Health Resource Fair - from 1 pm -3 pm at the Senior Center

April 30<sup>th</sup> - Senior Citizen Prom from 2 pm -4 pm at Fair Lawn High School

She acknowledged the tragic passing of a very special 4<sup>th</sup> grader, at Radburn Elementary School, Lucy Macaluso. Please consider making a donation, in her name, to the Charlie Landers Foundation for pediatric cancer research.

#### Deputy Mayor Krause

He congratulated everyone who received a proclamation this evening and he thanked all the people who spend a lot of time dedicating themselves to building a sense of community.

Arts Council will be having a Poetry Reading on Sunday from 2-4 in the Library. Mental Health Awareness Weekend is on May 19<sup>th</sup> at Cozy Cafe with an open mic.

#### Mayor Peluso

He echoed the congratulations to everyone who received a proclamation tonight.

He attended the Interfaith Ramadan dinner and was glad to see so many different religious leaders come together to celebrate as one.

He thanked the Girl Scouts for their hard work in a cleanup at the Center Rec Field.

They had Coffee with the Council last Tuesday and spoke to residents about concerns and/or suggestions they may have.

He thanked the Community Relations Advisory Committee for the Holocaust Remembrance.

He thanked everyone who put together all the different events to remember Mary Ann Collura.

#### **MAIN STREET MINUTE**

Prima Maringanti gave an update on the various programs that the Fair Lawn Main Street, Inc has been offering. They have partnered with Yiftee, a local gift card program for

supporting local businesses. She encourages everyone to take time to check out the local gems in Fair Lawn.

**RESOLUTION 170-2023 RESOLUTION AUTHORIZING 2023 MUNICIPAL BUDGET BE ADOPTED BY TITLE ONLY**

Upon motion by Deputy Mayor Krause and a second by Councilmember Reinitz, Resolution No. 170-2023 was carried by a roll call vote of 5-0.

**PUBLIC HEARING ON 2023 BUDGET RESOLUTIONS #171 THROUGH 174-2023**

Upon a motion by Deputy Mayor of Community Affairs Cutrone and a second by Deputy Mayor Krause it was unanimously agreed to open the time for public comments on 2023 Budget Resolutions only.

There being no comments, upon motion by Deputy Mayor Krause and a second by Councilmember Rottenstrich the time for public comments on 2023 Budget Resolutions only was unanimously closed.

**RESOLUTION 171-2023 RESOLUTION AMENDING 2023 MUNICIPAL BUDGET**

Upon motion by Councilmember Rottenstrich and a second by Deputy Mayor of Community Affairs Cutrone, Resolution No. 171-2023 was carried by a roll call vote of 5-0.

**RESOLUTION 172-2023 RESOLUTION ADOPTING 2023 MUNICIPAL BUDGET**

Upon motion by Deputy Mayor of Community Affairs Cutrone and a second by Deputy Mayor Krause, Resolution No. 172-2023 was carried by a roll call vote of 5-0.

**RESOLUTION 173-2023 RESOLUTION ADOPTING 2023 RIVER ROAD SPECIAL IMPROVEMENT DISTRICT BUDGET**

Upon motion by Deputy Mayor Krause and a second by Councilmember Reinitz, Resolution No. 173-2023 was carried by a roll call vote of 5-0.

**RESOLUTION 174-2023 RESOLUTION ADOPTING 2023 BROADWAY SPECIAL IMPROVEMENT DISTRICT**

Upon motion by Councilmember Rottenstrich and a second by Deputy Mayor of Community Affairs Cutrone, Resolution No. 174-2023 was carried by a roll call vote of 5-0.

**ORDINANCES ON FIRST READING****ORD 2664-2023**

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 THEREFOR FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION (HEIGHTS AVENUE) - \$157,970

Mayor Peluso asked for a motion that Ordinance No. 2664-2023 be passed on introduction, advertised according to law and that a public hearing be held on May 23, 2023.

Upon motion by Deputy Mayor Krause, seconded by Councilmember Reinitz, Ordinance 2664-2023 was introduced on first reading and carried by a roll call vote of 5-0.

**ORD 2665-2023**

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 THEREFOR FROM THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS, 2023 LOCAL RECREATION IMPROVEMENTS GRANT \$55,000

Mayor Peluso asked for a motion that Ordinance No. 2665-2023 be passed on introduction, advertised according to law and that a public hearing be held on May 23, 2023.

Upon motion by Councilmember Rottenstrich, seconded by Deputy Mayor of Community Affairs Cutrone, Ordinance 2665-2023 was introduced on first reading and carried by a roll call vote of 5-0.

**BOND ORD 2666-2023**

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 \$7,520,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$7,144,000 IN BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

Mayor Peluso asked for a motion that Ordinance No. 2666-2023 be passed on introduction, advertised according to law and that a public hearing be held on May 23, 2023.

Upon motion by Councilmember Rottenstrich, seconded by Deputy Mayor of Community Affairs Krause, Ordinance 2666-2023 was introduced on first reading and carried by a roll call vote of 5-0.

**BOND ORD 2667-2023**

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 \$3,850,000

THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,660,000 IN BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

Mayor Peluso asked for a motion that Ordinance No. 2667-2023 be passed on introduction, advertised according to law and that a public hearing be held on May 23, 2023.

Upon motion by Deputy Mayor Krause, seconded by Councilmember Reinitz, Ordinance 2667-2023 was introduced on first reading and carried by a roll call vote of 5-0.

**BOND ORD 2668-2023**

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 \$1,215,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,150,000 IN BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

Mayor Peluso asked for a motion that Ordinance No. 2668-2023 be passed on introduction, advertised according to law and that a public hearing be held on May 23, 2023.

Upon motion by Deputy Mayor Krause, seconded by Councilmember Reinitz, Ordinance 2668-2023 was introduced on first reading and carried by a roll call vote of 5-0.

**ORDINANCES ON PUBLIC HEARING AND FINAL PASSAGE**

**ORD. #2657-2023**

AN ORDINANCE TO AMEND CHAPTER 111, FOOD HANDLING, ARTICLE II, SPECIAL FOOD VENDORS PERMIT OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

Motion to open the meeting to public comments on Ordinance No. 2657-2023 only was moved by Deputy Mayor Krause, seconded by Councilmember Reinitz and carried unanimously.

There being no public comments, motion to close the meeting to public comments on Ordinance No. 2657-2023 only was moved by Deputy Mayor Krause, seconded by Councilmember Reinitz and carried unanimously.

Motion to adopt Ordinance No. 2657-2023 on second and final reading was moved by Deputy Mayor Krause, seconded by Councilmember Rottenstrich and carried by a roll call vote of 5-0.

**ORD. #2658-2023**

AN ORDINANCE TO AMEND CHAPTER 111, FOOD HANDLING, ARTICLE III, RETAIL FOOD ESTABLISHMENTS OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

Motion to open the meeting to public comments on Ordinance No. 2658-2023 only was moved by Deputy Mayor of Community Affairs Cutrone, seconded by Deputy Mayor Krause and carried unanimously.

There being no public comments, motion to close the meeting to public comments on Ordinance No. 2658-2023 only was moved by Deputy Mayor of Community Affairs Cutrone, seconded by Councilmember Reinitz and carried unanimously.

Motion to adopt Ordinance No. 2658-2023 on second and final reading was moved by Councilmember Reinitz, seconded by Deputy Mayor of Community Affairs Cutrone and carried by a roll call vote of 5-0.

**ORD. #2659-2023**

AN ORDINANCE TO AMEND CHAPTER 94, FEES, ARTICLE IV, COSMETOLOGY AND HAIRSTYLING ESTABLISHMENT INSPECTIONS OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

Motion to open the meeting to public comments on Ordinance No. 2659-2023 only was moved by Councilmember Reinitz, seconded by Deputy Mayor Krause and carried unanimously.

There being no public comments, motion to close the meeting to public comments on Ordinance No. 2659-2023 only was moved by Deputy Mayor Krause, seconded by Councilmember Reinitz and carried unanimously.

Motion to adopt Ordinance No. 2659-2023 on second and final reading was moved by Councilmember Reinitz, seconded by Deputy Mayor Krause.

Deputy Mayor of Community Affairs Cutrone asked to **table** Ordinance 2659-2023 for further review, due to questions and concerns from some business owners.

Mayor Peluso asked for a motion to **table** Ordinance No. 2659-2023 for further review due to questions and concerns from some of the business owners.

Motion to **table** Ordinance 2659-2023 was moved by Deputy Mayor of Community Affairs Cutrone, seconded by Councilmember Rottenstrich and carried by a roll call vote of 4-1.

**ORD. #2660-2023**

AN ORDINANCE TO AMEND CHAPTER 94, FEES, ARTICLE VI, SCHEDULE OF FEES OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

Motion to open the meeting to public comments on Ordinance No. 2660-2023 only was moved by Deputy Mayor of Community Affairs Cutrone, seconded by Deputy Mayor Krause and carried unanimously.

There being no public comments, motion to close the meeting to public comments on Ordinance No. 2660-2023 only was moved by Councilmember Rottenstrich, seconded by Deputy Mayor Krause and carried unanimously.

Motion to **table** Ordinance 2660-2023 was moved by Deputy Mayor of Community Affairs Cutrone, seconded by Councilmember Rottenstrich and carried by a roll call vote of 4-1.

**ORD. #2661-2023**

AN ORDINANCE TO AMEND CHAPTER 13, FIRE DEPARTMENT, OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000

Motion to open the meeting to public comments on Ordinance No. 2661-2023 only was moved by Councilmember Rottenstrich, seconded by Deputy Mayor of Community Affairs Cutrone and carried unanimously.

There being no public comments, motion to close the meeting to public comments on Ordinance No. 2661-2023 only was moved by Deputy Mayor Krause, seconded by Deputy Mayor of Community Affairs Cutrone and carried unanimously.

Motion to adopt Ordinance No. 2661-2023 on second and final reading was moved by Councilmember Rottenstrich, seconded by Deputy Mayor of Community Affairs Cutrone and carried by a roll call vote of 5-0.

**PUBLIC COMMENTS ON CONSENT AGENDA 11-2023 ITEMS ONLY**

Motion to open the meeting to public comments on Consent Agenda items only was moved by Deputy Mayor of Community Affairs Cutrone, seconded by Deputy Mayor Krause and carried unanimously.

Pamela Coles asked for an explanation of Resolution 191-2023. Manager Van Kruijning explained that it is for a Public Relations Consulting Services. She then ask for an explanation of the goods and services that Resolution 192-2023 is referring to. Manager Van Kruijning explained that it is for library books and educational services for the Library. She asked for more clarification of several resolutions.

**RESOLUTIONS BY CONSENT 11-2023**

Municipal Clerk reads the Resolutions by Consent

Upon motion by Deputy Mayor Krause a second by Deputy Mayor of Community Affairs Cutrone, Consent Agenda 11-2023 containing the following items was carried by a roll call vote of 5-0.

RESO #	RESOLUTION TITLE
175-2023	Resolution Requesting Permission from the Director of the Division of Local Government Services to Insert an Item of Revenue into the 2023 Budget - 2023 Distracted Driving Crackdown Grant



176-2023	Resolution Authorizing Estimated Tax Bills
177-2023	Resolution Authorizing the Corrective Action Plan for 2022
178-2023	Resolution approving the submittal of a grant application and the execution of a grant contract with the New Jersey Department of Highway Traffic Safety for the Click It or Ticket 2023 Seat Belt Mobilization project.
179-2023	Resolution Authorizing an Application to the 2023 Community Heart & Soul Seed Grant Program by the Fair Lawn Main Street, Inc. for the Main Street Program.
180-2023	Resolution Recognizing the Designation of Landmark Tree Status for Four Borough-Owned London Plane Trees Located at the Intersection of Plaza Road North and Hirschklau Lane, East of the Tennis Court
181-2023	Resolution Approving Fire Department Action of April 12, 2023
182-2023	Resolution Approving Meeting Minutes
183-2023	Resolution Accepting a Resignation and Filling Unexpired Terms of the Fair Lawn Environmental Commission
184-2023	Resolution Approving Gas Pump Licenses
185-2023	Resolution Approving Limousine Licenses
186-2023	Resolution Authorizing the Purchase of Kubota Cab Tractor, Cutter and Accessories from Cherry Valley Tractor Sales, Inc. under Educational Services Commission of New Jersey Cooperative Contract 22/23-12
187-2023	Resolution Authorizing Amendment of the Current Solid Waste and Recyclable Materials Collection Agreement Between Cali Carting, Inc. and the Borough of Fair Lawn to include Twice Weekly Collection of Solid Waste for the Month of May 2023 and the Month of September 2023
188-2023	Resolution Authorizing to Enter into Membership with the Interlocal Purchasing System National Cooperative (TIPS)
189-2023	Resolution Approving Change Order #2 with Kirila Fire Training Facilities, Inc. for the Construction and Installation of a Prefabricated Containerized Fire Training Center
190-2023	Resolution Authorizing Software Licensing, Installation, Training and Maintenance from SHI International Corp under Bergen County Cooperative
191-2023	Resolution Authorizing the Procurement of Public Relations Consulting Services through Competitive Contracting Under the Local Public Contracts Law
192-2023	Resolution Authorizing purchases of Library Goods and Services Estimates 2023
193-2023	Resolution Authorizing Contract Extension for Water Conditioner Additive with Shannon Chemical Corporation

194-2023	Resolution Authorizing a Facility Use Agreement with the Fair Lawn Board of Education for the use of Memorial Pool by the Fair Lawn Community School
195-2023	Resolution Authorizing the Execution of a Memorandum of Understanding Agreement with the County of Bergen for Public Health Standards of Performance
196-2023	Resolution Awarding Contract for the Purchasing of Pool Chemicals to Deep Run Aquatic Services, Inc.
197-2023	Resolution Awarding Contract for Heating Ventilation and Air Conditioning (HVAC) Services to Air Systems Maintenance, Inc.
198-2023	Resolution Authorizing the Purchase of Fire Fighter Protective Clothing from Safe-T Skylands area Fire Equipment & Training Under State Contract #17-FLEET-00810
199-2023	Resolution Authorizing Tax Refund for Disabled Veteran Block 2514, Lot 10
200-2023	Resolution Authorizing Tax Refund for Disabled Veteran Block 2823, Lot 6
201-2023	Resolution Authorizing Tax Refund for Disabled Veteran Block 3617, Lot 4
202-2023	Resolution Authorizing Purchases of Goods or Services under National Cooperative for 2023
203-2023	Resolution Authorizing the Purchase of Utility Vehicle, Salt Spreader and Accessories from Cherry Valley Tractor Sales, Inc. Under Educational Services Commission of New Jersey Cooperative Contract 22/23-12
204-2023	Resolution Authorizing the Discharge of the Barrister Court Townhouses at Dunkerhook Maintenance Bond
205-2023	Resolution Authorizing the Purchase of a Vehicle from Mall Chevrolet under the Educational Services Commission of New Jersey Cooperative
206-2023	Resolution Authorizing the Purchase of Vehicle Equipment and Accessories from 10-75 Emergency Vehicles under New Jersey State Cooperative Contract
207-2023	Resolution Authorizing the Purchase of a Dump Truck and Snow Plow from Route 23 Automall LLC under New Jersey State Cooperative Contract
208-2023	Resolution Authorizing the Purchase of a Utility Truck from Route 23 Automall LLC under New Jersey State Cooperative Contract
209-2023	Resolution Authorizing Extension of Radio Shelter Rehabilitation Services with Gold Type Business Machine

**NEW BUSINESS**

Mayor Peluso asked if they can change the Work Session from May 9<sup>th</sup> to May 16<sup>th</sup>. There was a unanimous consensus to leave the meeting date at May 9<sup>th</sup>.

**PUBLIC COMMENTS**

Upon motion by Deputy Mayor Krause and a second by Deputy Mayor of Community Affairs Cutrone, the time for public comments was opened.

Pamela Coles stated that there was a Zoning and Planning Board meeting on the same night and would like to know if that can be avoided in the future. Mayor Peluso suggested that she mention that to the boards because the Governing Body can't control when they meet. She spoke about anti-Semitism and Mental Health issues. She also thanked the Governing Body for all their hard work on the Budget.

Stella Lambert spoke about how she is concerned about the Greek Development Planning Board Application. Attorney Verrone explained that this is a Planning Board application and the Governing Body is not able to comment. Mayor Peluso stated that there is no Town Hall meeting happening at this point and the email stating that is fake.

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

**EXECUTIVE CLOSED SESSION – RESOLUTION 210-2023**

Municipal Clerk reads Executive Closed Session Resolution.

Upon motion by Deputy Mayor of Community Affairs Cutrone and a second by Deputy Mayor Krause, Resolution No. 210-2023 was carried by a roll call vote of 5-0 at 8:51 pm.

- a. *Personnel matters pursuant to N.J.S.A. 10:4-12b(8)*
- b. *Contract Negotiations*

**RECONVENE PUBLIC SESSION**

Upon motion by Deputy Mayor Krause and a second by Councilmember Reinitz, the meeting was reconvened to public session at 9:24 p.m.

**ADJOURNMENT**

Upon motion by Councilmember Rottenstrich and second by Deputy Mayor of Community Affairs Cutrone, the meeting was adjourned at 9:25 p.m.

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*The within minutes were duly approved by the Borough Council at their meeting of  
May 23, 2023, under Resolution 218-2023*

Respectfully submitted,



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Nicholas J. Magarelli, RMC  
Municipal Clerk

The undersigned has read and approves the foregoing minutes.



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Mayor Kurt Peluso