



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

**COUNCIL MEETING MINUTES OF JANUARY 24, 2023**

Mayor Peluso called the meeting to order at 7:33 p.m.

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 sent to 'The Record' on December 19, 2022 and the Herald News on December 27, 2022, 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 Kruingen, Attorney Verrone and Municipal Clerk Magarelli, CFO, Palermo.

**FLAG SALUTE**

**PRESENTATIONS AND PROCLAMATIONS**

Mayor Peluso read the Black History Month proclamation.

Mayor Peluso read the American Heart Month proclamation.

**MAIN STREET MINUTE**

Ryan Greff gave an update on the various programs the Fair Lawn EDC has been offering.

**COUNCIL COMMENTS**

Councilmember Reinitz

He congratulated the new Fire Chiefs and thank them for including them in their installation dinner on Saturday night.

Fair Lawn Alliance for Substance Abuse had their meeting this week and set budgets for all their events throughout the year.

The Community Police is having a fund raiser tomorrow night at Blaze Pizza from 2 pm to 7 pm and all he funds are going into the Community Policing programs.

Registration for Spring Sports is open on [Fairlawnallsports.com](http://Fairlawnallsports.com).

Councilmember Rottenstrich

She was honored to attend the Fire Department Installation dinner on Saturday night and thanked everyone for all their hard work. Although the Fire Department is a volunteer department, they have very vigorous training and they are is a great asset to the community.

Fair Lawn Main Street Inc., had their first meeting on January 11<sup>th</sup>. The organization demonstrates that our Borough is committed to our local businesses. We were able to take three separate organizations and bring them together to work more efficiently and effectively to benefit our borough businesses.

Events:

Restaurant week starts the January 29<sup>th</sup> through the February 2<sup>nd</sup>.

Taste of our Town February 27<sup>th</sup>

Green Team will host the Native Blooms event at the Pavilion on February 12<sup>th</sup>.

Green Team and Shade Tree Committee will be working together to celebrate Arbor Day on Sunday, April 30<sup>th</sup>.

Arboretum day is on May 21<sup>st</sup> this year.

She thanked Manager Van Kruijning and CFO, Karen Palermo for bringing them a great budget and a great document to work with. They are looking forward to a 6<sup>th</sup> year in a row of zero percent tax increase.

Deputy Mayor Cutrone

She wished Mayor Peluso a belated Happy Birthday.

She echoed the congratulations to our Fire Chiefs.

She echoed the thank you to Manager Van Kruijning and CFO, Palermo for a great budget.

She announced that Fair Lawn will be receiving \$3.4 million dollars from President Biden's Bipartisan Infrastructure Act. This money will be used on Water Infrastructure upgrades. We as a Council, our Borough Manager and our Water Department, have been focused on this to ensure that our residents have access to clean drinking water. Thanks to Congressman Gottheimer's efforts we can continue to do that work without putting a financial burden on our residents.

February 3<sup>rd</sup> Access for All Valentine's Dance. She thanked the Fair Lawn Education Association for sponsoring this dance.

February is Black History Month and the Borough will be raising a flag to acknowledge that.

The Community Read book this year is "How the Word is Passed" by Clint Smith. The discussion will be in late February and early March.

Holi is coming back this year on Sunday, March 19<sup>th</sup> in the Memorial Pool Parking Lot.

#### Deputy Mayor Krause

He congratulated all the officers in the Ambulance Corp Installation dinner and the Fire Department Installation dinner. He was happy to be at these dinners to thank all the volunteers for all their hard work.

Arts Council Talent Show is January 31<sup>st</sup> at 7:00 pm in the Community Center.

#### Mayor Peluso

He said they are expanding the weekends for 5<sup>th</sup> and 6<sup>th</sup> grades in recreation.

He echoed the thank you to all the new Chiefs and officers of the Fire Department. He also thanked the Ambulance Corp for all their hard work he apologized for not being able to attend their dinner. He thanked Deputy Mayor Krause for filling in for him.

He thanked Deputy Mayor of Community Affairs Cutrone for doing such a great job of representing the Borough at Congressman Gottheimer's event. He had a chance to join Congressman Gottheimer's Facebook Town Hall and he thanked him for all his hard work he does for this Borough and for helping to bring in funds for important projects.

He said that they will be going through the budget tomorrow night and they are allocating a lot of the funding for infrastructure. He thanked everyone for putting hard work into this budget.

He encourages the residents to support the local businesses in Fair Lawn.

### **ORDINANCE ON FIRST READING**

#### **ORD. #2645-2023**

AN ORDINANCE TO AMEND CHAPTER 160, PARKS AND RECREATION AREAS, MORE SPECIFICALLY SECTION 160-12, "ACTIVITIES AND CONDUCT PROHIBITED IN BEACH AREAS AND IN PARKS" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000

Upon motion by Deputy Mayor Cutrone, seconded by Councilmember Reinitz, Ordinance 2645-2023 was introduced on first reading and carried by a roll call vote of 5-0.

#### **ORD. #2646-2023**

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR WATER STORAGE TANK IMPROVEMENTS AND APPROPRIATING

\$4,845,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,400,000 IN WATER UTILITY BONDS OR NOTES OF THE BOROUGH OF FAIR LAWN TO FINANCE THE SAME

Upon motion by Deputy Mayor of Community Affairs Krause, seconded by Councilmember Reinitz, Ordinance 2646-2023 was introduced on first reading and carried by a roll call vote of 5-0.

**ORD. #2647-2023**

AN ORDINANCE AMENDING CHAPTER 74, BROADWAY SPECIAL IMPROVEMENT DISTRICT AND CHAPTER 180 RIVER ROAD SPECIAL IMPROVEMENT DISTRICT, OF THE CODE OF THE BOROUGH OF FAIR LAWN 2000, TO REPLACE THE DISTRICT MANAGEMENT CORPORATIONS IN EACH DISTRICT WITH A NEWLY ESTABLISHED DISTRICT MANAGEMENT CORPORATION KNOWN AS FAIR LAWN MAIN STREET, INC.

Councilmember Rottenstrich asked that two amendments be made to the ordinance. The ordinance should say board of directors not board of trustees and that it will only have one member of the Council, not the Mayor and the Mayor's representative.

There was a unanimous consensus to make the two above amendments to the ordinance.

Upon motion by Deputy Mayor of Community Affairs Krause, seconded by Deputy Mayor of Community Affairs Cutrone, Ordinance 2647-2023 was introduced on first reading with the above amendments and carried by a roll call vote of 5-0.

**PUBLIC COMMENTS ON CONSENT AGENDA 6-2023 ITEMS ONLY**

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

Pamela Coles, 13-34 George Street asked how Resolution 89-2023 fits into the Main Street project. Councilmember Rottenstrich explained that Civitas has been advising them on how to move from the three separate organizations to one Main Street organization. They are renewing this contract for this year. Pam asked what the cost to of the contract is and Manager Van Kruijning stated that it is \$13,000.00 total.

She asked about Resolution 94-2023, Manager Van Kruijning explained that the escrow is being released because the project is complete. She then asked what property Resolution 101-2023 was referencing. Manager Van Kruijning explained that it is Chase Bank on Fair Lawn Avenue and River Road.

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

**RESOLUTIONS BY CONSENT 6-2023**

Municipal Clerk Magarelli read the Resolutions by Consent statement.

Upon motion by Deputy Mayor Krause and a second by Councilmember Reinitz, Consent Agenda 6-2023 containing the following items was carried by a roll call vote of 5-0.

<b>RESO. #</b>	<b>RESOLUTION TITLE</b>
78-2023	Resolution Approving Fire Department Action of December 14, 2022
79-2023	Resolution Approving Fire Department Action of January 11, 2023
80-2023	Resolution Approving Meeting Minutes
81-2023	Resolution Authorizing the Transfer of Funds
82-2023	Resolution Approving Renewal of Bowling Establishment License for Calendar Year 2023
83-2023	Resolution Approving Launderette and Dry Cleaning Licenses for Calendar Year 2023
84-2023	Resolution Authorizing the Chief Financial Officer to modify the ledger due to the receipt of a non-sufficient funds check
85-2023	Resolution Authorizing the purchase of Chemical Root Control from Duke's Root Control, Inc., Under Houston-Galveston Area Council Cooperative Purchasing Program, Known as HGACBUY, Contract #SC01-21
86-2023	Resolution Authorizing the purchase of a new case wheel loader and plow from Groff Tractor New Jersey under Sourcewell Cooperative Contract #032119-CNH-1
87-2023	Resolution Authorizing the purchase of radio communications equipment, accessories and installation from Motorola Solutions, Inc. under New Jersey State Cooperative Contract #83909
88-2023	Resolution Authorizing execution of a professional services agreement with Hackensack University Medical Center, a division of Hackensack Meridian Health Hospitals Corporation for Emergency Medical Communication Services
89-2023	Resolution authorizing execution of an agreement with Isaac D. Kremer of Civitas Development, LLC for economic development and downtown services
90-2023	Resolution authorizing an emergency contract pursuant to NJSA 40a:11-6 and NJAC 5:34-61 with Reiner Group Inc for HVAC Maintenance and Repairs
91-2023	Resolution authorizing Barracuda network subscription from SHI International Corp under Bergen County Cooperative BC-BID 22-24
92-2023	Resolution authorizing the Borough of Fair Lawn to accept a donation from Fair Lawn Access for All
93-2023	Resolution authorizing issuance of a tax appeal settlement refund for Block 2218, Lot 13
94-2023	Resolution authorizing the release of guarantee escrow for Fair Lawn Promenade, LLC, 16-31 RT 208 North, Block 4801, Lot 1
95-2023	Resolution authorizing the Borough to enter into a shared service agreement with the village of Ridgewood for childhood immunization and physician services
96-2023	Resolution appointing member to the Fair Lawn Arts Council
97-2023	Resolution appointing member to the Fair Lawn Community Relations Advisory Committee

- 98-2023 Resolution accepting a resignation from the Property Maintenance Committee
- 99-2023 Resolution recognizing the designation of landmark tree status for two borough-owned black oak trees located in the southwest corner of Berdan Grove Park
- 100-2023 Rescinding resolution 69-2023, and correcting 2023 appointments to the Senior Citizens Advisory Committee
- 101-2023 Resolution authorizing a preliminary study of Non-Condemnation Area in Need of Redevelopment, Block 5610, Lot 39
- 102-2023 Resolution Rescinding Resolution 172-2022 and Canceling Purchase of Kubota Cab Tractor from Cherry Valley Tractor
- 103-2023 Resolution approving the 2022 LOSAP Certification List
- 104-2023 Resolution authorizing the Borough to enter into a Bergen County Trust Fund Project Contract with the County of Bergen for a matching grant award from the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund for the Etler Playground

### **NEW BUSINESS**

Fair Lawn Access for All spoke about the donation of a Communication Board at Berdan Park for all adults and children with limited language or no language at all.

### **PUBLIC COMMENTS**

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

Gus Westergard asked if the one way street for Fern Street was passed. Mayor Peluso explained that they did a survey of Fern Street and most people did not want the one way.

Pam Coles stated that the Chase Bank is considered a historic site and asked if there is any information on this. Councilmember Rottenstrich stated that it will be part of the area of redevelopment investigation. Councilmember Rottenstrich explained that the site is for sale and they want to do this investigation to be sure it is preserved correctly. She asked about the new Main Street board and how it would be nice to have some of the residents participate in the designs. Councilmember Rottenstrich explained the Main Street Organization and that they invite anyone to become active and join the committees.

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 105-2023**

Upon motion by Councilmember Reinitz and a second by Councilmember Rottenstrich, Resolution No. 105-2023 was carried by a roll call vote of 5-0.

- I. Collective bargaining agreements, including proposed terms and conditions and negotiations;
- II. Personnel matters pursuant to N.J.S.A. 10:4-12b(8);

**RECONVENE PUBLIC SESSION**

Upon motion by Councilmember Rottenstrich and a second by Councilmember Reinitz, the meeting was reconvened to public session at 8:33 p.m.

**RESOLUTION 106-2023**

RESOLUTION APPOINTING MEMBERS TO THE PLANNING BOARD

Upon motion by Councilmember Rottenstrich and a second by Deputy Mayor of Community Affairs Cutrone, Resolution 106-2023 was carried by a roll call vote of 5-0.

**ADJOURNMENT**

Upon motion by Deputy Mayor Krause and second by Councilmember Reinitz, the meeting was adjourned at 8:36 p.m.

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***The within minutes were duly approved by the Borough Council at their meeting of February 28, 2023, under Resolution 110-2023.***

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