

WORK SESSION OF MARCH 4, 2014

Mayor Cosgrove called the meeting to order at 7:35 p.m.

PRESENT: Mayor Cosgrove, Deputy Mayors Dunay (late) and Lefkowitz, Councilmembers Peluso and Swain.

ALSO PRESENT: Manager Van Kruijning, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

MEMORIAL POOL

Mayor Cosgrove reported that he, Councilmember Peluso and Manager Van Kruijning met with the Recreational Facilities Review Committee meeting. The Committee broke into two sub-committees: Memorial Pool and Fields. Members can be on one or both sub-committees. The next meeting is April 7th for the group and then the sub-committees will meet separately.

Deputy Mayor Dunay arrived at 7:38 p.m.

Deputy Mayor Dunay stated there are multiple ways of looking at the pool, most of which will have a large capital expenditure. A long term financial plan is needed to ensure there is money available. Mayor Cosgrove agreed. The pool needs to be more conducive for young families so that memberships increase.

Councilmember Swain advised Mayor Cosgrove that Engineer Garrison had done a preliminary plan because the Committee had at one time looked at moving the bathhouses to the other side. She has the preliminary plans from the last study. Mayor Cosgrove noted that the buildings will most likely need to be elevated. Manager Van Kruijning confirmed that Engineer Garrison's plan indicated that.

HALF-DAY SUMMER CAMP PROGRAM

Superintendent Graff was present.

Manager Van Kruijning stated that Superintendent Graff would like to offer a half-day summer camp program. The morning session would run from 9:00 a.m. to 1:00 p.m. and would include recreational and sports activities, arts and crafts, a morning swim and lunch. The afternoon session would run from 1:00 to 5:00 p.m. and include the same activities, an afternoon swim and a snack. The full day camp program costs \$305 so Superintendent Graff recommended charging \$150 for the half-day session.

Councilmember Swain wondered why he is making this suggestion. Superintendent Graff felt this option might increase attendance. Councilmember Peluso thought it was a good idea since it would enable children to also attend



sports camps. Deputy Mayor Lefkowitz asked if additional staffing would be required. Superintendent Graff stated that it would not. Councilmember Swain wondered if the cost of half day sessions should be increased; otherwise parents will look for a discount if they sign their child up for the entire day. Manager Van Kruijning suggested charging \$160 for each session.

There was consensus to approve a half-day camp program at \$160 per session.

REQUEST TO WAIVE BUILDING PERMIT FEE – 16-06 ALDEN TERRACE

Municipal Clerk/Deputy Manager Kwasniewski stated that when a resident on Alden Terrace had work done on his home, it was brought to his attention that the chimney to their fireplace was not safe, although it had passed Borough inspections. The employees who did the original inspection no longer work for the Borough so they cannot ask for their notes. The residents feel they should not have to pay a permit fee to have the chimney replaced, but Construction Official Bolan advised them that he could not waive the fee. The cost of the fee is \$100 to \$150.

Attorney Mondello stated there is no legal obligation to waive the fee. There is also a specific immunity for inspections. Construction Official Bolan had suggested waiving the permit fee for the chimney lining, not the insert. Deputy Mayor Dunay asked if the residents were arguing they had to have the work redone because the inspections were flawed. Municipal Clerk/Deputy Manager Kwasniewski confirmed that. There was nothing in the file to indicate a reason not to pass the inspection.

There was consensus to waive the permit fee for the replacement of the chimney lining.

REVIEW OF TENTATIVE AGENDA

Municipal Clerk/Deputy Manager Kwasniewski stated that she is adding a resolution with Fire Board actions, which will be on non-consent. CFO Palermo is obtaining information on snow removal expenses. They must do an emergency temporary budget and apply for a Recycling Tonnage grant. Bids were received this morning for the maintenance of the SCADA system. Their current vendor was the only bidder. Engineer Garrison recommended awarding the bid.

COUNCIL LIAISON REPORTS

Councilmember Swain stated when a motorist is headed west on Fair Lawn Avenue, the blinking light is too far from Abbot Road and the light is not very bright. She suggested moving the light closer to the intersection and restriping the crosswalk with reflective paint. Manager Van Kruijning stated they could make the recommendation when they do the bump outs. Councilmember Swain felt



more signage was also needed as pedestrian and vehicle traffic was increasing. The whole corridor needs better lighting.

Fair Lawn High School is holding its Festival of the Arts at the Community Center from 6:30 p.m. until 8:00 p.m. She asked Manager Van Kruijning if he could follow up with Health Officer Wagner about using photos on the Borough calendar. The Green Team has a display in the Library with tips on being green and saving energy. They want to continue the 3K Benefit Walk and a Splash and Dash. Their solar adviser, Baruch Gadot wondered if he could be invited to the Shared Services meeting. Manager Van Kruijning stated that he will send him the next meeting date as meetings were open to the public.

Councilmember Swain concluded by reminding the Council that the Weight Loss Program was starting on Monday at Ridgewood Borough Hall. There are 150 people signed up. Mayor Cosgrove stated that he has been invited to attend.

Councilmember Peluso stated that the next Shared Services Committee meetings will be on May 1 and October 2 at 7:30 p.m. The Committee met last Thursday and he, Deputy Mayor Dunay and Manager Van Kruijning attended. The Board of Education would like to extend the tennis courts near the High School. Manager Van Kruijning stated they would need to grant the Board an easement since the expansion would involve Borough property. They compete in a league that uses five courts and since there are only four courts they sometimes have difficulty completing matches before dark. The courts would still be open to the public.

Deputy Mayor Dunay stated there was a discussion on whether it was possible to limit the use of the courts to Fair Lawn residents, perhaps using some sort of ID scanning system. Attorney Mondello stated they could since no Green Acres funding was being used. Councilmember Peluso stated that he was working on a scan card system in Oradell and the installment cost is \$4,000. Since their other tennis courts have to be open to the public, perhaps they could utilize a similar system to make these tennis courts for residents only.

There was consensus to allow the Board of Education to pursue the expansion of their tennis courts.

Councilmember Peluso stated that they discussed additional parking during events, with Manager Van Kruijning suggesting they have Engineer Garrison look to see where they have the most space. The Board understands the issue. Mayor Cosgrove explained that there was a large event on a Sunday and the Police received numerous calls from residents regarding people parking illegally. Manager Van Kruijning stated that the Board of Education is going to handle the repairs on the Cadmus Place garage.



Councilmember Peluso stated that the Recreational Facilities Review Committee had a good first meeting. Members indicated if there were interested in the fields or the pool.

Deputy Mayor Dunay stated that in the past they looked at parking behind the Community Center and/or along the railroad, but there are old trees that the High School athletes depend on for shade that would need to be removed. Also, cars would have to exit through Burke Place which is a residential area. The Board had no interest in doing that.

Deputy Mayor Dunay reported that the Environmental Commission is meeting tomorrow night and the Property Maintenance Committee is meeting the following week. The Fair Lawn Rotary Club is having its annual Beefsteak Tricky Tray on Saturday. He and his family will be attending. The Knights of Columbus Irish Nigh is a week from Saturday.

Deputy Mayor Dunay stated that the Property Maintenance Committee wanted to know if there was any way the Borough could move along residents doing construction on their property. Attorney Mondello stated there was not. It would be a constitutional nightmare to determine what was and wasn't a reasonable delay.

Deputy Mayor Lefkowitz stated that the Alliance for Substance Abuse Prevention is trying to recruit more members as attendance has been low. Election of officers has been tabled until June. They promoted the weight loss program in Ridgewood and discussed participating in the June 8th Street Fair, possibly with the Green Team. Jeff Klein, a Board of Education member, suggested having students do community service, such as serving as a student member of the Alliance or making a video to promote substance abuse prevention. The students would receive some sort of gift certificate.

Mayor Cosgrove stated that Greg Barnas, a 57 year old Wallington firefighter was killed in action when he fell off a roof. He went to the Fire Academy with him and they were both Chiefs at the same time. He was also a professional firefighter in Jersey City. Although they have not heard from the Governor about lowering the flags, he asked for consensus to do so. Councilmember Swain felt the Veterans Council might be upset as only the Governor can issue this directive and it is usually done for people killed in military action.

Councilmember Peluso stated that he would support lowering the flag in honor of Mr. Barnas. Attorney Mondello stated that there would not be any legal ramifications if they did so. Mayor Cosgrove stated that he will call Jack Delaney to explain. Councilmember Swain stated that she would prefer to wait before voting on this out of respect for the veterans. She asked Mayor Cosgrove to send the Council an email after he speaks to Mr. Delaney. Deputy Mayor Dunay asked

when he would like to lower the flag. Mayor Cosgrove stated he would like to lower the flag through the funeral, which takes place on Friday.

There was consensus to lower the flag half mast in memory of Firefighter Greg Barnas provided there was no objection by the Veterans Council.

Mayor Cosgrove reported that the Shade Tree Commission met and reviewed the landscaping plan for the 64 senior housing units. The Committee liked that there was irrigation throughout. They felt some plants might be evasive and the developer's landscape architect agreed to remove them.

Councilmember Swain asked if there was any word on the Radburn PTA 5K run. Manager Van Kruiningen stated that their last email indicated they were waiting for permission from the apartment complex at 302 High Street.

BROADWAY VISION PLAN

Don Smartt was present.

Mr. Smartt stated they have developed a Broadway Vision Plan that will serve as a guiding component for development in the district. The plan, which cost \$80,000, was paid for through grants from the Port Authority of NY/NJ, private funds and tax assessments. He appreciated the support of past and present Councils, who enabled them to implement many aspects of the plan. They agreed to change ordinances, enabling them to put into place the recommendations of their professional planners, creating a friendlier business environment for investment and new businesses. Unfortunately, there are a number of projects that have stalled.

Mr. Smartt distributed the comments on the Master Plan given to the Planning Board by the BIC. They have completed discussions with the Planning sub-committee.

Copies of Broadway's Master Plan are available on CD and the Planning Board has printed copies. It is a thorough integrated study with market data. He asked for the Council's support. Both he and the Planners were available if there were any questions.

He is extremely frustrated with delays in implementing two grants they received to improve pedestrian safety near Warren Point School, which he felt were caused by staff members at NJ Transit and NJ DOT. The delays have caused the Borough to lose at least one additional grant because they could not spend the money they already had. Last year the technicians at NJ DOT and NJ Transit tried to turn the pedestrian safety project into a signalization improvement project at increased expense. After waiting two years, he sent emails on behalf of the BIC to two State delegations and the Borough of Elmwood Park, who is a partner with them in the

Hawk project. Bureaucratic requirements have slowed down their projects and increased their costs by 50%, restricting their ability to keep pedestrians safe.

They had hoped to improve four intersections along River Road, but after dealing with all the bureaucracy they can only do one intersection at a cost of \$300,000. They had to cancel a "Welcome to Fair Lawn" sign that had approval from NJ Transit because bureaucracy tripled the cost. They had approval to install lights under the train trestle, but just learned they must now get the lights approved by the State's Office of Historic Preservation. The four lights cost \$2,500 each and Elmwood Park paid for two of them. Now they must budget more money for the lighting.

He received a letter from Elmwood Park, who met with their Assembly and Senate delegation. Senator Gordon is ready to put together a meeting, but he asked him to wait until after they meet with the NJ DOT Commissioner. Mayor Cosgrove noted that a year ago that he, Mr. Smartt, Senator Gordon, Senator Pou and Mayor Mola met with the State delegation to discuss the Hawk Project. They need action and they need their State representatives to help. Mr. Smartt stated that at the time NJ Transit was prepared to invest \$70,000 in a new lighting system. They have already tried one lighting system that didn't fulfill its role. They have negotiated a new system but now NJ Transit wants to rethink it. Mayor Cosgrove stated that the State is putting Fair Lawn and Elmwood Park residents' safety at risk. The State is well aware that this is a dangerous situation.

Mr. Smartt concluded by suggesting representatives from both Boroughs and both delegations meet with the higher level people regarding the Hawk project and the pedestrian safety project. They also need to make sure that H2M is ready. The residents, children and business owners on Broadway deserve better.

CLASSIC CAR SHOWS AND DANCING IN THE STREET

Mr. Smartt stated that the RRIC and the Borough invested in a market study that helped them define where the marketplace was for Fair Lawn, the business district on River Road and the destination business on Broadway. The RRIC spends an average of \$50,000 a year to help market River Road and the community. They have upgraded their website and invested in promotions. They are going to be reintroducing a series of special events to help the district become livelier during the evening and on the weekends. They are planning Halloween activities in the fall and a pet walk.

He invited the Borough to join them in co-hosting three classic car shows in conjunction with three community dances with a DJ and themed activities. He would like to close the George Street parking lot from 5:00 p.m. to 9:00 p.m. on May 29th, June 12th and July 10th. They have invited Chase Bank to participate and if they do, they will ask them to close their portion of the parking lot. North



Jersey Media will handle their print material and Farleigh Dickinson University's radio group will be the DJ. They would need to close the street in order to operate the car show. He asked if the Borough could make a donation to cover the cost of the DJ.

Councilmember Swain asked how many classic cars they anticipated having. Mr. Smartt stated that they could fit between 35 and 50 cars on the public portion of the George Street parking lot. If Chase Bank participates, they could fit more. Mayor Cosgrove stated that they would close River Road to George Street. Manager Van Kruijning stated DPW could drop off the barricades the day of the event and the Police and Auxiliary Police would be asked to provide additional patrols. He will also discuss this with the Risk Manager. Mr. Smartt stated they have a \$2 million dollar liability policy.

Mayor Cosgrove stated that he would like to think about the funding for the DJ. Councilmember Peluso wondered if they could get a donation from the Rotary Club. Councilmember Swain said they could also try to get sponsors. Mr. Smartt said there would be plenty of opportunities for sponsorship advertisement. Municipal Clerk/Deputy Manager Kwasniewski will ask the Rotary Club.

There was consensus to allow the RRIC to hold three classic car shows in conjunction with three community dances.

Councilmember Swain stated that she shares Mr. Smartt's frustration with the State. Mr. Smartt advised them that the public comments he was making on behalf of the BIC were going to find their way to the press. He thanked the Council for their time.

BIGGERT WATER ACT

Councilmember Peluso distributed copies of a draft letter to Congressman Garrett asking Congress to delay the Biggert Water Act. He checks on this daily and the vote scheduled for Friday was postponed.

There was consensus to send a letter to Congressman Garrett asking for the delay of the Biggert Water Act.

PSE&G STRONG RESOLUTION

Councilmember Swain stated that she wanted to add a paragraph to the resolution regarding the need to look at energy efficiency.

There was consensus to amend the resolution to include wording regarding energy efficiency.



HOURS FOR SOLICITORS

Mayor Cosgrove stated he has received complaints about solicitors knocking on doors at 8:30 p.m., causing some residents to be concerned. He wanted to set dusk as the time limit. Manager Van Kruiningen stated that the current ordinance allows solicitation between the hours of 9:00 a.m. and 7:00 p.m. Mayor Cosgrove asked Manager Van Kruiningen to advise Chief Cauwels that there have been complaints and to have the officers be vigilant about enforcement if they receive calls.

Manager Van Kruiningen asked if he wanted to amend the ordinance to end solicitation at 5:00 p.m. Mayor Cosgrove felt the issue was that when residents call, it is not an emergency so the calls are not immediately addressed. Elderly residents become fearful when someone knocks on their door at night. He did not feel an ordinance change was necessary if there would be enforcement.

LIONS CAR SHOW

Mayor Cosgrove stated that the Lions Club would like to have their annual car show at Memorial Park the second weekend in September. Manager Van Kruiningen stated that the barricades are put into place prior to the event.

There was consensus to approve the Lion Club's annual car show.

COMMUNICATION WITH CONTRACTORS

Councilmember Peluso stated that when Friday garbage pickup was delayed due to a snow storm, Cali Carting came on a Saturday but could not finish the route. Several residents contacted him because their garbage was never picked up, although Cali Carting came back on Monday. He suggested Department Heads have the contact information for vendors in the case of emergencies or schedule changes. Mayor Cosgrove stated that Municipal Clerk/Deputy Manager Kwasniewski reached Superintendent Neggia, who contacted Cali Carting and learned they were coming back on Monday. The Council found out about this through Facebook. Since it was also a three-day weekend no one was here to answer calls until Tuesday.

Municipal Clerk/Deputy Manager Kwasniewski did not understand why Cali Carting did not notify Superintendent Neggia since they had his contact number. Manager Van Kruiningen stated that there may have been some miscommunication since the former Superintendent had recently retired and there was a new Superintendent. With other minor issues involving the garbage contract, Mr. Cali can be called at any hour and he will pick up his phone.



Councilmember Peluso suggested discussing this at the next Department Head meeting so everyone has the proper contact numbers for their vendors. Manager Van Kruijning stated that Mr. Cali has been told to notify Superintendent Neggia if his crew will not be able to finish a route in the future.

LETTER TO US LEGISLATORS REGARDING REDUCTIONS TO VETERANS' BENEFITS

Councilmember Peluso stated that Mr. Siebel had expressed concern at the last Council meeting regarding cuts in benefits for veterans. He personally worried about veterans suffering from Post Traumatic Stress Disorder (PTSD) and the delay in processing claims. He would like to get input from Mr. Siebel and local Veterans' organizations to help draft a letter stating that the Council would like to see some changes.

Deputy Mayor Lefkowitz agreed. She noted that Mr. Siebel also mentioned there were going to be cuts to current servicemen and women for housing allotments, which should also be included in the letter. Deputy Mayor Dunay suggesting asking for input from Senator Gordon's office as well.

There was consensus to draft a letter to the Legislators opposing reductions to current servicemen and women and urging faster processing of veterans' claims.

FIRE PREVENTION FEE INCREASE

Manager Van Kruijning stated that the Fire Chief and Fire Marshall would like to increase the fee for Fire Safety Permits for tents greater than 900 square feet and more than 30 feet in length. The current fee is \$42. Approximately 12 inspections are conducted each year. It takes one and half hours to review the actual application and another hour and half to do the actual inspection, so the current fee is not covering their time. They felt the fee should be increased to \$126.

Councilmember Swain wondered what other towns were charging. Manager Van Kruijning stated that he did not know. Councilmember Swain felt it was a large increase especially for non-profits like the Knights of Pythias. Mayor Cosgrove expressed concern that the fees have never been increased and now they want to triple them. He also wanted to know what other towns charged. Deputy Mayor Lefkowitz felt they should learn from past history and do more gradual increases. Deputy Mayor Dunay suggested having a reduced rate for charitable organizations. Councilmember Swain suggested they review past applications so they can see how many inspections were for non-profits.

There was consensus to have Manager Van Kruijning find out the fees charged by other towns and report back to the Council.



MINI BUS DRIVER SALARY ORDINANCE

Manager Van Kruijning stated that he met with Health Officer Wagner to discuss the minibus. Current entry level "as needed" substitute drivers are paid \$11.62 per hour. The position has been advertised for a very long time and most individuals who expressed interest in doing per diem work will not do it at that rate. The current range for a part time substitute driver is \$11.62 to \$19.98. Health Officer Wagner has two possible part time drivers from other organizations who may be able to work per diem. He recommended increasing the pay scale to \$18 to \$25 per hour for per diem drivers, who may do one eight hour shift in a two week pay period.

Mayor Cosgrove explained that when the driver is out there is no substitute, so residents depending on the minibus are stranded. Councilmember Swain asked about the Board of Education rate. Manager Van Kruijning stated that their rate is \$30 per hour and higher. Health Officer Wagner was going to contact Bergen County Special Transportation to see what they pay although they already know it is more than \$11.62 per hour.

Deputy Mayor Dunay stated that he would like to know more rates to be sure they were within market rate. Manager Van Kruijning stated that he will find out more rate information from other sources, although he was sure the \$18 to \$25 scale would still be below market rate.

There was consensus to raise the salary range for the per diem mini bus driver to \$18 to \$25 per hour.

PUBLIC COMMENTS

Craig Miller, 5 Ramapo Terrace stated that the Board of Education is looking into repaving the lot between Kipp Street and Berdan, which would provide 70 parking spaces for the Community Center and the High School. He felt the residents would not be happy about the lighting. Mayor Cosgrove stated that they also discussed the lot near Care Plus, which has never been striped and needs repair. Manager Van Kruijning stated that Rescue Squad used a shadow box, which directs lighting to the parking lot instead of lighting up the backyard of the house next door.

Rich Siebel, 33-07 Halsey Terrace wanted to propose a resume writing work shop for veterans at the Library. Mayor Cosgrove suggested he speak with Pamela Coles after the meeting as a resume program is already in place.

Mr. Siebel concluded by stating that only the President or the Governor can order a flag to be flown at half-staff.



CLOSED SESSION RESOLUTION:

Upon motion by Councilmember Swain and a second by Deputy Mayor Dunay, the following closed session resolution was unanimously adopted at 9:15 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 – Alternate Prosecutor; and

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

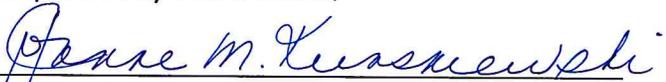
WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

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.

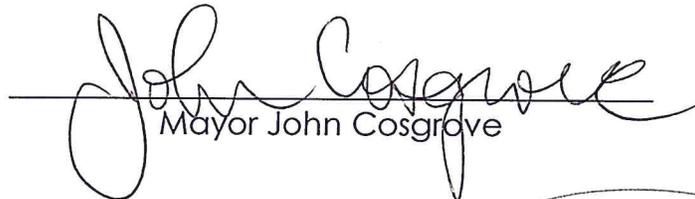
ADJOURNMENT

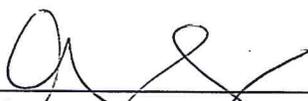
Upon motion by Councilmember Swain and a second by Councilmember Peluso, the Work Session was adjourned at 9:20 p.m.

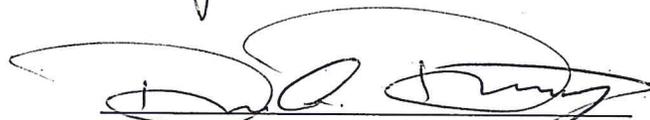
Respectfully submitted,

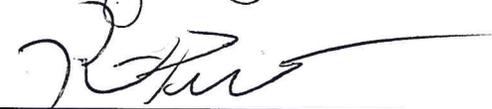

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

The undersigned have read and approve the foregoing minutes.


Mayor John Cosgrave


Deputy Mayor Amy E. Lefkowitz


Deputy Mayor Daniel Dunay


Councilmember Kurt Peluso


Councilmember Lisa Swain

