

WORK SESSION OF MAY 20, 2014

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

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

ALSO PRESENT: Manager Van Kruijning, Assistant Municipal Clerk Bojanowski and Attorney Mondello.

CLOSED SESSION RESOLUTION:

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz the following closed session resolution was unanimously adopted at 7:31 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 - Public Safety Telecommunicator; 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.

Mayor Cosgrove reconvened the meeting at 7:44 p.m.

SENATOR GORDON AND ASSEMBLYMEN EUSTACE AND LAGANA:

Senator Gordon was present.

Senator Gordon stated that the purpose of his visit was to hear the key agenda items involving the State for which the Borough would need his help. He also wanted to report on what they have been doing to assist the Borough.

He brought good news about Senate Bill 321 that he introduced, which will give municipalities flexibility to modify penalties for those cited for smoking in parks. Currently it is a criminal penalty offense but this bill would give the municipality the option to make it a civil penalty along with a fine. He provided copies of the bill, which was unanimously voted out of the Health Committee yesterday. The

League of Municipalities has endorsed it and he does not foresee any problems in getting the bill passed.

There are 240 municipalities that currently outlaw smoking in their parks, but he suspects many do not impose criminal penalties when enforcing the law. Mayor Cosgrove stated that they modified their ordinance because of that. A recent article in The Record indicated that the State is thinking of banning smoking in parks and beaches. Senator Gordon said they considered banning smoking on golf courses but thought that was excessive. There is a proposal to give towns the option of allocating a portion of the parks or beach for smokers.

He is also frustrated with the DOT regarding the Broadway projects. They had conversations last Friday with the new Assistant Commissioner for Legislative Affairs. The Department received the redesigned plans for the bump outs from the Engineer in April. Although the Bureau of Traffic Engineering has 90 days to review the plans, they are making an effort to expedite their review. The plans will be returned with their comments, at which point an agreement can be reached and work can begin. The plan has to adhere to ADA requirements. He also asked for a report on the signals, which has not been received. Mayor Cosgrove stated that the letter from the DOT indicated they were re-examining this issue to make sure that it was the right device. Senator Gordon stated that he understood this was a priority.

Councilmember Swain expressed frustration about how long this is taking. Senator Gordon noted that it took years to obtain left turn signals at Morlot Avenue. Councilmember Peluso stated that the increased cost has forced them to reduce the project from three bump outs to one.

Mayor Cosgrove stated that United Way has received verbal approval from Trenton on their application to build senior citizen affordable housing, but they have not received the funding to start the project.

He asked about the 2% cap. Senator Gordon felt the Assembly will vote for the cap, since it has been instrumental in keeping the tax rate down. The Administration revealed that the revenue numbers in the budget were not realistic and the deficit for the current fiscal year is estimated at \$870 million. The Governor is proposing a reduced contribution to the pension. In 2011 they passed a Pension and Health Benefits bill, and part of the agreement was increasing the State's contribution to the pension fund in the amount of \$1 billion or \$2 billion per year over seven years. The Governor now wants to reduce the contributions, but the Senate President and the Speaker are strongly against doing that. He was not sure what will occur but there is going to be a lot less money available. It is not going to get better until they make some fundamental changes.

Mayor Cosgrove told Senator Gordon that the Open Space Committee sent him a letter regarding the use of Open Space money to buy the property near the

Passaic River, which was polluted by the River during flooding. There will be empty buildings which cannot be sold and cannot be purchased with Open Space money. Deputy Mayor Dunay added that there is a tremendous disincentive for the Borough to buy these properties with Open Space or Blue Acres money because the properties could be polluted, and then they would be obligated to remediate the environmental issues for eternity. Mayor Cosgrove stated that they purchased the Dube property on 2nd Street but have not received any funds yet. The Power Tech property is located at the foot of the Fair Lawn Avenue Bridge on the left side. Senator Gordon stated that he will wait for the letter and speak to the DEP to see what the options are. There might be DEP funding available for properties that have suffered from contamination.

Deputy Mayor Lefkowitz stated that the intention of the Open Space Committee is to urge Trenton to assist in developing a legislative tool that would provide an exception so the Borough can purchase the property and give them immunity since it will remain open space. Deputy Mayor Dunay felt it was in the State's interest to encourage Boroughs located along rivers to remove properties from development and restore them to open space. Councilmember Swain stated that they want the space to prevent future flooding but they cannot afford to maintain it. Senator Gordon stated that he will look into the Hazardous Site Remediation Fund, as a portion may be available for situations where the responsible party cannot be identified.

Councilmember Peluso stated that former Manager Metzler sent a letter to Commissioner Martin at the DOT, asking to have a barrier installed behind the homes located along Route 208. The Commissioner replied that they would be planting bushes in the spring of 2012 that would eventually grow to a height of 12 feet, but to date nothing has been planted. Senator Gordon asked them to send copies of the correspondence. He worked on noise barriers when he was a Councilmember. The Health Department took decibel readings to substantiate the noise levels and the barriers were approved, but then they learned that noise barriers were not going to be installed unless a new highway is built that triggers a Federal requirement. Councilmember Peluso noted that commercial traffic on Route 208 has increased, especially since it was connected to Route 287.

Deputy Mayor Dunay stated that there was meeting last month with the Administrator of the Blue Acres Program and Cindy Randazzo. They discussed potential Blue Acres buyouts, the qualifications of the program and how limited the buyouts would be for flood prone properties. However, it is a point of concern for a number of residents in Fair Lawn. They are coming back to do a presentation for the residents on June 16th. They indicated they were looking at buying out approximately 1,300 houses statewide, using funding from FEMA, HUD and various State funds. Of the 1,300, about 1,000 are earmarked specifically for Hurricane Sandy damaged homes and 300 would be all other homes. However, Fair Lawn homes that suffered severe damage with Hurricane Irene did not suffer damage

with Hurricane Sandy. He felt the State should want to buy out the homes that were most in need, regardless of the particular storm that the damage occurred.

Attorney Mondello asked if there was any headway regarding OPRA. The Council went to great lengths to protect the privacy of pet owners by not releasing their names and addresses, but the Borough will now lose their case in the Appellate Division. Senator Gordon stated that Senator Weinberg's OPRA legislation did not pass. He had an extensive conversation with her but she was resistant to much of it. He will talk to her again.

KEEPING AND CONTROL OF FOWL:

Health Officer Wagner was present.

Manager Van Kruijning reviewed the legislation proposed by Ms. DiGeronimo regarding keeping fowl in the Borough. He felt setting standards, licenses and requirements were very important.

Deputy Mayor Dunay asked if the Manager was recommending that they adopt the proposal. Manager Van Kruijning confirmed that. Deputy Mayor Dunay noted the handwritten provision that fowl would not be allowed on a parcel of land 15,000 square feet or less would apply to 85% of the parcels of land. Manager Van Kruijning stated that he was seeing that for the first time as his previous copy did not have that notation. He felt the most important issue was the limit and the maximum number allowed, which was suggested to be five. The other items could be tweaked. It must also be reviewed by Attorney Mondello.

Health Officer Wagner stated that the ordinance was worked on by the Health Advisory Board in 2011 and 2012. They had a meeting in November, 2011 with residents both in favor and against allowing chickens and roosters. They looked at ordinances from several towns. The Board liked Mahwah's ordinance, which they changed since Mahwah allowed more than five fowl. Fair Lawn's Board of Health decided that since the properties are small in Fair Lawn, they should limit the number of fowl to prevent a health nuisance rather than ban them completely. Councilmember Swain noted that they were banning crowing roosters. Deputy Mayor Dunay asked if there was a public health issue with roosters. Health Officer Wagner explained the issue was the noise disturbance. In 2011 there was one rooster. Now there are four young roosters plus the original one.

Mark Berman, 15 Bedford Place felt he should have been asked to attend this meeting to give his input since he was the resident they were discussing. Nothing has changed since 2012. He has not seen Mr. DiGeronimo's letter and is not aware of what it states. When he attended the Council Work Session several years ago, the Council was unanimous that there did not appear to be a town wide problem or even a neighborhood problem. It does not make sense to increase the amount of regulation.

There is only one rooster. When the eggs hatched and the roosters started crowing, they were slaughtered. They keep the rooster inside every night so its crowing does not wake up any neighbors. It is kept inside on weekends until 9:30 a.m. There is just one neighbor who is actively unhappy. Although he is moving, he still feels it would be wrong to preclude others who may one day want to have chickens and setting an arbitrary number as the limit.

Attorney Mondello stated that the Council should not be involved with spot legislation. The Health Officer is not opining that this is a Borough wide problem with respect to noise or other issues. Deputy Mayor Lefkowitz agreed. She did not think they needed to enact this ordinance. Deputy Mayor Dunay stated that if there was a noise issue he would like to address it through a stricter enforcement of the noise ordinance. He would consider setting a limit on the number of chickens but would want to see actual research first.

There was unanimous consensus not to adopt new regulations and have Health Officer review each case as necessary.

COUNCIL LIAISON REPORTS:

Councilmember Swain stated that the ADA playground equipment has arrived. The Committee held a Luau dance last Friday, which was well attended despite the bad weather. The Green Team is working hard toward obtaining Silver certification. They are busy planning the 3K Walk being held on June 8th.

She attended the Central Bergen Bicycle and Pedestrian Plan meeting, which is looking for safe and effective ways for people to get around the County and into the County Park. The first public meeting will be held on Thursday, June 5th at the Rochelle Park Senior Center from 4:00 p.m. to 7:00 p.m. All County residents are welcome to attend. Manager Van Kruijning will post the meeting information.

Councilmember Swain stated that the Arts Council's next project will be called Artist Trading Card. She showed the Council an example of the "card" which can be made from material or any other items as long as it is within the size limit. The deadline is July 31st. It may be a good rainy day project for the camps. The Arts Council will be distributing bookmarks at the Radburn Street Fair. She asked Attorney Mondello for an update on their request to join the Fair Lawn Art Association. Attorney Mondello stated that he has volumes of material to review regarding this matter. He wanted to be sure there was a definite inclination first. Councilmember Swain confirmed there is an interest in joining the Fair Lawn Arts Association if it allows them to do fundraising or accept donations. Attorney Mondello will get back to her.

Councilmember Peluso stated that the Garden Committee recently cleaned and weeded the area outside the Library. The Pool Committee will be meeting to look

into small fixes that can be done before the season begins. Superintendent Graff and the Recreation Department are moving forward on some of their suggestions.

Deputy Mayor Dunay stated that the Environmental Commission wondered if Engineer Garrison and Superintendent Neggia could research whether grant funding is available to upgrade to modern storm drain covers. The new covers are more environmentally friendly because they have smaller holes; however, there is more stuff that can clog the drains and the streets.

The Open Space Committee reviewed the Recreation Open Space Inventory (ROSI). After Ms. Bergailo makes some edits and additions she will redistribute it. The Council will need to approve it and submit it to the State by mid-June. The last ROSI was approved in 2006, so any new properties acquired since 2006 that have been reserved for open space and recreation need to be included. At some point in the future the Committee will review their priority list of properties to purchase.

Deputy Mayor Lefkowitz stated that the Alliance for Substance Abuse Prevention was meeting next week. All interested high school students are encouraged to participate in their video contest.

She asked Attorney Mondello if he had heard anything regarding Club Mamajuana. Attorney Mondello stated that he spoke to the attorney for the city of Paterson, who said the club has received numerous summonses. However, most have been dismissed because they do not have a machine to track the noise decibels. He asked if he could borrow a machine from Fair Lawn, but the Borough does not own one.

Mayor Cosgrove stated that he went to Club Mamajuana last week and met with the owner, who asked to be called every time the noise becomes too loud. He suggested the owner police the noise instead. They cut down the trees at the club, which makes the situation worse. He has spoken with the residents on Fourth Street to let them know the Borough was well aware of their concerns. A new mayor has been elected in Paterson and hopefully he will be more responsive to their calls and emails. Attorney Mondello suggested that Health Officer Wagner, in coordination with the Police Department, reach out to the County about borrowing their decibel meter.

Mayor Cosgrove reported that the Fire Department will be having a Memorial Day Service at 8:00 a.m. at the monument in front of the Municipal Building. They wondered when Engine 4 would go out to auction. Manager Van Kruningen stated that it will be included in the auction for all vehicles in the fall.

Mayor Cosgrove stated that the Shade Tree Commission held a successful Earth Day ceremony with the Garden Committee. They did a good job. The EDC has agreed to use LKR, a NJ Transit certified Planner. The contract was reviewed by Attorney Mondello, who found it to be in order.

He, Superintendent Neggia, Superintendent Graff, Parks Supervisor Young and Manager Van Kruiningen visited the fields with the sub-committee from the Recreational Facilities Review Committee. The fields are in good shape now, but the rain wreaks havoc on the fields in low lying areas.

He concluded by stating that CarePlus had attended the ADA Committee and both groups will be working together. It will be a great initiative.

REVIEW OF TENTATIVE AGENDA:

Assistant Municipal Clerk Bojanowski stated that she is adding a receiving ordinance from CFO Palermo for Radburn Road, the revision of the ROSI and renewal of several liquor licenses. Mayor Cosgrove explained that the DOT grant for \$149,000 to pave Radburn Road does not require matching funds.

EMERGENCY VOLUNTEERS PHYSICALS POLICY UPDATES:

Manager Van Kruiningen stated that he met with the Borough's new healthcare professional and the Risk Manager to review the original policy from 2010. They made some changes such as the Annual Medical Evaluation is now a questionnaire and the Fair Lawn Fit Test Evaluation form is now a new requirement for anyone who has to go for annual mask fit testing. Additionally, they broke down the age group requirements of who must go every three years, two years and annually. Any volunteer who wants to see their personal physician for an annual physical at their own cost can do so, as long as they satisfy their requirements. They prepared a form internally that the personal care physician can complete.

There was consensus to approve the new updates to the Emergency Volunteers Physical Policy.

REQUEST FROM FAIR LAWN ALL SPORTS TO NAME A FIELD AFTER JOE HIBO:

Mayor Cosgrove stated that he received an email from Michael Aversa, president of Fair Lawn All Sports. All Sports has endorsed naming a field after Joe Hibo, a longtime Little League Coach for 40 years. Superintendent Graff stated there is an unnamed field available at Warren Point Annex next to Nakashian Field.

There was consensus to name the field at Warren Point Annex after Joe Hibo.

Manager Van Kruiningen asked if the funding for the sign was coming out of the Mayor and Council's budget or the Recreation Department's budget. The average cost is \$600 to \$700.

It was agreed to take the funds out of the Mayor and Council's budget.

SUPPORTING SENATE RESOLUTION NO. 74 (IMMEDIATE AND SAFE RETURN OF THE YOUNG WOMEN ABDUCTED IN NIGERIA):

Councilmember Swain suggested sending a resolution supporting Senate Resolution No. 74, as this is an unbelievable and horrific act.

There was consensus to adopt a resolution supporting Senate Resolution No. 74.

COLLECTION OF BAIL FORFEITURES:

Attorney Mondello stated that he spoke to Court Administrator Cabibbo about Chris Kane, who recovers a lot of money for the County. Court Administrator Cabibbo did not recommend doing this, however, because there aren't many collections. Most people post a cash bond and very few go to a bail bondsman.

There was consensus to not pursue collection of bail forfeitures.

CONSENT TO PERMIT BARRISTER CONSTRUCTION TO APPLY TO ZONING BOARD (REGARDING BOROUGH OWNED EASEMENT):

Attorney Mondello stated that many years ago the Vanderbeck House had a large easement that ran through the center of the Naugle property. When the Borough purchased the Naugle Property, they were able to negotiate a substantial reduction so the easement no longer runs through the middle of the property. Barrister Company, the contract purchaser, will have their application heard by the Zoning Board and the Council must consent to their making the application which is routine and something they have to do. It is not an indication that the Mayor and Council are either for or against the application. The Zoning Board decides the merits of the application.

Councilmember Swain asked for clarification. Attorney Mondello explained that if the Mayor and Council do not give consent and Barrister sues them, he felt strongly they would not only lose but would be accountable for attorney fees. Councilmember Swain asked why it was even up to them. Attorney Mondello stated the Borough owns the property where the easement is. All residents within two hundred feet have to be notified. Councilmember Swain wondered if they could eliminate the easement. Attorney Mondello stated that they could not do that right now without the Vanderbecks or the contract purchaser approving it, since they now own it.

It was agreed to let the members of the public speak on this issue.

Mark Coyer, 39-08 Van Duren Avenue asked if the easement came into play years ago or when the Vander Plaats owned the property. Attorney Mondello stated it was before the Borough owned the Naugle property. Mr. Coyer urged the Council to do everything in its power not to let this development happen. In 2009,

the State of New Jersey 213th legislature designated Dunkerhook Road as a scenic and historic highway, which means that nothing should disturb it. Attorney Mondello stated that the Mayor and Council have no jurisdiction on whether or not the application is approved or denied. Giving them the consent to go to the Zoning Board is ministerial; it is something he believed they were obligated to do. He suggested Mr. Coyler present his information to the Zoning Board.

H. Gelfand, 33-05 Rosalie Street stated that if Barrister asks to increase the size of the easement it would destroy the Naugle House. The easement is sitting mostly in a flood zone, which in better situations would be considered a riparian buffer zone. The easement is also what Barrister is planning on using as the entrance way in and out of the development. Attorney Mondello suggested Mr. Gelfand make those comments at the Zoning Board meeting.

Councilmember Swain noted that Municipal Clerk/Deputy Manager Kwasniewski sent a letter to the County Administrator on May 6th, but they have not received a reply. The letter states that Barrister will be appearing before the Zoning Board on May 29th. Mayor Cosgrove stated the letter was a follow up to a letter regarding the easement that he forwarded from the Historic Preservation Commission. He advised Freeholders Ganz and Felice that it would be great for the County to take over the houses because they have more funds and resources. If the Zoning Board denies the application it is a moot point.

The Borough approached Mrs. Vander Plaat about purchasing the house when she was alive and she said no. After she passed away, Attorney Mondello asked the attorney for the heirs and he also said no.

Deputy Mayor Lefkowitz stated that although the agenda item said "consent" to permit, it was mostly a formality and not necessarily consent in the terms of an opinion. Attorney Mondello confirmed that. The resolution spells out that this is in no way an indication that the Mayor or Council is for or against the application.

Deputy Mayor Dunay stated that Ed Trawinski attended the Open Space meeting, but not in his official capacity as County Administrator. When the committee suggested the County look into acquiring the property, Mr. Trawinski indicated there wasn't much interest on the part of the County. He asked if some random neighbor owned the property that the easement went through, would Barrister have to go to that neighbor to obtain a similar consent. Attorney Mondello stated that was correct. Deputy Mayor Dunay asked what happened if consent was withheld. Attorney Mondello stated that the developer would file a prerogative writ to force the consent.

Mayor Cosgrove recommended that people who were passionate about this matter attend the upcoming Zoning Board hearing on May 29th.

There was consensus to permit Barrister Construction to apply to the Zoning Board.

POLICY REGARDING POOL MEMBERSHIP:

Manager Van Kruijning stated that he has received a request from Elmwood Park and the Community school to use Memorial Pool. He wanted to streamline the process for requests from municipalities who have used the pool in previous years by placing them on consent agendas. Requests from new organizations or municipalities will still be placed on Work Session agendas.

There was consensus to allow repeat requests for use of Memorial Pool to be placed on the consent agenda.

There was consensus to allow Elmwood Park and the Community School to use Memorial Pool.

COMMUNITY CENTER THEATER FEES:

Manager Van Kruijning stated that Hurdy Gurdy Folk Music Club has approached Ms. Schamach about the increase in the fees for the use of the theater. They were concerned because the ordinance was changed so that 20% of ticket revenues over 75 tickets sold go to the Borough, when it used to be over 100 tickets sold. The Club does not make a lot of money on the tickets. They are entitled to get free sound/light techs but do not utilize them. The group would like to keep the 20% revenue on 100 tickets or over, which Ms. Schamach recommends.

Deputy Mayor Dunay asked if it was traditional to have a different arrangement with each group. Manager Van Kruijning stated that many groups have already signed with the new terms for the 2014 to 2015 season. Deputy Mayor Lefkowitz suggested in the contract they reference that Hurdy Gurdy is not using the tech time in case anyone questions it.

There was consensus authorizing Manager Van Kruijning to allow Hurdy Gurdy to pay the new base rent but allow the ticket percentage to remain the same.

MISCELLANEOUS PUBLIC COMMENTS:

Pam Coles, 13-34 George Street, stated that the bushes planted on Route 208 are now dying and need to be replaced. Councilmember Peluso stated they did a random planting and did not complete the whole stretch of roadway. Mayor Cosgrove stated that Senator Gordon helped them on the north side because a Borough owned fence was destroyed and trees were removed.

Ms. Coles referenced the funding for houses affected by storms other than Sandy. Although their focus is on Fair Lawn, towns like Lincoln Park, Wanaque, Pompton Lakes and Little Ferry are severely impacted by other rivers and constantly flood. They cannot purchase every single home that is along a river. There also has to be

some responsibility on the part of the property owner who purchases a home along a river, as there is full disclosure about whether the property has flooded or they are told to purchase flood insurance.

Mayor Cosgrove stated that overdevelopment upriver has caused serious flooding to residents whose homes never flooded previously. Ms. Coles stated that Barrister Construction is looking to develop their property, which is upriver from Saddle Brook and Lodi and has ridiculous impervious coverage. Attorney Mondello stated that was a powerful argument for the Zoning Board.

Ms. Coles stated that with regards to the meeting on bicycle access, she thought it would be good to have bike lanes. She also stated that Saddle River is holding a seminar regarding human trafficking that is occurring in Bergen County. They should be equally outraged that this is happening in their backyards.

She concluded by stating that Barrister Construction's application states they are planning to take down a house and build 120 units. They are not planning to build any residential units. It is her understanding there is a contract between the heirs and the contractor that provides additional compensation to the heirs for every unit that is built.

Councilmember Peluso stated that he and several Fair Lawn residents used to attend the flood committee meetings in Wayne. The residents realized very quickly that the flooding problems encountered by residents from Wayne, Pompton Lakes and Little Falls were worse than theirs. Mayor Cosgrove noted that Assemblyman Eustace has been holding meetings in Lodi, and the people from Little Ferry and Moonachie that were flooded out will be bought out first.

Marc Coyler, 38-08 Van Duren Avenue stated that he was passionate about saving the Vanderbeck property. The more he learns the more he realizes the fantastic history that took place there. It is remarkable that Fair Lawn had a part in the American Revolution.

He noted that the Vanderbecks owned numerous slaves and unfortunately slave trafficking is happening again. It is said but not proven that the Vanderbeck and Naugle houses were part of the Underground Railroad. He also learned there were two Indian sites on the west side of Saddle River Road in the Dunkerhook area. The history of the property goes back for thousands of years.

H. Gelfand, 33-05 Rosalie Street stated that he gave a tour of the area to a group of people and everyone remarked on the absolute deplorable condition of the Naugle House. It is interesting that they have not figured out a way to preserve the house.

One of his main concerns about the development of the Vanderbeck house is that it endangers the Naugle House, which they went through great pains to save. He

asked if it was possible for the Council to pass a resolution supporting the preservation of the land and the house, so that the Zoning Board is aware of how the Council feels but wasn't sure if they could legally make a statement of support for the Vanderbeck House. Attorney Mondello thought the Mayor and Council would love to have the Vanderbeck house preserved, but they do not have the power or the funds to do so. For the Council to indicate they were either for or against the application through a resolution would be improper.

Mr. Gelfand concluded by inviting the Council to join him in a walking tour of the area, as Councilmember Peluso was kind enough to do with him last year. In a two hour time period he saw a skunk, a deer, a muskrat, a fox, numerous birds and a baby otter all in the area. They can look at as many plans and renderings as they want, but until they stand there and understand what is going to be lost with the development it doesn't really make sense.

Mayor Cosgrove stated that the Historic Preservation Commission has hired an architect to draw plans for the renovation, which will cost between \$300,000 and \$500,000. Even if they could save the Vanderbeck house, it needs considerably more work than the Naugle House. These are the financial aspects the Council needs to discuss. As Senator Gordon mentioned, funding from the County is drying up. They own the house and cannot let it fall apart.

Mr. Coyler, 38-08 Van Duren Avenue read a portion of the Borough Code Chapter 120 Historical Properties, which stated that "the Borough Council may by resolution designate a particular site as being a site of local historical significance...." and then there is a moratorium for 12 months. Mayor Cosgrove stated that this was already done a while back.

Mayor Cosgrove thanked Mr. Gelfand for offering to do a walking tour. Councilmember Peluso stated that it was quite an experience that takes you back to a different time and period. Councilmember Swain agreed.

Mr. Coyler stated that he walked the property on Sunday with a Vanderbeck relative, who was not happy about the possible development.

CLOSED SESSION RESOLUTION:

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, the following closed session resolution was unanimously adopted at 9:29 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 - Property Maintenance / Facelift Committee; 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 Deputy Mayor Lefkowitz, the Work Session was adjourned at 9:29 p.m.

Respectfully submitted,

Marilyn B. Bojanowski

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes:

John Cosgrove

Mayor John Cosgrove

Daniel Dunay

Deputy Mayor Daniel Dunay

Amy B. Lefkowitz

Deputy Mayor Amy B. Lefkowitz

Kurt Peluso

Councilmember Kurt Peluso

Lisa Swain

Councilmember Lisa Swain

