

WORK SESSION OF MARCH 17, 2015

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, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

BUILDING DEPARTMENT FEES

Construction Official Bolan was present.

Manager Van Kruijning discussed his email dated March 12 regarding proposed amendments to the Construction Code and Fees. The Uniform Construction Code requires the Borough offer a combined mechanical inspection for certain types of residential work as opposed to the multiple sub-codes inspections. The current fee schedule is based on multiple sub codes, so they need to establish a fee schedule for single mechanical inspections. There are no fee increases but there is an addition concerning temporary certificates of occupancy.

Construction Official Bolan stated that he inherited several files that were open for protracted periods of time. People weren't completing their jobs but wanted to get into their houses, so they requested temporary CO's. The Uniform Construction Code specified that they could have a temporary CO for a limited amount of time while the remaining work was completed. It was supposed to be a singular event, with one or two possible extensions. However, it has become a substitute for completing a job. The Building Department has problems closing out the permits and they come up when they have re-sale inspections. They charge a fee because of the time and labor they spend cataloging and tracking these permits. The policy should not be abused because someone does not want to close out a permit. Manager Van Kruijning suggested charging \$45 for a temporary CO and allow up to 60 calendar days. If an extension is needed beyond the 60 days, there would be an additional \$45 fee.

There was consensus to implement a fee for a Temporary Certificate of Occupancy as discussed.

MEMORIAL POOL / CAMP FEES

Superintendent Graff and Assistant Superintendent Homa were present.

Manager Van Kruijning distributed a copy of his March 12th memo detailing proposed increases for Memorial Pool membership fees, swim lessons, various recreational programs and camp sessions.

They are recommending that the cost of a family pool membership increase from \$175 to \$200, single adult membership will increase from \$85 to \$95, junior membership increase from \$55 to \$65 and senior membership fees increase from \$20 to \$25. The eligible age for senior memberships will decrease from age 65 to 62. Membership fees were increased in 2007, 2008, 2010 and 2011. They researched fees at other sand-bottomed pools including Graydon in Ridgewood and Crestwood Lake in Allendale. Adult membership at Graydon is \$120 per person and no family rate is offered. A child is \$110 and seniors or disabled residents are \$30. A family of two adults and two children would pay \$240 plus \$220 or \$460 for the family. Crestwood Lake charges \$400 for a family membership, a child/junior membership is \$60, seniors are \$60 and adults are \$110.

Councilmember Swain asked the age range for the junior membership. Superintendent Graff stated it applied to children grades kindergarten through 12th or 18 years of age. Councilmember Peluso asked if they are still giving free memberships to people who don't use the pool. Superintendent Graff stated that they issue a non-swimmer walking pass. Some members of the Recreational Facilities Pool Sub-Committee felt there should be a charge but he was against doing that because most are senior citizens.

Councilmember Swain noted that a child cannot go to the pool by themselves until age 13, so the junior membership should be ages 13 to 18. Councilmember Peluso stated that a single parent will purchase one adult and one junior pass. Assistant Superintendent Homa stated that if the swim team stays after practice and there is no adult there, they can at least identify them because they have a membership badge.

Councilmember Swain felt the junior membership should remain \$55. Superintendent Graff felt the membership increases should be across the board. They are still reasonable. Deputy Mayor Dunay suggested increasing the junior membership to \$60.

There was consensus to increase family memberships to \$200, single adults to \$95, junior memberships to \$60 and seniors ages 62 and over \$25.00.

Memorial Pool swim lessons are offered five times per week for \$15. The proposed increase is \$25.

There was consensus to increase the fee for swim lessons.

Aqua Zumba was very successful last year. The rate would increase from \$60 to \$70 for nine classes.

There was consensus to increase the fee for Aqua Zumba to \$70.

Zumba, Yoga and Pilates are offered at the Community Center at a cost of \$60 for nine sessions. The proposed increase is \$70 for nine sessions.

There was consensus to increase the fee for Zumba, Yoga and Pilates from \$60 to \$70 for nine sessions.

Last year they offered a half day summer camp program that was well received. Parents asked to have a one or two week program. The fee for the three week session will remain at \$305, but they would like to establish a fee of \$110 per week for a one week session.

There was consensus to offer a one week half day summer camp session for \$110.

The Before and After Care program costs \$100 for a three week session. They would like to establish a one week program for \$35.

There was consensus to offer a one week Before and After Care program for \$35.

Camp Small Fry, which runs from 9:00 a.m. to 12:00 p.m., will remain at \$200 for a three week session. They would like to add a one week session for \$75.

There was consensus to add a one week session at Camp Small Fry for \$75.

Municipal Clerk/Deputy Manager Kwasniewski stated that she can combine the pool membership fees and camp fees and have them ready for April.

TREE WALKS

Cornell Christianson was present.

Manager Van Kruijning discussed the proposal Mr. Christianson prepared regarding the Tree Walk and installation of signs at various trees throughout the Radburn Parks and various schools. Neither the Board of Education nor Ms. Wilson have any issues with this but since Westmoreland School is going through major construction, they asked to hold off at that school until the work is completed.

Mr. Christianson said that the Girl Scouts will help with the installation of the signs. There was a vote to decide the color of the signs and the children voted to have green signs. Most signs will be installed in the summer and the remainder in September.

He distributed a sample map of the Milnes tree walk. He asked for permission to install the signs. Tree walks will be conducted once the signs have been installed. The Radburn Association has approved the Radburn Tree Walk in their parks for students of Radburn School, students in other Fair Lawn schools and Radburn residents and their guests. There will not be any public announcements of tree walks.

There was consensus to approve the installation of the tree identification signs as discussed above.

LONG TERM FINANCIAL PLANNING

CFO Palermo was present.

Manager Van Kruijning reported the Committee has been discussing various options and programs that can be implemented as they move forward. One option is offering a retirement incentive program, not connected to the pension, to employees on the local level. They have reached out to the pension officials and learned that New Jersey does offer retirement incentive programs for service credit, etc. The Auditor spoke to the Local Finance Board and Division of Pensions and they said they were not entertaining anything right now.

They would like to offer a three year monetary retirement incentive to employees that have more than 25 years of service at the Borough and are eligible for fulltime medical, which would remove the larger salary of a seasoned, veteran employee. They would either fill that position with employees from other divisions or hire new employees at a reduced entry level salary. Auditor Wielkotz and Risk Manager Covelli were consulted.

He and CFO Palermo would like to identify eligible Borough employees to see if there is any interest. He asked for the Council's approval to meet with the employees and then come back to present the entire plan to the Council. No promises will be made to any employee before there is full consensus from the Council.

Councilmember Swain stated that since eligible employees have the most experience in the Borough, she wanted to be sure there was a plan in place after they left. Manager Van Kruijning stated they have discussed that issue. CFO Palermo stressed they were starting this early so that they can see what

they need to do. Manager Van Kruijning stated that this would impact the 2016, 2017 and 2018 budgets.

There was consensus to have Manager Van Kruijning discuss a retirement incentive plan with eligible employees and report back on his findings.

REVIEW OF TENTATIVE AGENDA

Municipal Clerk/Deputy Manager Kwasniewski stated she is adding the minutes for the February 10th Regular Meeting and Budget Meeting. She has completed her section of the Towing Ordinance but Traffic Safety Officer Franco has not completed his part regarding fees. He has assured her that it will be ready for the April meeting so the ordinance can become effective on June 29th. She is also adding an award of bid for the Library Restroom Renovations.

Councilmember Swain asked to add a presentation by the Green Team, who is awarding prizes from the Green Fair to two recipients.

There was consensus to add the presentation by the Green Team.

Mayor Cosgrove noted that he will be in Chicago on business and will not be attending the next meeting.

COUNCIL LIAISON REPORTS

Councilmember Swain reported that she attended the Arts Festival located in the Community Center atrium. The artwork, jewelry design, woodworking and tile work was amazing and of such a professional caliber. The exhibit is running until March 20th.

The Arts Council met last night. The next project is Poetry in Motion. They will be doing murals on Sunday, May 17th from 12:00 to 4:00 p.m. and would like to display them afterwards. Arbor Day is Sunday, May 3 at the Arboretum on Fair Lawn Avenue from 12:00 to 4:00 p.m. There will be crafts, woodworking, clothing exchange and children's craft activities. She asked when the tool shed will be installed. Manager Van Kruijning stated it will be installed in April, along with the paths and water lines. Councilmember Swain added that there will be another Photo Exhibit with a submission date of July 1st. More information will follow as they get closer to the event.

She and Mayor Cosgrove attended St. Anne's St. Patrick's Day Parade last Friday. The students were so cute in their St. Patrick's Day hats.

She and Mayor Cosgrove attended the Community Development Block Grant meeting. There are many great projects but not enough money to go around.

The ADA Committee met last week. There is going to be an Access for All Summit in Ridgewood on Saturday, April 25th. Autism Awareness Day is April 2nd. July will mark the 25th anniversary of the passage of the Americans with Disabilities Act (ADA). The Committee would like to do a proclamation.

A Committee member stated the contractor who plowed the snow in Walgreen's parking lot pushed the snow into the handicap parking spaces. Mayor Cosgrove stressed that the striped area must also be kept clear so people in wheelchairs can utilize their ramps when parking. Councilmember Swain stated that the curb cut must also be cleared.

Manager Van Kruijning stated the Property Maintenance Officer spoke to the manager and assistant manager of Walgreens this afternoon. They have assured him that this will never happen again. Councilmember Swain stated that CVS should be notified as well.

Councilmember Swain continued that a resident of the Plaza Road co-op attended the meeting. He was upset because the handicap parking space he uses is also covered with snow. He brought a picture that she shared with the Council. The resident took the landlord to Court because of the snow and other issues and felt he was treated rudely by the judge. This is not the first time someone at an ADA Committee meeting has commented about feeling mistreated in the Courtroom.

Deputy Mayor Lefkowitz asked if the case was in Superior Court or Municipal Court. Councilmember Swain stated that the resident named the Municipal Judge. Attorney Mondello asked Councilmember Swain to find out the name of the defendant and the date when he appeared so he could order a transcript. Judge Schechter does a lot of landlord/tenant work in Superior Court.

Councilmember Peluso reported that the Finance Committee met prior to this meeting. He thanked the Council for approving the retirement incentive plan. He is looking forward to getting the information back from the Borough Manager.

The Pool Sub-committee is meeting on Thursday to discuss grant opportunities, membership numbers and new membership fees.

Deputy Mayor Dunay reported that the Property Maintenance Committee is working on the essay contest. At last night's Open Space Committee meeting, the Committee was advised that the Council was not interested in buying

properties unless there is a potential public benefit attached, such as a park or public access. The Committee understands that the property in the median near the intersection of Broadway and Route 208 is not developable and not worth acquiring. However, the Open Space Planner will look at it to confirm that. Some Committee members felt they should visit the Rhys property in the same area, as there were rumors of a bank purchasing the property.

The Committee asked if they would consider rezoning some private properties in residential zones for conservation use. Attorney Mondello stated that would be a violation of several constitutional rights. Deputy Mayor Dunay stated the Committee was advised that they would be scaling back meetings unless something urgent came up.

Deputy Mayor Lefkowitz reported that the Planning Board sub-committee was developing recommendations for ordinance changes relating to the Master Plan. The Alliance for Substance Abuse Prevention is meeting tomorrow to discuss upcoming events, including participation in the Street Fair.

Mayor Cosgrove reported that the Fire Department will be forming an ordinance committee to review possible changes. Revisions will be sent to Attorney Mondello for approval.

Shade Tree Commission is also participating in Arbor Day. He attended the Chamber of Commerce meeting today. The Chamber donated \$4,300 in proceeds from Taste of Our Town to the food pantry. Manager Van Kruijning, Health Officer Wagner and Liz Twiggs were present. Construction began today on the traffic light at Broadway.

On Thursday, September 3rd Bergen Regional will be holding an 80's dinner dance at the Community Center. Proceeds will benefit Stigma Free Programs in Fair Lawn and Paramus.

He concluded by reminding the Council that if they cannot make a committee meeting, they should send an email to see if another Councilmember can cover for them. The Committees rely on having a Council liaison present.

ANIMAL CONTROL

Manager Van Kruijning stated that Tyco Animal Control and Bergen County Animal Control have made presentations and the Council has had time to review their proposals. He needs a decision.

Deputy Mayor Lefkowitz felt both organizations made good presentations and each has pros and cons. She asked if the Manager had a recommendation.

Manager Van Kruijning recommended entering into a one year agreement with Tyco Animal Control.

Mayor Cosgrove asked him to review what will occur with the pound. Manager Van Kruijning stated that Tyco will continue operations at the pound. The trailer needs some minor work inside. The Borough will be responsible for the heating, air conditioning and the roof. Everything in the interior will be Tyco's responsibility.

There was consensus to enter into a one year agreement with Tyco Animal Control.

Manager Van Kruijning stated that Municipal Clerk/Deputy Manager Kwasniewski will send pay-to-play paperwork. If it is returned promptly, they will award the professional services agreement at the April 14th Council Meeting, with an effective date as of April 15th. Since the Animal Control officers will not be terminated until April 24th, this will provide transition time to do an inventory of the facility and clean out the vehicles. He does not anticipate any issues between Tyco and the Animal Control Officers.

Councilmember Swain asked if some of the officers could end up working with Tyco. Manager Van Kruijning stated there was a good possibility. He will call Carol from Tyco to see if anything is available. He has no problem giving recommendations for certain people.

Councilmember Peluso wondered if they were allowed to discuss Tyco's terms because of the pending lawsuit. Attorney Mondello advised the Council not to comment on this.

Deputy Mayor Lefkowitz suggested advising residents that once the agreement is executed the contract will be made public in case residents wanted to know what services were being offered. Attorney Mondello stated that residents could come to Borough Hall and receive a copy of the contract; however, it may not answer all their questions.

MUNICIPAL BUILDING SUMMER HOURS

Manager Van Kruijning stated that he sent a survey on January 27th to Municipal Building employees regarding the continuation of summer hours. The 42 affected employees were given three choices: normal Borough hours of 8:30 a.m. to 4:30 p.m. Monday through Friday with one an hour lunch; the previous summer hours of 8:00 a.m. to 5:30 p.m. Monday through Thursday with a 45 minute lunch and off on Fridays or work 8:00 a.m. to 4:30 p.m. Monday through Thursday and 8:00 a.m. to 12:00 p.m. on Fridays with a 45 minute lunch.

Employees could also check "no preference". The response was 36 employees preferred being off on Fridays during the summer, four preferred being off a half day on Friday and two had no preference.

The Building Department stated that contractors and residents indicated they like the Department being open earlier and staying open later. Public Works had no issues whatsoever. All Public Works divisions are on the road five days a week and there is no change in Recycling hours.

He would like to begin on Friday, July 10th through Friday, August 28th. July 4th is celebrated on a Friday so Borough Hall will be closed anyway. The summer hours will end before Labor Day. He stressed that employees are working the same amount of hours in a four day period.

There was consensus to approve closing Borough Hall on Fridays from July 10th through August 28th and having the affected employees work extended hours of 8:00 a.m. to 5:30 p.m., with a 45 minute lunch, Monday through Thursday.

CO-SPONSORSHIP OF 2015 RRIC EVENTS

Manager Van Kruijning stated that the Administrator, Don Smartt, asked if the Borough would be interested in co-sponsoring the River Road car shows, the Pet Walk and the Halloween event. The sponsorship would not be financial. The Council would need to pass a resolution allowing vendors to sell merchandise at a sidewalk sale during the Pet Walk Day and Halloween and provide traffic control for the car shows.

There was consensus to help promote the RRIC events as discussed above.

SPECIAL MEETING

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, the Work Session was adjourned to Special Meeting at 8:30 p.m.

Mayor Cosgrove reconvened the Work Session at 8:35 p.m.

MISCELLANEOUS PUBLIC COMMENTS

Craig Miller, 5 Ramapo Terrace stated he was present for the Court case that Councilmember Swain referenced. The resident filed a harassment charge against the snow plow operator and the landlord. He felt the Judge was fair. The case was dismissed because the Judge did not feel there was merit to the harassment charges. The resident wanted to present years of ongoing issues and was frustrated that the Judge would not allow him to do so. He did not

want to hear what the Judge had to say. The resident felt harassed because the person doing the snow plowing was leaving the snow in the handicap parking space. He did not see any harassment.

Attorney Mondello stated they may not want to get a transcript because if the resident spoke for a long time the transcript could cost several hundred dollars. Councilmember Swain did not feel they should spend money on a transcript. She will speak to the resident and find out the date of the court appearance.

Mayor Cosgrove suggested Attorney Mondello speak to the Judge and Councilmember Swain speak to the resident. They can discuss this further at another Work Session.

Deputy Mayor Lefkowitz stated that the Prosecutor might have the actual paperwork. Attorney Mondello stated that having the complaint dismissed is probably what started the problem.

Councilmember Swain stated it was important to note that she serves as the liaison to the ADA Committee. She brings the information she receives to the Council and this is not the first time she is bringing this type of information to their attention. She does not make up things and neither do the residents. These residents are frustrated to begin with due to their situation. People need to be treated with respect at all times and she is sensing that this group of people is not being treated fairly. Attorney Mondello stated that he will investigate this matter further to see if that is factual,

Pam Coles, 13-34 George Street asked if the construction at Maple Avenue and Wagaraw Road is moving forward. Manager Van Kruiningen stated that the County will be going out to bid on the project in mid-April.

Ms. Coles stated that at the Open Space meeting, they discussed the Campbell Road property and the possible acquisition by United Way. A member mentioned there is going to be another ruling on affordable housing and suggested holding off on this and using it later if they need to improve their housing units.

Attorney Mondello said the ruling states that since COAH has not been doing its job and doesn't know how to do its job, the Courts will be taking over. Municipalities can wait until a developer sues the Borough for not meeting its Mount Laurel obligations or the Borough can go to court in a pro-active fashion to make sure they have substantive certification via the Courts. The Borough was sued many years ago and has a judgement of repose in place, which means no developer can sue them at this time.

Ms. Coles wondered if the Arts Council considered using the Library and its community room for the Poetry in Motion project. Councilmember Swain stated that she could suggest that, but the Arts Council meets in the Art room which contains art supplies.

Ms. Coles suggested having a restaurant fair or another event to highlight and support the actual storefronts on River Road. She asked if the RRIC could hold a meeting once a year in the evening with neighboring residents.

CLOSED SESSION RESOLUTION

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, the following closed session resolution was unanimously adopted at 8:45 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 - Step 3 SOA Grievance; and

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

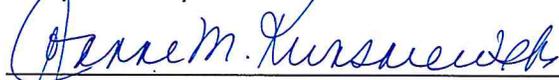
WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since these matters as set forth above are ones which permit the exclusion of the public from such discussions.

ADJOURNMENT

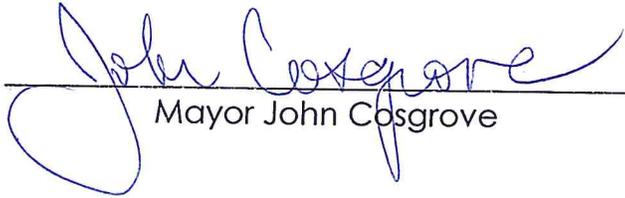
Upon motion by Councilmember Peluso and a second by Deputy Mayor Dunay, the Work Session was adjourned at 9:00 p.m.

Respectfully submitted,



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

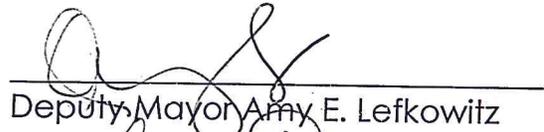
The undersigned have read and approve the foregoing minutes.



Mayor John Cosgrove



Deputy Mayor Daniel Dunay



Deputy Mayor Amy E. Lefkowitz



Councilmember Kurt Peluso



Councilmember Lisa Swain