WORK SESSION OF APRIL 7, 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 Kruiningen, Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

REVIEW OF TENTATIVE AGENDA

Municipal Clerk/Deputy Manager Kwasniewski stated that she is adding a salary ordinance that includes the Civil Engineer trainee position.

DOOR TO DOOR SOLICITATION

Chief Cauwels and Sgt. Metzler were present.

Mayor Cosgrove stated that residents have expressed concern about solicitation from vendors in the evening. Attorney Mondello stated the ordinance prohibits solicitation before 9:00 a.m. or after 7:00 p.m. Mayor Cosgrove stressed that residents need to be vigilant and call the Police if solicitors are not following the ordinance.

Chief Cauwels stated that business vendors need to have a permit. Non-profit organizations do not need a permit but should inform the Police that they will be walking in an area. If residents see someone suspicious they should call the Police. Snow shovelers need a permit as they are soliciting business.

Christine Liggieri, 10-23 1st Street stated there are always solicitors in her neighborhood selling items such as steak or peanut brittle. Some Cablevision vendors are persistent and verbally abusive. They have called the Police but the solicitors are gone by the time they arrive. Chief Cauwels stated Verizon and Cablevision have legitimate permits. He does not recall signing a permit for a vendor selling steak.

Ms. Liggieri stated that vendors always come after 7:00 p.m. Some are so persistent they hold her door open when she tries to close it. Paramus has such a strict policy that vendors do not attempt to get permits and no one sells door to door.

Chief Cauwels stated that vendors who apply for permits go through a background check. They cannot control the people without permits. The Police Department has reached out to Cablevision and Verizon and he is considering placing additional conditions for a permit the next time they apply.
Mayor Cosgrove suggested Manager Van Kruiningen and Chief Cauwels send Verizon and Cablevision a letter informing them that the ordinance will be enforced.

He asked Attorney Mondello if they have the legal right to stop vendors from going door to door. Attorney Mondello stated they did not but they could amend the ordinance to set shorter hours in the winter when it gets dark earlier. He reviewed the solicitor's application and it was very thorough.

Councilmember Peluso suggested stopping solicitation at sunset to allow for different seasons. Mayor Cosgrove suggested making the ordinance 9:00 a.m. to 5:00 p.m. Councilmember Peluso asked how many permits are issued. Chief Cauwels stated there were two additional permits besides Verizon and Cablevision. Mayor Cosgrove felt the problem was the vendors without permits. He suggested placing this on a future agenda to discuss limiting solicitation times to 9:00 a.m. to 5:00 p.m.

Councilmember Peluso asked if non-registered vendors received a fine. Chief Cauwels stated that they receive a warning summons. Councilmember Peluso suggested the residents turn the vendor's contact information in to the Police. Mayor Cosgrove stated they will review the ordinance. Chief Cauwels is aware of the concern. If the Police see violations occurring they will enforce the ordinance.

Councilmember Swain recalled the Council having an informational session at the Community Center several years ago when there was a rash of burglaries. Many residents attended and a lot of good information was distributed. She felt it would be beneficial to hold another session to provide tips to residents. Sgt. Metzler said they were trying to find the right time to hold another session. Coffee with a Cop is also coming up.

Ms. Liggieri asked if a resident could take a picture of a vendor. Chief Cauwels stated that they could. Attorney Mondello agreed. Mayor Cosgrove stressed that the best course of action was to call the Police.

CROSSING GUARDS

Chief Cauwels, Sgt. Metzler and Traffic Safety Officer Franco were present.

Manager Van Kruiningen stated that there have been numerous emails complaining about specific crossing guards. Comments have also been posted on social media sites.

Traffic Safety Officer Franco explained that crossing guards have never crossed high school students and until a few years ago they did not cross middle school children. There are 35 school posts of which 34 are staffed by trained civilian employees. The Broadway and 30th Street spot is covered by a Police officer because it is a State highway and they manually control the light. At intersections with a traffic signal the guard does not have to stop traffic against the signal; they only stop traffic from turning into the roadway when there are children crossing.

The guards are instructed to cross children and anyone who asks for their assistance. Guards at a regular post know who wants assistance and who likes to cross by themselves. Someone seeing that might think otherwise. There are five substitute guards at various posts who cross everyone since they do not know the regular walkers.

It is difficult to watch all the crossing guards but they do check the posts every morning to make sure that the guards show up. The guards range in age from 50 to 80 and most take the job because they like it.

Many years ago when elementary schools were Kindergarten through sixth, junior high school was grades seventh through ninth and the high school was tenth through 12th, they only crossed students in grades Kindergarten through sixth. When the schools were reconfigured and ninth grade was moved into the high school and middle school became sixth, seventh and eighth grade, the Chief at the time said they would continue to cross sixth graders and other middle school children.

They conducted a study and stationed guards on busy roadways. Prior to this change they did not have a guard at Berdan Avenue and River Road because elementary school children never crossed there, but when two middle school students were struck by vehicles making a right turn they stationed a guard there. They have never crossed high school students although a guard will help anyone who asks for assistance. He did not recommend changing this policy.

Guards are relocated based on need. When the middle schools reconfigured they place a guard at the corner of Plaza Road and Broadway, but the post was discontinued when the guard informed them that she never crossed anyone. Two guards were added near St. Anne's School when the volume of cars increased. Statistics show that for safety reasons, more parents prefer that their children be driven to school instead of having them walk.

Sometimes he receives a complaint about a guard and sometimes a guard calls to say that a driver went through his stop sign or gave him a hard time. He speaks to the guard to find out what happened and addresses the issue the same day or shortly thereafter.

Councilmember Peluso stated that he was surprised to learn there were crossing guards who were not crossing pedestrians. When he drops his children off at Warren Point School the guards take control of the area and cross everyone. If they are paying crossing guards to be present at the High School then the guards should be crossing people. He agrees that High School students want to cross on their own, but the guard could assist in the morning when there is heavy traffic. Traffic Safety Officer Franco reiterated that guards are trained to cross anyone that needs assistance. Crossing guards can tell a child to stop at the corner but they cannot stop an adult who wants to cross by themselves.

He discussed the post at Berdan Avenue and 12th Street. If they want the crossing guard to cross everyone, he might need two people during peak traffic. Many High School students do not cross at this post and others tell the guard to leave them alone. Mayor Cosgrove agreed with Councilmember Peluso that if guards are present while students are crossing they should assist. Traffic Safety Officer Franco stated that they can try it but it will be difficult for the guard to cover both corners.

He continued that because of the size of the intersection at Berdan Avenue and River Road, the guard is stationed in one corner. Memorial School students were alerted to walk on the north size of Berdan Avenue when leaving school. Councilmember Swain felt they should speak to the High School students to make them aware they are doing this for their safety. Traffic Safety Officer Franco stated that the guards located at Fair Lawn Avenue and Orchard Street and the ramps at Route 208 cross everyone because of the complexity of the intersection and volume of traffic; however, student traffic is sporadic. The guard at Berdan and 12th would be overwhelmed. Many students will cross Berdan Avenue before the corner to avoid the crossing guard. It is not illegal to cross in the middle of the block. If you cross at the intersection cars must yield to you but if you cross anywhere else you must yield to cars. Councilmember Peluso felt this gave the students the option. Chief Cauwels stated that they will try it and report back in one month. Councilmember Swain stated that it takes a long time to change behavior.

Christine Liggieri stated she has seen the High School students leave all at once in the afternoon and it is horrific. The guard at Berdan and River Road should get out of the card and cross them. Traffic Safety Officer Franco stated that he will instruct the crossing guards to cross the students, although it will be difficult to staff both corners with one guard. Ms. Liggieri stated the crossing guard at Memorial School has greatly improved safety.

Anne Ryan, 10-14 3rd Street stated that her son has waited at the corner at 12th Street, but the crossing guard remains in her car. Traffic Safety Officer Franco stated that guard, who has been working for 35 years, was relocated to an easier post. He will instruct the current guard to cross the High School students.

David Tratner, 310 Allison Street stated that he sent the initial email because the Facebook Moms and Dads site had comments about the crossing guard at 12th Street. He thanked everyone for their concern; he was happy this was being addressed. He noted, however, that the crossing guard near Route 208 parks in the parking lot and sits in his car, even when there are four feet snow drifts and he cannot cross them to help people. Traffic Safety Officer Franco explained that crossing guards are allowed to sit in their cars until people approach. They give them a start time and stop time for their post. All guards work the same hours but their posts may be busy at different times. That is why some guards are sitting in their cars. Once they see the first group of walkers the guards should be out of their cars.

Carol Campanella, 13-08 Floral Avenue felt there should be a Police officer at Burbank Avenue and Berdan Avenue due to the heavy traffic and large numbers of students walking. Traffic Safety Officer Franco explained that they patrol over 82 miles of roads in Fair Lawn. He would have to discuss this with Chief Cauwels. The School Resource Officer located at the High School is assigned to the Statewide Narcotics Action Plan (SNAP) detail, which includes patrolling the exterior of the school. Police shifts also change at 3:00 p.m. which would make it difficult.

Chief Cauwels stated that the busiest times at schools are also the busiest in all parts of town. Most of the accidents occur during the morning rush. If a crossing guard calls out and there is no substitute available a Police officer has to cover that post. There are traffic issues at each school, so officers are sent out to do some type of enforcement plus must handle their regular call volume. It would be impractical to have one officer at one area of town every day.

Mr. Tratner asked if they issue tickets to students who park in the areas that do not allow parking when roads are snow covered. Traffic Safety Officer Franco stated that Berdan Avenue is the only road he is aware of. They posted "Emergency – No Parking" signs on one side of Burbank and Lexington because the roads are narrow. Anyone who parked there received a summons. Sgt. Metzler noted that they make an attempt to get the vehicle moved first before giving a summons.

Mayor Cosgrove stated that he wanted the residents to know that the Council has heard their concerns. Traffic Safety Officer Franco, Sgt. Metzler and Chief Cauwels are working on this and will report back with an update. Traffic Safety Officer Franco stated that he needed a couple of days to put this new plan into place. The guards at the two key areas will be advised tomorrow.

CLOSED SESSION RESOLUTION

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, the following closed session resolution was unanimously adopted at 8:30 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 – Police Department, Finance Department; 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.

The Mayor convened the Work Session at 8:40 p.m.

INSURANCE ANNUAL REPORT

Risk Manager Covelli distributed copies of the Annual Report of Bergen County Municipal Joint Insurance Fund (JIF). He gave a brief overview explaining the changes. He reviewed the Synopsis of Coverage, liability coverages and exclusions.

Mayor Cosgrove asked if the Garden State Grandmas were added to the policy. Risk Manager Covelli stated they are listed as a quasi. He will ask his assistant to provide a list of all the quasi groups maintained by the Municipality.

As of 2013, the Borough has received $1,329,388 in dividends.

He concluded by stating that he had trained the last two Councilmembers for the employment practices liability, making the municipality 100% compliant with the Elected Officials Training. The Borough earned the highest credit of $250 for each of the five Councilmembers plus the Manager.

COUNCIL LIAISON REPORTS

Councilmember Swain stated that Jane Spindel informed her that the farmer who works at the Farmers' Market on Wednesdays is interested in setting up a market on Sundays at the train station. She wondered if this was feasible. Manager Van Kruiningen stated that he will notify NJ Transit as a courtesy but the Borough maintains the parking lot. Councilmember Swain stated that the farmer gets more successful each year.

She, Councilmember Peluso and Mayor Cosgrove attended the Knights of Pythias dinner last Sunday, which honored the new Chancellor Commander Ian Setless. It was a nice affair.

An Access for All Summit is taking place on Saturday, April 25th from 11:00 a.m. to 2:30 p.m. at the Ridgewood Village Hall. The summit provides Bergen County municipalities an opportunity to discuss accessibility issues.

She concluded by reporting that the Weight Loss Challenge is under way. She had the pleasure of leading the exercise seminar last week, which was attended by over 30 people. They discussed exercise, heart rate, motivation, etc. There were residents from other towns in attendance and everyone was impressed with the Community Center. Afterwards they all used the walking track.

Councilmember Peluso stated that he and Mayor Cosgrove attended the St. Anne's DARE graduation, which was a nice event. He thanked Detective Boone for instructing the program for so many years. The Pool Committee will be meeting on April 30th.

Deputy Mayor Dunay stated that today's long term Financial Planning meeting was postponed until next week. The Property Maintenance Committee meeting is next week. The Environmental Commission meeting was quiet with no new issues.

Deputy Mayor Lefkowitz stated that the Alliance for Substance Abuse Prevention and Planning Board were meeting next week. She announced that she was having another baby.

Mayor Cosgrove congratulated Deputy Mayor Lefkowitz and her husband, Tom. He was sure that her daughter, Hanna was also excited.

He received an email from Steve Kiel, chair of the EDC advising that New Jersey Transit worked out the glitch regarding the allocation of funds to the contractor and the project is moving forward.

He and Marianne Pettineo, chairperson of the ADA Committee, were invited to speak at North Arlington's first Access for All meeting. He had met with the Mayor and Town Manager several months ago. Jim Thebery, Director of Disability Services at the County is trying to get all 70 Bergen County towns to form an Access for All Committee and frequently asks him to speak about forming a 501(c)3 committee. Ms. Pettineo spoke about the success of the Fair Lawn ADA Committee. The North Arlington members were very enthusiastic about the future of their committee.

He asked Manager Van Kruiningen to contact Superintendent Graff about scheduling the yearly inspection of Borough fields.

The Fire Department will speak to Attorney Mondello about proposed changes to the ordinance. There was a discussion about possibly having duty crews at night, whereby members would be required to cover specific nights. Municipal Clerk/Deputy Manager Kwasniewski pointed out that it has been a few years and they were still working on the truss ordinance. Manager Van Kruiningen stated that he received an update a few weeks ago and was advised the entire SOP changed. Mayor Cosgrove explained that Steve Solkoff majored in Fire Science and he is doing a thorough review of the Standard Operating Procedures.

BOROUGH OF HAWTHORNE – FIRE APPARATUS MAINTENANCE AGREEMENT

Manager Van Kruiningen reported that the Interlocal agreement with the Borough of Hawthorne to maintain their fire apparatus will expire on April 30th. The Hawthorne

Administrator feels the program is successful and working well and Superintendent Neggia and Supervisor LaPrezioso indicated there were no issues or complaints. Both were willing to enter into another agreement to maintain the five pieces of apparatus. He recommends offering a two year agreement. The Administrator in Hawthorne will present the same to his Council on April 15th. There are no changes and the rates remain the same. Although it is not a massive revenue generator, they did make $5,000.

There was consensus to enter into a two year Interlocal agreement with the Borough of Hawthorne to maintain their fire apparatus.

CLEANING SERVICES AT THE SENIOR CENTER

Manager Van Kruiningen explained there is no permanent staff assigned to cleaning and maintaining the Senior Center. Currently they pull an employee from Borough Hall, the Community Center or the Parks Department, depending on work schedules, but it is not working. He received a proposal from a private cleaning service to clean the Senior Center seven days a week for $1,200 per month. The service would work around their schedule. He recommended they try using the service from either May 1st or June 1st through the end of the year. He asked CFO Palermo if this was within their budget and she confirmed it was. Mayor Cosgrove noted that the cost came to only $40 a day, which the Borough could not duplicate. Manager Van Kruiningen stated the company also works in several towns including Paramus, who had positive comments. Building and Grounds would still handle routine maintenance.

Councilmember Swain suggested they make sure the cleaning products were environmentally friendly. Manager Van Kruiningen noted there might be a slightly higher fee to use such products, since the company provided the cleaning supplies.

There was a consensus to approve hiring a cleaning service at the Senior Center seven days per week and request the use of environmentally friendly products.

Manager Van Kruiningen stated that he will go out to bid in 2016 if they agree to continue with a cleaning service.

PARKING AT THE COMMUNITY CENTER

Manager Van Kruiningen stated that Joanne Wilson advised him that funding for the parking lot on Berdan Avenue has been removed from the Board of Education's 2015 - 2016 budget. However, parking issues still exist.

Last year the Council approved a request from the Board of Education to add a tennis court on Borough property behind the High School. He will discuss the actual lease agreement on April 21st. Since the Borough is giving property to the Board of Education, he feels they should look into adding parking along the railroad tracks by

the Community Center, which is Borough property. If Council agrees, he would like to start negotiations.

Mayor Cosgrove said the original proposal provided 70 to 80 parking spaces. If they remove the nearby visitors' bleachers, which are not being used, it would make the parking even more advantageous and still leave a large practice field. It would also provide some relief for nearby neighbors. Spaces along the railroad tracks would also help the students, who are now parking down by the Community Center. He agreed with Councilmember Swain that the lot on Berdan Avenue was too much open space to put parking.

Councilmember Swain stated that she is fine with Manager Van Kruiningen exploring this further, although she has some concerns about cars being near an area where children are practicing. Mayor Cosgrove stated they could install a fence. Manager Van Kruiningen reiterated that the Borough has made concessions to the Board of Education at Westmoreland School and with the tennis courts. Now is the time to start a discussion.

There was consensus to have Manager Van Kruiningen contact the Board of Education to negotiate adding parking spaces along the railroad tracks near the practice field.

MISCELLANEOUS PUBLIC COMMENTS

Craig Miller, 5 Ramapo Terrace agreed with paving the practice field to add parking, but felt the Board of Education will say no. People attending events at the Community Center are now parking on 20th Street and underneath the trestle. He did not agree with having a parking lot on Berdan Avenue between houses.

CLOSED SESSION RESOLUTION

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, the following closed session resolution was unanimously adopted at 9:30 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 – Zoning Board, Property Maintenance and Attorney/Client Privilege – Campbell Road; 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 Deputy Mayor Dunay and a second by Councilmember Swain, the Work Session was adjourned at 9:55 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