WORK SESSION OF MAY 5, 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: Municipal Clerk/Deputy Manager Kwasniewski and Attorney Mondello.

REVIEW OF TENTATIVE AGENDA:

Municipal Clerk / Deputy Manager Kwasniewski indicated she will be adding resolutions approving the Borough of Haledon's use of Memorial Pool, awarding the bid for Water Main, Sanitary Sewers and Stormwater Facilities Repairs, extending the parking prohibition at Memorial Junior High School and approving a massage establishment. A redevelopment ordinance relating to the Senior Housing project will also be added.

COUNCIL LIAISON REPORTS:

Councilmember Swain stated that she had received a message from a resident who had been waiting two hours for someone to show up from Tyco Animal Control. The resident called the Police who then called Tyco about a missing cat. Municipal Clerk / Deputy Manager Kwasniewski stated if she gives her the information she will look into it. However a missing cat was not an emergency. She will find out if there was a reason for the delay.

Councilmember Swain mentioned that the farmer who does the Farmer's Market wants to set up on Sundays at the train station. She had mentioned it to Manager Van Kruiningen who did not see a problem with it. Deputy Mayor Dunay recalled that they would just set up in the Fair Lawn portion of the lot. Mayor Cosgrove thought it would work. Municipal Clerk / Deputy Manager Kwasniewski said Manager Van Kruiningen was confident it could be done. Councilmember Swain did not know the specific hours but it would be held on Sunday mornings at the train station. He stated that other vendors would be contacted to see if there was an interest. Municipal Clerk / Deputy Manager Kwasniewski thought employees would have to be brought in causing overtime. Councilmember Swain said the farmer has offered to clean it up.

The Green Team would like to hold a Splash and Dash. She had asked Manager Van Kruiningen to ask Recreation Superintendent Graff. Councilmember Peluso mentioned that it was on the schedule for Memorial Pool. They were just waiting to get the information.

Councilmember Swain stated that tomorrow was the Walk to School / Work day. She went to the Arboretum which had some nice exhibits.

Councilmember Peluso stated the Pool Committee met last week. July 1st is the scheduled day for the fireworks. They are looking to bring in Aqua Zumba, and to purchase another fountain similar to the one that was installed for the children. They are also applying for a few grants to do some upgrades to the pool facility. It would not apply to this summer but for the future.

Deputy Mayor Dunay stated the Environmental Commission has a meeting tomorrow night, then Property Maintenance and Shared Service will meet next week. He will try to stop by at both. They have pushed off the Open Space meeting until June.

Deputy Mayor Lefkowitz indicated that the Planning Board will be meeting next Monday. Health Officer Wagner was seeking help for the Radburn Street Fair so the Alliance for Substance Abuse can participate.

Mayor Cosgrove mentioned that he had received good news. Children's Aid and Family Services has selected Fair Lawn as the municipality of the year at their annual award. The ceremony will be held in October and the Council will be invited to attend.

They have been communicating with Senator Gordon's office and the DOT regarding the dedication of the traffic light on Broadway. It will be held either on May 12 or May 14. He was not sure about the time yet because they are waiting for confirmation from Senator Gordon's office.

Fire Board meeting is next week. The Community Center met. New games have been installed in the game room there.

The field committee of the Recreational Review Committee would like to go out and look at the fields on a Friday. He would like Superintendent Graff to suggest a few Fridays so they can get the committee together. Municipal Clerk / Deputy Manager Kwasniewski said she will reach out to him.

RECOGNITION OF PLAY AND LEARN NURSERY:

Mayor Cosgrove indicated that the people that own Play and Learn Nursery had come in to see him because after 38 years they were going to retire. They asked if a proclamation could be done. They just wanted to thank the people of Fair Lawn after all these years of service. There have been over a thousand children who have gone there. They would like to do it in June because they will

be done by the end of June. Municipal Clerk / Deputy Manager Kwasniewski indicated she would place it on the Agenda of June 16.

There was a unanimous consensus to put a proclamation on the June 16 agenda.

FOLLOW UP DOOR TO DOOR SOLICITATION:

Mayor Cosgrove would like Attorney Mondello have the time changed to 5:00 p.m. Attorney Mondello advised there was no problem with it because it is a reasonable restriction.

There was a unanimous consensus to introduce the ordinance.

ZONING BOARD ANNUAL REPORT:

Councilmember Swain reviewed some of the Zoning Board's recommendations. The first one was fences. They have suggested that consideration be given to modifying the ordinance to allow an applicant on a corner lot to install a six foot fence. The modification would not change the site line of the block and would provide the owner with an option other than proceeding with a variance to the board.

There was a unanimous consensus to amend the ordinance.

Mayor Cosgrove asked Attorney Mondello to draw up an ordinance. Attorney Mondello said he would draft it and have the Planning Board review it.

Councilmember Swain said the Zoning Board was recommending reviewing the I1 and I2 zoning in the Route 208 Corridor and Pollitt Drive. Municipal Clerk / Deputy Manager Kwasniewski informed her that it would have to come from the Planning Board. Deputy Mayor Lefkowitz stated it was part of the Master Plan review.

Councilmember Swain wondered if the amendment of the Zoning Ordinance on non conforming lots, uses and structures was something the Mayor and Council could decide or does it go to the Planning Board. Municipal Clerk / Deputy Manager Kwasniewski said it would apply to all of the undersized lots in town. Councilmember Swain said that if a resident came before the Zoning Board with an unusual lot they usually get what they want because their lots are under sized. If the changes were made, certain people would not have to go before the Zoning Board. Attorney Mondello advised that the Zoning Board would lose all control over what kind of changes would be done on the undersize lot. Mayor Cosgrove suggested that Attorney Mondello meet with

Zoning Board Attorney and see what the intent was. Mayor Cosgrove said that many houses were built years ago and the law has changed.

Councilmember Swain noted the Zoning Board recommended that the Borough review the Zoning Ordinances in respect to multifamily uses in certain zones. Mayor Cosgrove thought Attorney Mondello should analyze the data and report back to the Council.

There was a unanimous consensus to have Attorney Mondello conferring with Zoning Board Attorney Bruce Rosenberg and to discuss with the Planning Board the changes that were discussed.

RESOLUTION FOR THE HIGH SCHOOL GIRLS TRACK TEAM:

Councilmember Peluso stated that the Fair Lawn High School Girl's team won the league championship this past winter and also in the spring as well. He thought it would be nice to acknowledge their accomplishment. He will reach out to the Coach of the Track Team to see when they would be available. Municipal Clerk / Deputy Manager Kwasniewski asked for the date and the names for the certificates.

There was a unanimous consensus to acknowledge the High School Girls Team at an upcoming meeting to be determined.

SPECIAL MEETING:

Upon motion by Councilmember Peluso and a second by Councilmember Swain, the Work Session was adjourned to Special Meeting at 7:55 p.m.

Mayor Cosgrove reconvened the Work Session at 7:57 p.m.

MISCELLANEOUS PUBLIC COMMENTS:

Marc Colyer, 39-08 Van Duren Avenue, thanked everyone that came to the Arbor Day Festival which was a great success. They raised a lot of money for the committee.

Mr. Colyer asked again to help preserve the history of the Jacob Vanderbeck house and the Naugle House. He felt there must be innovative new approaches and ways to save these houses and open land. There is a formula in the Master Plan to preserve open space and the Borough is below that amount. Not only would it be good to save it for historical purposes but also for open space. He felt it was a perfect location next to the river and the County Park.

Mr. Colyer stated that a few weeks ago H. Gelfand started a petition on change.org which has accumulated close to 300 people that want to save the houses. The Facebook page Fair Lawn photos have been posted with people discussing it.

He suggested making the Naugle House a small café at the end of the bike path. People could stop and have something to drink and mingle. The Vanderbeck house could be turned into a bed and breakfast, a bicycle shop or one of the other many things that would work. Many things could be done with those houses without knocking them down. He felt development would not be good in that area.

Mayor Cosgrove stated they are saving the Naugle House. The Zoning Board voted against the application for the Vanderbeck House. They have spoken to the County, and the house is not for sale. There is a contract for sale with someone. The Borough does not have the money to buy that house. The Borough haa committed $1.6 million dollars for the Naugle House and will commit another $300,000 matching each year a grant from the County. They are making a huge financial commitment to the Naugle House. They have tried to be creative.

Attorney Mondello advised that he did not believe the comment about the Master Plan was accurate. In fact, in the many conversations he has had with the DEP they have consistently said that Fair Lawn has been the leader with respect to acquisition of Open Space. The speed and the rate of which was done and the quantity of properties that have been acquired has been noted by the DEP.

CLOSED SESSION RESOLUTION:

Attorney Mondello announced that he would be recused from this discussion. He explained that this was a policy decision that the Mayor and Council will entertain. Once a decision is made either way, the Labor Attorney will get involved.

Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, the following closed session resolution was unanimously adopted at 8:07 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 - Medical Benefits; and

WHEREAS; this matter is one which permits the exclusion of the public from such discussion; 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 this matter as set forth above is one which permits the exclusion of the public from such discussions.

ADJOURNMENT:

Upon motion by Councilmember Peluso and a second by Councilmember Swain, the Work Session was adjourned at 8:15 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