

WORK SESSION OF OCTOBER 20, 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.

UPDATE ON CAMPBELL ROAD (TOM TORONTO)

Tom Toronto, President of United Way, was present.

Mr. Toronto gave a brief update of the River Road/Maple Avenue senior housing project. He, Mayor Cosgrove, Sheri Palma and Laurie Griffa, United Way's Special Counsel had previously attended a meeting with DCA Commissioner Richmond and Housing, Mortgage, Finance Agency (HMFA) Executive Director Tony Markenna.

In August they reapplied for the 9% tax credit, which provides 70% of the construction financing. Mayor Cosgrove's comments helped stress the fact that this project was short changed.

Although unusual, HMFA agreed to have a strategy session with the principals of the Agency to take a closer look at the project and come to an agreement on how it will be financed, which will take place the week of November 2nd. The Mayor also did an admirable job in representing the Borough. Although Senator Gordon was unavailable to attend the meeting, he followed up with a call to Commissioner Richmond.

Mayor Cosgrove stated that Lauri Griffa, the former Commissioner, did a great job. Mr. Toronto believes they made a commitment to get the project funded although it may not be with 9% tax credit.

He continued by stating that last time he was here they held off on Campbell Road because there was some static on the State level as to the number of units that could be devoted for special needs housing. Former Commissioner Griffa helped them to fight back against the State's proposed density limits in terms of special needs housing, which would have limited Campbell Road to four units, so he is anticipating relief from the density limit.

He was seeking the Council's permission to begin discussing conveyance of the Campbell Road property, so United Way can begin preparing for an eventual site plan application to build multiple units. He felt the municipality's willingness to also

do special needs housing, which is in such demand in the State, sends an extremely positive signal to the HMFA and may allow them to take both the Campbell site and the River Road/Maple Avenue project as a package from a financing perspective, although one is not needed to do the other.

Mayor Cosgrove asked what the Borough's financial requirements would be other than the conveyance of land. Mr. Toronto stated there would be no other financial requirements on the Borough's part. Attorney Mondello stated that they were under a judgement of compliance and repose. The first step would be bringing this to the Judge's attention and asking whether or not they need to have another hearing on this matter. United Way would need to reimburse the Borough for any attorney expenses, filing fees or costs. He did not expect this to take long unless the Judge orders another hearing. Mr. Toronto stated United Way would set up an escrow so that the Borough does not incur any expenses associated with the transfer of the property.

Mr. Toronto continued by stating that Manager Van Kruiningen had suggested using a section at the end of the parking lot that is seldom used, which would give them more flexibility in building the four to six units. He distributed a proposed rendering of the hybrid design, which includes a four bedroom shared home and two two-bedrooms or four one bedroom units.

Mayor Cosgrove felt the Borough could afford to give some spaces from the adjacent parking lot to replace the three parking spaces on Campbell Road so that area would remain green. Traffic could exit from the municipal lot. Mr. Toronto informed him this would not have an intense parking use. They built a six unit, ten bedroom project in Tenafly and there are only two drivers with parking for eleven cars. It would not be a burden to have additional parking spaces inside the lot.

Mr. Toronto continued by stating that the Borough can convey a piece of property as long as it is deed restricted, which it would be. They would not have to put it out to bid because it was for affordable use. Attorney Mondello reiterated that the hard part was finding out whether they have to have a hearing in front of the Judge. He can start working on the process to convey the property if the Council agrees.

There was consensus that Attorney Mondello begin the process to convey the property at Campbell Road to United Way to build special needs housing.

REVIEW OF TENTATIVE AGENDA

Municipal Clerk/Deputy Manager Kwasniewski stated she is adding a resolution awarding a contract to P & L Custom Body Equipment Co. for the purchase of an ambulance, as well as resolutions for four tax settlements. She is also adding

approval of the Work Session and Closed Sessions of October 6th. Deputy Mayor Lefkowitz missed the first Closed Session so it will be added to the non-consent agenda.

Manager Van Kruijning stated he is adding a resolution authorizing the execution of Memorandum of Agreement with Department Heads, Supervisors, Blue and White, PBA and SOA, who have agreed to switch to the State Health Benefits Plan.

COUNCIL LIAISON REPORTS

Councilmember Swain reported that she attended a check presentation last night at St. Ann's Knight of Columbus. The ADA Committee received a check in the amount of \$2,043 that will be used to pay for a Cozy Dome, the final piece for the inclusionary playground.

On Friday she, Mayor Cosgrove and Manager Van Kruijning will be attending the Salute to Champions breakfast, which will recognize the ADA Committee and Michael Fondacaro.

The Community Garden Committee is happy to see that the cement slab is in place for the new shed. Manager Van Kruijning stated that the Parks Department will install the shed once the cement has cured.

Councilmember Swain reported that the Arts Council's next project is The Gratitude Project. Stores will be asked to allow residents to come and decorate their windows with statements about things they are grateful for. The project will run from Thanksgiving to the New Year. Participants will use special window markers that are easily washed off. Mayor Cosgrove stated this came up at the Chamber of Commerce meeting and it was noted that the RRIC brings someone in to decorate windows in the businesses. It was suggested the Arts Council do this in Radburn because there are no holiday decorations in that area.

Councilmember Swain reported that many River Road businesses will be participating in the Halloween trick or treating event. The Green Fair has been scheduled for March 9th. The photographs taken for the Arts Council photo exhibit will be in the Community News.

She concluded by stating that several residents on Elmary Place commented on the difficulty of making a left turn onto Fair Lawn Avenue. One resident suggested cars be directed to stop at the first line by the sign that states "Do Not Block Intersection" rather than moving up to the light.

Councilmember Peluso reported that the Pool Committee will be meeting on November 9th. He and Mayor Cosgrove attended the Flag Retirement Ceremony,

which was a nice event. Col. Jack O'Neil and Chief of Staff Magarelli did a great job.

He and Mayor Cosgrove attended the dedication for Greider Park. The family was very happy and thanked the Council for the honor. Many members from the Fire Department and emergency services were present.

Deputy Mayor Dunay stated that he was unable to attend the Environmental Commission meeting, but he received an update from Health Officer Wagner. There was concern expressed about a proposed convenience store on the corner of Pollitt Drive and Fair Lawn Avenue and the health issues that may arise as a result. The Commission discussed the CPG, a group of chemical companies who represent the defendants in environmental litigation along the lower Passaic River. They have been in negotiation with the NJDEP regarding dredging of the river and have proposed spot clean ups. This was denied by the NJDEP, who wants a full dredging of the Passaic River. The Commission will be working with the Green Team on the Green Fair.

Attorney Mondello suggested Deputy Mayor Dunay advise the Environmental Commission to make their concerns about the convenience store known to the appropriate Board.

Deputy Mayor Lefkowitz reported that the Alliance for Substance Abuse Prevention will be meeting tomorrow. She attended the Planning Board meeting last night. Several residents expressed concern about pedestrian safety around the Fair Lawn Jewish Center. One resident asked about installing a speed table in the Manor Avenue/Alexander Avenue area due to speeding in the area.

Councilmember Swain asked if Deputy Mayor Lefkowitz could report on the applications. Deputy Mayor Lefkowitz reported that Darchei Noam applied for a proposed one story addition to be used as a post service socialization hall, not a catering hall, so it would not be rented out. Councilmember Swain asked if they were changing the footprint. Deputy Mayor Lefkowitz stated that they were asking for variances to expand. There were no height issues involved. The sanctuary will also be increased. The application was heard at the August 10th meeting. Although she was not present she listened to a CD of the entire meeting. Members will be encouraged to use the parking lot instead of on street parking. The Board reviewed all the conditions and the application passed.

Mayor Cosgrove reported that next Tuesday at 11:00 a.m. Mr. Paek will be bringing members of the Korean press to the arboretum to take pictures of the Miss Kim lilacs he donated. The lilac is considered a healing hybrid because during WWII, the Japanese invaded Korea. The plant, which was created in 1947 has flourished

in the United States. Mr. Paek is also donating six sequoia trees through Sunrise Rotary, which will be planted next spring.

Mayor Cosgrove continued that Shade Tree Commission and Garden Committee were aware of the donation from Mrs. Croucher for beautification and wondered what portion could be used to buy products. Manager Van Kruiningen stated that the donation was placed in a Beautification Trust Account. The Committees would need to provide details of what they would like to do so that he can determine if funds should be released. He has added a line item for the Community Garden in the 2016 budget.

Mayor Cosgrove stated there was a plant sale at the Arboretum. People are commenting on how great it looks. The County made the sign for the Arboretum and Greider Park. Manager Van Kruiningen clarified that the Borough purchased the material and the County donated the engraving. Mayor Cosgrove thanked Manager Van Kruiningen, Superintendent Neggia and Assistant Superintendent of Parks Young for the great job they did in getting Greider Park ready. It looked fantastic with the trees, sign and gazebo. The neighbors were very appreciative.

MASTER PLAN RECOMMENDATIONS FROM PLANNING BOARD

Attorney Mondello distributed copies of the Planning Board's letter dated May 4, 2015. They held off discussing this matter because the RRIC and BIC wanted to be present; however, he has learned that neither group has any objections or input regarding the Planning Board's comments.

He gave a brief overview of the Board's recommendations. The first recommendation increases the lot size in the Industrial Zone from 5,000 to 20,000 square feet. The second and third recommendations pertain to housekeeping issues, as R4 zones and OBS 2 zones were removed by Ordinance in 2012. The fourth recommendation suggests rezoning of certain blocks to better reflect current usage. The fifth recommendation rezones two industrial lots to residential. Additionally, the Planning Board is recommending that the IHOP be rezoned to B2 because it is currently zoned multi-family residential. The last recommendation is to rezone some R-1-1 houses at the end of Saddle River Road to R-1-3 to more appropriately reflect the residences there.

Attorney Mondello thanked Planning Board Secretary Hochkeppel and Board Attorney Randall for drafting the ordinances, which he reviewed. He will give them to Municipal Clerk/Deputy Manager Kwasniewski after he makes some minor changes.

Municipal Clerk/Deputy Manager Kwasniewski asked if she needed to send notices about the zone change since it is part of the Master Plan. Normally, they have to notify everyone in the zone. If that is the case, they will have to wait until January

because they do not have enough meetings or enough time to notify everyone. Attorney Mondello will look into this.

There was consensus to approve the Planning Board's recommendations.

IT REVIEW

Manager Van Kruijning reported that the Borough's current IT provider, Aton Computing, was awarded a contract with the Passaic County Cooperative. Aton's contract is effective through 2017, with a two year option. Since the Borough is a member, the hourly rate will be \$13 less than what they are currently paying.

Based on the Borough's size and the fact they have upgraded their computer equipment, the president of Aton did not feel it was necessary to have a fulltime IT person on staff. He will assign the current employee who has worked at the Borough for two years to come every other week for an eight hour day on a set schedule. If tasks can be completed within a four hour period he will leave after that time. Non-emergency issues will be noted and handled during the scheduled visit.

Mayor Cosgrove asked Manager Van Kruijning if they have solved the problem when computers were often down. Manager Van Kruijning stated things are better but there are areas that still need to be cleaned up. They have upgraded to a very sensitive and secure system that locked out emails that shouldn't have been blocked, but things are running smoother. He recommending continuing the agreement with Aton.

Councilmember Swain asked if Aton can help remotely if there are issues. Manager Van Kruijning stated they could. If they place a service call near the end of the day, their IT representative will often advise them to leave that particular computer on so he can work on it after 4:30 p.m. However, there are certain perimeters on the Police computers that he does not have access to. There was consensus to continue the agreement for IT services with Aton Computing for an eight hour day every other week.

POLICY DECISIONS:

Employee Recognition Luncheon

Manager Van Kruijning stated he would like to hold the employee luncheon and retirement acknowledgement ceremony on Friday, December 18th at Sereno's. Borough Offices will close at 3:00 p.m. and employees will take their lunch at the end of the day. This schedule worked well last year and attendance increased. Employees who do not wish to attend will work until 4:30 p.m., unless they choose to skip their lunch period. Notices will be posted on the doors and Borough

website that offices will be closed at 3:00 p.m. that day. There were no issues last year.

Councilmember Peluso agreed that last year's luncheon was better attended than in the past. This was a nice way to show appreciation for the employees. Manager Van Kruijning noted that this year they will be acknowledging ten employees who are retiring.

Half Day Christmas Eve or New Year's Eve

Manager Van Kruijning stated that last year he requested employees be allowed to take a half day off on either Christmas Eve or New Year's Eve, with the understanding that Borough offices remain open. Those who were not able to take the time off were given four hours of comp time, with no monetary value, which had to be used by March 31st or it was forfeited.

Manager Van Kruijning stated he has remained until the end of the day on both days and it is extremely quiet. Municipal Clerk/Deputy Manager Kwasniewski stated that they have tried unsuccessfully to convince the bargaining units to give up Lincoln's Birthday in exchange for Christmas Eve. Manager Van Kruijning noted that a similar option is on the negotiation table for 2016.

There was consensus to allow Borough employees to take a half day off on either Christmas Eve or New Year's Eve, with Borough offices remaining open, or receive four hours of comp time to be used by March 31, 2016.

RFQ'S FOR PROFESSIONALS

Municipal Clerk/Deputy Manager Kwasniewski stated that if they will be doing RFQ's they must do them soon in order to have everything completed in time for the Reorganization Meeting. She distributed a list of the seven RFQ's they did last year. She suggested picking out which RFQ's they would like to do. She did not recommend doing an RFQ for all 15 professionals.

Manager Van Kruijning recommended keeping the Medical Broker, Borough Auditor and Labor Counsel. Attorney Mondello suggesting doing an RFQ for Workers Comp Claims Management Services, as he has encountered some issues with Bergen Risk that he is trying to resolve. He suggested the Borough keep an open mind about possibly switching the Workers Comp Claims Management services.

Manager Van Kruijning asked about Special Legal Counsel. Attorney Mondello explained that it is unusual to have a conflict that requires special legal counsel. When the situation arises, he tries to draw from a network of attorneys who are experts in the particular field and that has worked well.

Councilmember Peluso felt they should pursue different grant writers and also look at other grant options. Municipal Clerk/Deputy Manager Kwasniewski reviewed the other professional services contracts. After a brief discussion it was decided to advertise RFQ's for Workers Comp Claims Management Services and Grant Writer. Municipal Clerk/Deputy Manager Kwasniewski noted that for Pay to Play she would need the name of the campaign funds from both Republicans and Democrats, because they cannot have received contributions of over \$300.

There was consensus that the Borough advertise an RFQ for both Workers Comp Claims Management and Grant Writer.

Municipal Clerk/Deputy Manager Kwasniewski stated that Pay to Play letters will be sent to the professionals they will be keeping along with a request for their proposal for 2016.

MISCELLANEOUS PUBLIC COMMENTS

Pamela Coles, 13-34 George Street thought the rendering of the Campbell Road housings was stunning. She stated that last year when River Road held the Halloween event there were so many children she ran out of candy. She was happy RRIC was holding this event again. She suggested having traffic Police on hand because of all the children that will be walking.

She concluded by asking if the IT services were also used in the Community Center and the Library. Manager Van Kruijning stated that it included the computers in the Community Center and some of the staff computers in the Library. Some Library computers are owned by BCCLS, who have their own IT services.

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 - Historic Preservation Commission and Open Space Committee; and

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

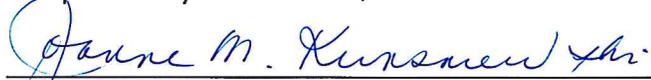
WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

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

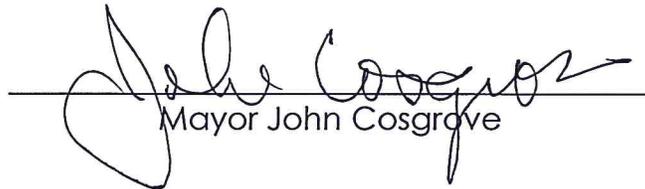
Upon motion by Councilmember Peluso and a second by Deputy Mayor Dunay, the Work Session was adjourned at 8:45 p.m.

Respectfully submitted,

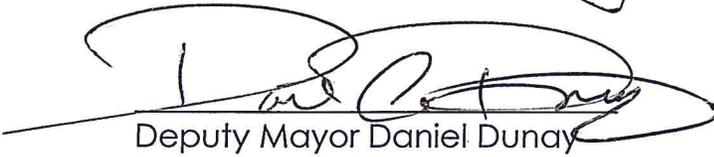


Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

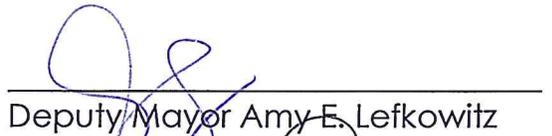
The undersigned have read and approve the foregoing minutes.



Mayor John Cosgrove



Deputy Mayor Daniel Dunay



Deputy Mayor Amy E. Lefkowitz



Councilmember Kurt Peluso



Councilmember Lisa Swain

