

WORK SESSION OF NOVEMBER 10, 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.

LONG TERM FINANCIAL PLANNING

CFO Palermo and Superintendent Neggia were present.

Manager Van Kruijning discussed his email dated November 5th containing information on Recycling collection personnel costs and possible outsourcing, which has been discussed by the Financial Planning Committee for many months.

They are currently operating with seasonal employees, which has not been successful. He and Superintendent Neggia determined the only way they could move forward was with nine additional fulltime employees, who would be paid a laborer's entry salary plus benefits.

If they outsource they would need to have three employees within the Recycling Department: a Coordinator, an employee to pick up the white goods and an employee to run the dumpsters back and forth to the Recycling Center. There are also weekend employees who work part-time and do not receive benefits.

Cali Carting included an amount for curbside pickup of recycling in their bid three years ago. The cost of outsourcing and the three employees who must remain during 2016 is \$1.26 million dollars versus \$1.688 million if the Borough continues doing it, for a savings of \$428,000. In 2017 through 2020 there will only be two fulltime employees, as the employee who runs the dumpsters is retiring. Cali Carting has agreed to assume that responsibility at no additional cost to the Borough.

There have been 40 Workers Comp cases in the Recycling Division since 2012, including one fatality. He has not replaced retirees or terminated any employees in DPW, so the remaining five fulltime employees will be used in other divisions within the Department. No one will be terminated or laid off, except the part time seasonal employees.

The Capital costs in 2016 are \$750,000 to replace three packer trucks. The following year two more trucks would need to be replaced. Five packer trucks will be used by the five reassigned employees for snow removal, and occasional leaf pickup by Shade Tree and Road Department employees.

Councilmember Swain asked about the condition of the remaining trucks. Manager Van Kruijning stated the newest truck is 11 years old and the oldest is 18. Councilmember Swain wondered if the Capital costs were accurate, as it appears some trucks may need to be replaced. Manager Van Kruijning stated that a replacement truck with a plow is less expensive than a packer truck that costs \$275,000.

He continued that Cali Carting will follow the existing Recycling schedule. They have less holidays than the Borough so service will not be interrupted as often. After consulting with Superintendent Neggia and CFO Palermo, it is the Committee's recommendation to outsource Recycling services effective January 1, 2016.

Councilmember Peluso stressed they were adamant about not laying off any fulltime employees and made sure there were positions available for everyone. The cost savings plus the Capital savings will be significant. Cali Carting is doing a great job picking up their garbage and he anticipates the same with the recycling.

Deputy Mayor Lefkowitz stated that Fair Lawn has always done a great job with snow removal and she wanted to be sure that would not change. She also wanted to be sure there were no issues in other towns with Cali Carting. Manager Van Kruijning stated he was not aware of any issues.

Councilmember Swain asked about the contract prices. Manager Van Kruijning stated they are under contract with Cali Carting through 2018. They estimated the increases beyond that date. Superintendent Neggia stated at the end of 2016 the composting facility contract is up. As they replace the old packer trucks, he wants to bring in a plowing contractor to supplement their road crews. They will cold storage the trucks this winter and into 2016 until they can get a contingency plan in place. They do not plan to buy any more packer trucks. Plowing of the County roads still has to be resolved.

Councilmember Swain asked Superintendent Neggia his thoughts on outsourcing. Superintendent Neggia stressed he has no disrespect for the current employees, but the current Recycling program is ineffective and inefficient. They have gone through 18 seasonal employees from March 1st through October 31st, and there have been numerous complaints about the recyclables and yard waste not being picked up. They cannot find seasonal

employees with CDL licenses. They cannot continue this way, despite the best efforts of the Recycling employees who work very hard. Manager Van Kruingen reminded the Council that Civil Service allows them three options with regards to season employees: let them go, hire them as permanent part timers or hire them fulltime.

Councilmember Swain stated that she has been down this road before and it was not very pleasant. She wants to be sure it is the right decision for the employees, the residents and the Borough. CFO Palermo reiterated that Deputy Mayor Dunay and Councilmember Peluso insisted no fulltime employees be terminated. Councilmember Peluso noted they were good employees; they wanted them to continue in the Borough. Superintendent Neggia stated that he has found alternate jobs for the fulltime employees.

Upon motion by Councilmember Peluso and a second by Deputy Mayor Dunay, it was unanimously agreed to outsource the collection of Recyclables to Cali Carting.

Municipal Clerk/Deputy Manager Kwasniewski will prepare a resolution exercising their option to have Cali Carting begin collecting recyclables as of January 1, 2016.

SOLAR POWERED CROSSWALK SIGN

Traffic Safety Officer Franco was present to discuss pedestrian safety at the intersection of Plaza Road and High Street.

Traffic Safety Officer Franco explained that numerous criteria including crash history for five years, speed limit, vehicular speed, vehicular volume and number of lanes is used to determine the best treatment. At this time he does not have all the data as to which treatment to apply so he cannot make a recommendation. Manager Van Kruingen stated that he will make sure they continue to gather data at this intersection after Traffic Safety Officer Franco impending retirement.

Councilmember Swain reiterated the importance of having a pedestrian safety treatment at this intersection, particularly when it is dark. Traffic Safety Officer Franco agreed. He has gathered some data. The lighting at the Plaza Building needs to be adjusted at certain times of the evening. Councilmember Swain asked if there was any low cost solution they could use until the data was collected, such as reflective paint in the crosswalk. Traffic Safety Officer Franco stated there is also criteria as to when to and when not to paint the marked crosswalk. Mayor Cosgrove suggested using the signboard.

Traffic Safety Officer Franco stated that NJ Transit had previously requested that the bus stop on Fair Lawn Avenue west of Plaza Road near Bernrap's Jewelers be relocated, as it is too close to Plaza Road and does not give vehicles enough clearance to go around the bus. He recommended moving the bus stop towards the railroad tracks. Municipal Clerk/Deputy Manager Kwasniewski advised him that an ordinance would be required. She inquired as to what was happening with Memorial School. Traffic Safety Officer Franco stated that he hasn't finalized anything as he has been unable to connect with school personnel.

Councilmember Swain stated a resident would like to speak to the County Engineer as he is concerned that a No Turn on Red from Pollitt Drive onto Fair Lawn Avenue will back up traffic. Traffic Safety Officer Franco stated that he has already discussed this with the County representative from Engineering. He will defer to the County to decide what is right. Unfortunately they need the No Turn on Red when the vehicular volume is up because that is also when the pedestrians are walking from the train. He will give the resident the contact information for the County Engineer.

Manager Van Kruijning thanked Traffic Safety Officer Franco, who is retiring on December 31st, for his years of service. Twenty four years ago when he was hired as a Dispatcher for the Fair Lawn Police Department, Traffic Safety Officer Franco fingerprinted him. Traffic Safety Officer Franco is a class act and a great officer. It was a pleasure working with him and he will be missed. Mayor Cosgrove stated he has attended the AAA Safety Awards Luncheon and Traffic Safety Officer Franco is very highly respected throughout the State. Councilmember Swain stated that Traffic Safety Officer Franco looks at all sides of the issues. Traffic Safety Officer Franco thanked everyone for the kind words. It means a lot to him. It is bittersweet to leave.

COUNCIL LIAISON REPORTS

Councilmember Swain reported that the ADA Committee held a Salute to Veterans dance last Friday, which was attended by representatives from the Fair Lawn Veterans Council. The Arts Council has a sponsor for the crayons for the Gratitude Project, which entails residents decorating store windows with statements of what they are thankful for. She and Mayor Cosgrove attended the grand opening of Chocolate Works.

She reported that a resident called about installing a stop sign on 11th Street at Backus Road. Mayor Cosgrove stated there are two speed tables there. Manager Van Kruijning will have Traffic Safety Officer Franco look into it.

Councilmember Swain concluded by asking if anyone was designated as the representative to Passaic Valley Sewerage Commission. Manager Van Kruiningen stated no one has been designated yet.

Councilmember Peluso stated that he, Deputy Mayor Dunay, Manager Van Kruiningen and CFO Palermo had a very productive Long Term Financial Planning meeting. He was glad the Council was in agreement on outsourcing Recycling.

He reported that the BIC will be meeting on Thursday in the Community Center. The Pool Committee met yesterday. Pool membership revenue was \$276,000 in 2012, \$267,000 in 2013, \$288,000 in 2014 and \$321,000 in 2015. Superintendent Graff informed the Committee that the weather, the slight fee increase, increased membership from inter-local agreements and the sponsorship program played an important role in the increase. They received a grant and are looking to make more improvements next year. There were also some suggestions from the Recreation Department that will be brought to the Council's attention.

Deputy Mayor Dunay reported that he, Councilmember Peluso and Manager Van Kruiningen attended the Shared Services meeting last week with the Board of Education. They discussed the possibility of adding parking along the railroad tracks near the Community Center. The Board of Education will look into this again, although they expected reservations about impacting the practice field. Councilmember Peluso noted that the Board of Education was not aware the land behind the railroad tracks is Borough property.

Deputy Mayor Dunay stated the Board of Education inquired about having the Borough adopt an ordinance that would enhance their enforcement of students who were illegally enrolled in Fair Lawn schools. He concluded by stating that the Property Maintenance Committee was meeting tomorrow.

Councilmember Swain asked CFO Palermo about using some of the surplus to establish a designated savings account for future pool improvements. Councilmember Peluso stated that Superintendent Graff reported that the fees that come in run fairly even with their expenses, although it is difficult to determine the cost of the water. The long term goal is to build an Administration Building to replace the trailers.

Deputy Mayor Lefkowitz reported that the Planning Board reviewed the application for Pro-source Shops, who was required to file a site plan application because they indicated they had a decrease in the number of parking spaces they would be utilizing. The current code provides that if anything in the I zone increases or decreases parking requirements, a site plan approval is required.

The Board felt the Council should look at that portion of the code because it doesn't make sense to make an applicant who will be using less parking spaces go through the expense of filing a site plan.

She continued by reporting that the Caught in the Web Heroin Addiction Program is being held at Bergen Community College on Thursday, November 19th from 9:00 a.m. to 4:00 p.m. At the Alliance for Substance Abuse Prevention meeting on October 21st it was reported that the Borough's last prescription drop off to the DEA in Newark had over 150 lbs. of medication.

The Alliance discussed having a poster concert in the elementary and middle schools. Students would design a message about prevention of substance abuse. She would like to have the poster winners come to a Council meeting.

There was consensus to have the winners of the Alliance for Substance Abuse Prevention's poster contest be recognized at a Council meeting.

Mayor Cosgrove reported that the Fire Board is meeting tomorrow night. He has invited the Planner for NJ Transit to the January 12th Work Session to present the completed vision plan so the Council can make comments before the plan is presented to the public.

He distributed a picture of the enviro sign designed by the Shade Tree Commission, which includes a map of the Arboretum and Bird Sanctuary. He, Mr. Paek and members of the Committee met with members of the Korean Broadcast Network in the Arboretum. Mr. Paek spoke about the Miss Kim Lilac. The video will be shown in Korea.

He concluded by stating the Veterans Day Ceremony will take place tomorrow morning at 11:00 a.m. in front of Borough Hall. The ceremony will be held indoors in the event of inclement weather.

REVIEW OF TENTATIVE AGENDA

Municipal Clerk/Deputy Manager Kwasniewski stated she is adding a resolution authorizing a special emergency note sale from the five year reassessment, as requested by their Bond Counsel.

REQUEST FOR REFUND – PARK MOBILE MONTHLY PARKING PERMIT

Councilmember Swain referenced an email they received from a resident requesting a refund on an unused parking permit due to financial hardship. Mayor Cosgrove felt they should give Manager Van Kruiningen the authority to use his discretion in cases up to \$100, instead of bringing them before the

Council. Manager Van Kruijning stated they do not like to issue refunds but they have been able to credit back \$10 monthly fees to a credit card. CFO Palermo stated they would need to do a resolution authorizing a refund. Municipal Clerk/Deputy Manager Kwasniewski stated she can add any refund request to the tentative agenda so the Council will be able to see all requests.

There was consensus to refund \$100 to the resident for her unused parking permit.

NOISE ORDINANCE – CONSTRUCTION AND DEMOLITION

Attorney Mondello stated the Noise Ordinance does not allow operation of tools or equipment before 7:00 am. or after 6:00 p.m. weekdays and on weekends and legal holidays. However, there are exceptions: if there is an emergency, if there is a variance or if the property is commercial or industrial and the noise level is under a particular set of decimals.

Unfortunately, they do not have a meter for someone to measure the decimal levels to make sure the noise at commercial properties is not impacting on residential property. He prepared a draft that eliminates the noise level exception, which means contractors would only be allowed to use their tools and equipment on weekdays during the allowed time periods and not on weekends or legal holidays. This will help residents who properties abut industrial or commercial properties.

Councilmember Swain asked what the process will be once the ordinance is passed. Manager Van Kruijning stated that they will notify the Police Department that the ordinance has been changed and they can shut down the activity.

There was consensus to amend the Noise Ordinance to eliminate the noise level exception pertaining to commercial or industrial properties.

SALE/DONATION OF VEHICLES:

Packer Truck to Midland Park

Manager Van Kruijning reported that Midland Park inspected a packer truck going out to auction and indicated they would like to purchase it for \$10,000, which is comparable to the starting bid amount. He recommended proceeding with the sale. They will need to do a resolution authorizing the sale of the truck to Midland Park.

There was consensus to authorize the sale of the packer truck scheduled for auction to Midland Park for \$10,000.

Backhoe to Board of Education

Manager Van Kruijning reported that the Board of Education expressed interest in a backhoe scheduled to go to auction. He recommended the Borough donate this piece of equipment to the Board.

There was consensus to donate the backhoe scheduled for auction to the Board of Education.

MISCELLANEOUS PUBLIC COMMENTS

Rich Seibel, 33-07 Halsey Road invited everyone to attend Wreaths Across America, which will take place on December 12th at 12:00 p.m.

CLOSED SESSION RESOLUTION

Upon motion by Councilmember Swain and a second by Deputy Mayor Lefkowitz, the following closed session resolution was unanimously adopted at 8:55 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 Contract Negotiations – Blue and White Collar Association, Supervisor's Association and Personnel – Health Benefits; 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

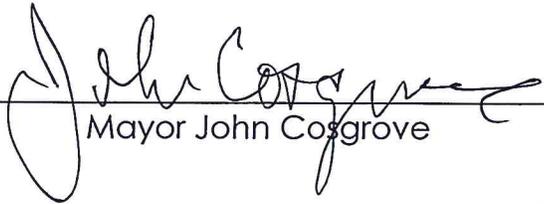
Upon motion by Deputy Mayor Lefkowitz and a second by Councilmember Swain, the Work Session was adjourned at 9:20 p.m.

Respectfully submitted,



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

The undersigned have read and approve the foregoing minutes.



Mayor John Cosgrove



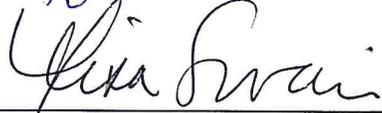
Deputy Mayor Daniel Dunay



Deputy Mayor Amy E. Lefkowitz



Councilmember Kurt Peluso



Councilmember Lisa Swain

