

WORK SESSION OF MAY 29, 2012

Mayor Baratta called the meeting to order at 7:30 p.m.

PRESENT: Mayor Baratta, Deputy Mayors Cosgrove and Trawinski, Councilmembers Peluso and Swain.

ALSO PRESENT: Acting Manager Metzler, Municipal Clerk Kwasniewski and Attorney Mondello.

SENIOR PROPERTY TAX DISCOUNTS

Tax Collector Lee was present.

Collector Lee distributed copies of the PD5 Annual Tax Post Year Statement forms that are mailed yearly to seniors and veterans to complete, whether or not they have exceeded the \$10,000 income level. The \$10,000 limit does not include Social Security but does include interest on investments. This year the State did an audit and learned that many seniors were not entitled to take this deduction. Fair Lawn will have to collect \$17,500. The State looked back to 2006, and will be sending out explanation letters to the seniors involved.

Beginning in January applicants will be required to provide the first page of their income tax form. Deputy Mayor Trawinski expressed concern that the form contains a full social security number on it, and there are only limited circumstances under which a Government can ask people to disclose it. Attorney Mondello stated that he will look into it.

Mayor Baratta asked if residents would have to pay the back taxes in one lump sum. Collector Lee explained that residents had until June, 2013 to pay back the taxes.

Manager Metzler stated that at a prior meeting they discussed the procedure the Tax Department followed in assisting residents with their completed Property Tax Reimbursement (PTR) forms. Collector Lee explained that this program freezes property taxes for seniors who meet the income requirements. Back in 2000 the income levels were \$18,587 for a single person and \$22,791 for a married couple. Currently, a senior can have up to \$80,000 in income and still apply. As a result, they handle a large volume of applications which require that they look at four or five computer screens to complete the application. Many seniors want them to complete the entire form for them, which is not their responsibility.

The Tax Department completes the amount of taxes paid for the year and whether the resident has a Veteran's, Senior or Homestead Rebate deduction. Mayor Baratta stated that she has heard from residents that in the past they could come in and have the numbers filled in while they waited. The residents are being told the Tax Department never did this. Collector Lee confirmed that the Tax Department use to complete the figures while residents waited when two other employees were working full time. Mayor Baratta felt the employees should have explained that this was a new procedure. Collector Lee stated there was a sign indicating that residents would need to drop off their form and leave it to be completed.

Deputy Mayor Cosgrove stated that there are retired professionals who help seniors complete their income tax. He wondered if the volunteers could also help seniors complete this form.

Mayor Baratta thanked Collector Lee for coming.

HEALTH CARE COSTS QUOTES

Risk Manager Frank Covelli was present.

Mr. Covelli stated that a check in the amount of \$450,000 was being sent to the Borough. Manager Metzler explained they were being reimbursed for the trailers that were damaged in the floods during Hurricane Irene, the cost of the demolition of the trailers and the rental of the temporary trailers.

Mr. Covelli distributed a report listing quotes for the Borough employees' medical and prescription health care program. There was a mix of fully insured programs, third party administrators and a partially self-funded program. There are two other carriers who have expressed interest in providing this service and he has also added the State Health Benefits Program.

IDA will be issuing a renewal using the existing model. The B-MED is a consortium of municipalities in Bergen and Passaic Counties that came together to provide employee health benefits. It follows the same model as the Joint Insurance Fund. B-MED's final quote is pending waiting for the final month of claims data from IDA. They received a fully insured quote from Aetna, which is the network B-MED uses. Aetna is the network provider and third party administrator (TPA) for all six regional HIF's in the State. They issued a stand-alone quote. The B-MED would be presenting their network and their TPA services through the B-MED. The benefits in Aetna's stand alone quote do not exactly match the current three Borough plans. He would have to see if the plan could be tweaked to overcome the differences.

AmeriHealth, which is used by IDA, did not provide a quote and he was waiting to hear back from Cigna. Horizon did not want to provide a quote on a fully insured basis; however, they will provide a quote on a TPA or partially self-funded basis in the same way as IDA has structured the program.

Deputy Mayor Trawinski asked who would handle the stop-loss policy if they switch to Horizon Blue Cross. Mr. Covelli stated that Horizon uses a company called Symetric. Deputy Mayor Trawinski stated that at the County, Brown and Brown shop for stop loss services and do not charge the premiums that stop loss carriers provide. He asked if Horizon would retain the premiums on the stop loss. Mr. Covelli stated that all the carriers were told that they have a direct contract with the Borough and they were not to build in any commission for anyone in the program. Everything is net. The only commissions that will be paid is his contract with the Borough.

Horizon, who owns their own network, will give them one figure which is standard. United Healthcare declined. He did not think Qualcare, a TPA who merged with Scibal would be submitting a quote. The New Jersey State Health Benefits Program is only being presented to provide a reference point, as there is no negotiating with the State and their plan does not match any of the three insurance programs in the Borough. Deputy Mayor Trawinski asked if he was missing any information from IDA. Mr. Covelli stated that as of today, all the requested information had been received.

Mayor Baratta asked when Mr. Covelli could return with his final numbers. Municipal Clerk Kwasniewski stated that the next Work Session was on June 19th. Mr. Covelli stated that the plan renewal is August 1, 2012. It would be tight to make a decision on June 19th. Municipal Clerk Kwasniewski suggested having a Work Session after the June 12th Council Meeting. Manager Metzler agreed as this would give them more time to read things over before reaching a consensus on June 19th.

Mr. Covelli stated that it was his understanding that the Borough had asked IDA to provide a quote to extend coverage until the end of the year so they can get on a calendar year. Manager Metzler explained that CFO Palermo had requested the extension to get the budget numbers in line and allow her to know what the unsettled claims were on an annual basis. Mr. Covelli stated that it will take six weeks to get everything done.

STATUS OF RFQ FOR THIRD PARTY ADMINISTRATION AND NETWORK AND BROKER OF RECORD

Deputy Mayor Trawinski stated that the items were addressed above.

BIC REQUEST FOR ORDINANCE CHANGES

Don Smartt, District Administrator and Mark Gordon were present.

Mr. Smartt stated that over the years they were able to bring in a number of grants, a Master Plan and new zoning that has given them a "new" River Road. The Borough and County has fostered an investment that includes seven new turning lanes added during the past 20 years for pedestrian safety.

The previous Councils have helped make this private/public partnership work on River Road and for the past five years on Broadway. They have eliminated a zone where restrictions created many vacancies due to high costs. They could save time and expense by using two elements of the Master Plan which was given to them two years ago. Changes could be made to the parking ratios already implemented by the Zoning Board. Two years ago they looked at every application over a five year period to see what parking ratios were implemented through the variance process. The ratios granted at the Planning and Zoning Board level are the same ratios that they are asking for in their Master Plan. He asked the Council to support these changes on Broadway.

Additionally, the BIC planner and attorney rewrote the sign design standards specifically for the Broadway district. They have had numerous meetings and have spoken to commercial property owners and business owners. They have presented the formal language of an ordinance written by a Land Use attorney.

The ordinance allows for slightly larger signs on Broadway because it is a highway and gives guidelines as to topography, typeface and color. Mr. Gordon stated that the ordinance allows for a pylon sign if there is more than 200 feet of store front, constraints the number of signs that can be placed on windows and sets perimeters for the size and height of signs. Mr. Smartt stated that the ordinance defined a standard specifically designed for this highway commercial district.

Councilmember Swain asked the BIC to show the difference between the current ordinance and the revised one. Mr. Smartt stated that it only relates to signs and facades design and has nothing to do with other planning issues such as building heights and depth. Deputy Mayor Trawinski suggested Attorney Mondello review the ordinance and obtain input from Planning Board, who should notify the BIC when it will be on their agenda. Attorney Mondello should speak with Mr. Smartt and the Planner if he has any questions.

Deputy Mayor Trawinski suggested adding this to July Work Session since the Planning Board next meeting wasn't until June 25. Mr. Smartt stated that

although they were in a tough economy, the two business districts were showing less vacancy rates and new businesses were coming in.

REVIEW OF TENTATIVE AGENDA

Municipal Clerk Kwasniewski did not have any additions. Councilmember Peluso asked that she remove the April 17th Work Session and Closed Session minutes from the Consent Agenda as he was absent from that meeting and would be abstaining.

COUNCIL LIAISON REPORT

Councilmember Swain mentioned that it is difficult for the visually impaired to use the Borough website. The Committee will be writing a letter to their legislators to see if there is any grant money available for an audible alarm at the traffic light at Broadway and 34th Street for the visually impaired to use. Deputy Mayor Trawinski suggested having Manager Metzler speak with Mark Gordon, who deals with NJ Transit to ask them if there are any funds available.

Councilmember Swain stated that some of the Green Team members went to Hackensack to the John Theurer Cancer Center to see the green roof. The Green Team is launching a new campaign called "One Pound at a Time", which is based on Recycling Coordinator Lottermann's idea that if every person reduced their garbage by one pound it would save the Borough \$65,000 in disposal cost. She reported that Recycling Coordinator Lottermann has been spot checking garbage because residents are not being as conscientious about putting out recyclables. Deputy Mayor Trawinski stated that is not just happening in Fair Lawn, as tonnage is down in the County and across the entire State.

Councilmember Swain stated that a senior informed her that there is a new system in place for the lunch program at the Senior Center that prohibits participants from taking home leftover food items, such as an apple. Deputy Mayor Trawinski stated that it was a State enforced Health Department regulation. They also cannot distribute leftovers to shelters as the fear is that the food might become contaminated if not properly stored. Manager Metzler stated that he used to serve food on his lunch hour and knew many people depended on the leftover food. He suggested sending a letter to Governor Christie. Councilmember Swain stated that participants could not even take home the small milk container or share a food item they did not like with someone else.

There was consensus that Municipal Clerk Kwasniewski sends a letter to Governor Christie from the Council objecting to these regulations.

Councilmember Swain asked Manager Metzler when the next Pool Committee meeting would take place. Manager Metzler stated that Engineer Garrison must first solicit prices for Engineering firms so that Council approval can be obtained for the funding, although there is money in the Capital budget that can be used for the drawings. Once the preliminary drawings are completed they will be reviewed by the Committee, who will then visit various organizations to discuss the project.

Councilmember Swain stated that a resident who lives on Howard Avenue learned that a Police car had parked in her driveway for about 20 minutes when she was not home. The neighbors got nervous and called the resident. Another neighbor approached the Police car and saw the officer working on his computer in the car, but the officer shooed the person away and said that he was working. Manager Metzler thought the officer may have been dispatched to the area and was completing his report. Councilmember Swain stated that none of the neighbors called the Police. Manager Metzler will find out what happened.

Councilmember Peluso stated that the Alliance for Substance Abuse Prevention met last Wednesday with several PTA members in attendance. The Alliance for Substance Abuse Prevention will be providing funds towards a safe post-graduation event.

He thanked the Borough employees and volunteers who helped out with the Memorial Day Parade. It was a great event.

Deputy Mayor Cosgrove reported that Sunrise Rotary's Senior Picnic will take place on Sunday. They would like the Council to be judges in the baking contest.

The Shade Tree Committee did not meet this month. He reminded Manager Metzler that the street cleaner dumps its water at the hydrant at the Fire Department's training center and they need the mud washed away from the area. Manager Metzler will follow up.

Deputy Mayor Trawinski stated that the Fair Lawn Planning Incentive Grant for the Open Space Committee has reached the next step for the Dube property. Once the application is approved by Green Acres the Borough will be allowed to hire two certified Green Acres appraisers. Manager Metzler stated that a resident who lives next to the Dubes expressed interest in purchasing the property, bulldozing the house and making it part of his yard. He instructed the resident to submit his offer in writing.

Deputy Mayor Trawinski asked if the resident would be interested in doing a deed restriction on property to protect it from future development, since the whole reason they were acquiring the property was to remove it from the flood zone. The property could be used for a garage or pool but not for another dwelling. Attorney Mondello also stated that an adjoining neighbor to the Heights Avenue property was interested in buying the land to build a bigger house.

Mayor Baratta stated that the parade was very nice. She thought the smaller attendance may have been because Fair Lawn schools were closed on Friday and Tuesday and many families took advantage of the longer weekend to go away. Deputy Mayor Cosgrove stated attendance may have been lower because such a large number marched in the parade. Mayor Baratta thanked Superintendent Graff for doing a good job.

She asked Manager Metzler to put a notice on the website that they were reinstating the Pedestrian Safety Committee. Several members of the Environmental Committee were interested in participating.

EMPLOYEE HANDBOOK AND POLICY AND PROCEDURES

Manager Metzler stated that he did not receive any negative feedback or questions from the Council.

There was consensus to implement the Employee Hand Book and Policy and Procedures.

OPEN SPACE – POSSIBLE PURCHASE OF DUNKERHOOK PROPERTY

Attorney Mondello indicated there is between \$120,000 and \$134,000 left in Green Acres funds to purchase the property.

Mayor Baratta stated that the potential offer from the Dube's neighbor may change things. Attorney Mondello stated that if they want to buy the Dunkerhook property they should start negotiations by speaking with the seller.

There was consensus to authorize Attorney Mondello to begin negotiations with the seller of the Dunkerhook property.

RESIDENT SURVEY

Manager Metzler stated that after discussion with the Department Heads, he added a category on the fees charged at the commuter lots. He will have a final draft by the next Work Session and the cost analysis of the mailing, which he

estimated at \$4,000. Mayor Baratta wondered if there were other options such as doing this online. Manager Metzler stated that they wanted this to be a scientific poll since the survey will be used as a tool when making budgetary decisions. They will be able to breakdown the information into groups.

BEAVER DAM PARK ENFORCEMENT EFFORTS

Manager Metzler stated that a resident contacted him regarding several concerns at Beaver Dam Park. He met with Chief Rose and obtained copies of instructions to the Police officers and the Auxiliary Police, whose chief function is to patrol schools and parks. The Animal Control officer also checks for dogs in the parks and if the Parks employees encounter someone they tell them that dogs are not allowed. The Police are patrolling and sometimes bring their cars in the park and the Auxiliary Police occasionally walk the park. The Police have been instructed to respond promptly when they receive a call regarding issues at Beaver Dam.

Attorney Mondello stated that he checked into installing surveillance webcams in Borough parks. If the Council decides to go that route, he advised putting up notification signs.

JESSICA LUNSFORD ACT

Deputy Mayor Trawinski explained that Jessica Lunsford was a nine year old girl who was abducted and murdered in Florida. There are several State and Federal legislations proposed but a recent court decision tossed aside portions of the law. The League of Municipalities has recommended that municipalities consider adopting a resolution to have the law amended in accordance with the court decision.

There was consensus to adopt the resolution from the League of Municipalities.

ADA GRANT FUNDS

Councilmember Swain stated that the ADA Committee would like to have an inclusionary playground built at Berdan Grove and the Committee would like to apply for Open Space grants for the project. By law, new playgrounds must now contain inclusionary pieces. Deputy Mayor Trawinski stated that typically the Open Space funding that the County provides for handicap accessibility comes from a Community Development Block Grant. He believed the only CDBG eligible park they had in Fair Lawn was Dobrow Complex. Municipal Clerk Kwasniewski stated that they should be able to get some funding through the Open Space Municipal Program for Recreation Programs. Deputy Mayor Trawinski stated that he supported the concept. He suggested the two

Community Development liaisons, Deputy Mayor Cosgrove and Councilmember Peluso work with Manager Metzler to submit an application.

There was consensus that Manager Metzler submits a grant application for an inclusionary playground at Berdan Grove.

Deputy Mayor Cosgrove stated that Sunrise Rotary recently received a grant to purchase a handicap accessible swing for Memorial Park. The swing should be installed in a couple of weeks.

RECOMMENDATION TO AWARD PRIVATE COLLECTION OF MUNICIPAL COURT DEBT TO ALLIANCE ONE

Manager Metzler stated that the RFQ's for Collection of Municipal Debt were reviewed by Attorney Mondello and Judge Schechter, who recommended an agreement with AllianceOne. AllianceOne will take the principal balance and add 22%, of which they will receive 18.03%. Manager Metzler noted that there is between \$400,000 and \$500,000 owed in uncollected Court debt.

There was consensus to award the contract to AllianceOne for the collection of Municipal Court debt.

ESTABLISH SALARY ORDINANCE FOR PER DIEM POLICE DISPATCHERS

Manager Metzler stated that Chief Rose has recommended supplementing the full time dispatchers with one or two per diem dispatchers per shift at a rate of \$15 to \$22 per hour. The employees would not be eligible for benefits. They work in various locations to piece together fulltime hours.

Councilmember Swain wondered if the per diem dispatchers would be able to get to know Fair Lawn if they are traveling from location to location. Manager Metzler stated that Police communications and dispatch have become a profession. The dispatchers will have access to all the tools which pinpoint a location. The CAD System points out the hazards and when they receive a 911 call they know where the call is coming from. The majority of the current dispatchers are not Fair Lawn residents.

Deputy Mayor Trawinski stated that is it was a misconception that Police know the town best because they live here. He estimated that 60% to 65% of their Police officers do not live in Fair Lawn. Deputy Mayor Cosgrove stated that the Police may not live in Fair Lawn now, but the majority has lived here at some point. Deputy Mayor Trawinski stated that was no longer true with the new hires.

There was consensus that Chief Rose be allowed to hire per diem dispatchers to supplement the full time staff.

AWARD PROFESSIONAL SERVICES CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM TO CLINICAL SERVICES MANAGEMENT

Manager Metzler explained they used to have an Employee Assistance Program (EAP) through the Mental Health Center and Valley Health Care. The Borough gave a \$20,000 donation in exchange for services.

Frank Covelli helped him locate Clinical Services Management in Midland Park, who has submitted a proposal for \$10,800 per year. The plan would cover all 250 permanent employees and up to 200 temporary seasonal employees. The contract has been reviewed by Attorney Mondello. There were three employees who required EAP that were sent to Clinical Services Management on an individual basis with much success.

There was consensus to approve an agreement with Clinical Services Management to provide an Employee Assistance Program for \$10,800.

ORDINANCE CONTROLLING THE "KEEPING LIVESTOCK AND FOWL"

Manager Metzler stated that there has been an issue in Fair Lawn for several years regarding chickens on a residential property in Radburn. He has received letters in support of allowing the chickens to remain. However, there are other residents who are upset.

He distributed a copy of a model ordinance that would restrict the keeping of livestock and fowl in the Borough. He asked if the Council wanted to proceed with the ordinance and, if so, grandfather existing cases. This is an issue for the neighbors who live next door.

Mayor Baratta stated that since Radburn has numerous restrictions she was surprised that they did not have something in place regarding chickens and livestock. She asked if there were any Borough restrictions. Manager Metzler stated that the Health Department had visited the residence and the rooster was not in violation of any laws, nor were there any odors. He advised the resident who is upset about the chicken to let him know if the situation changes, as they will go back and investigate any noise or odor complaints. He acknowledged that a rooster could be very noisy.

Councilmember Swain thought they should leave things as is; it didn't seem right to change things because of one neighbor. Mayor Baratta stated that she did not have a problem with the chickens as long as there were no health violations.

Manager Metzler reiterated that Health Officer Wagner has stated there were no violations.

There was consensus not to proceed with an ordinance restricting livestock and fowl.

OPPOSING S-1914 USER FEES

Attorney Mondello stated that he read the proposed legislation several times. He was not sure that their definition of "User Fees" was the same as the bill. The traditional municipal services are cleaning of roads and streets, solid waste removal, recycling, etc. If they paid for the services before and now were looking for a user fee for those services that is prohibited.

Deputy Mayor Trawinski asked why this bill was amended to exempt user fees collected by a municipality on behalf of another governmental entity when the municipality paying the fee does not set the fee rate and the fee collection agreement existed on the effective date of the bill. The biggest part of the taxpayers' budget is the school taxes and this law wouldn't even apply to them. This is an attempt to address a problem that does not exist.

Manager Metzler suggested sending a letter to the State representatives. He felt this bill would tie their hands. Memorial Pool and the Community Center could be viewed as a User Fee. He did not think the State should be allowed to tell local governments what they can charge to use those facilities. They should go on record as being opposed to this. Municipal Clerk Kwasniewski agreed that this legislation was overboard.

There was consensus to send a letter to the State legislatures advising them that the Council opposes this.

USE OF MEMORIAL POOL BY PROSPECT PARK AND FAIR LAWN COMMUNITY SCHOOL

Manager Metzler stated that he received a request from Prospect Park asking that their residents be allowed to use Memorial Pool.

There was consensus to approve an agreement allowing Prospect Park residents to use Memorial Pool.

Manager Metzler stated that he received a memo from Joe Tedeschi, requesting permission for the Community School to use Memorial Pool from June 25 through August 17th. The pool would be used Mondays, Tuesdays, Wednesdays and Fridays from 1:30 to 3:30 p.m. The terms would be consistent what was used in

the past with the exception that there would be no longer be a charge to use the pool.

There was consensus to approve an agreement allowing the Fair Lawn Community School to use Memorial Pool from June 25th through August 17th.

SUMMER HOURS FOR THE MUNICIPAL BUILDING

Manager Metzler explained that the goal of the summer hours is to eliminate all overtime and comp time between June 28th and August 5th for employees in the Municipal Building. He is proposing opening the Municipal Building from 8:00 a.m. until 5:30 p.m. Monday through Thursday, with a 45 minute lunch break, for a 35 hour work week. There is one late night for the Court staff. The employees indicated that there are people lined up waiting in the morning, why not open earlier.

Court Administrator Cabibbo has proposed working Monday, Tuesday and Thursday from 8:00 a.m. until 5:30 p.m. with a one hour lunch. On Wednesdays, one employee would be in for the regular work time, and two fulltime and one part time employee would work from 10:00 a.m. until 10:00 p.m. on straight time.

The flaw in the plan is that if Court runs late it will generate comp time. If a catastrophic incident requires a Department Head to come in from home, that would also generate comp time. The Department Heads have conveyed to the employees that they are looking to go through this process with little or no comp time. A four day work week is something they can do for the employees that does not cost anything. They are also having problems with the air conditioning. This trial period will provide an opportunity to see if the concept of flex hours will be embraced in labor negotiations.

When they cut the grass and clean up areas such as the commuter lot and the back of the Municipal Building, the work is done on a Saturday or Sunday. He would eliminate that overtime by having employees work Saturday or Sunday as part of a regularly schedule work week on a rotating basis. They will also be looking at a flexible schedule that would have employees working four days a week but still have employees available seven days a week on a rotating basis, similar to the Police officers.

They are going into labor negotiations without any new revenue sources so they must be creative. They spent \$1.3 million in overtime right now.

Mayor Baratta thought that employees would be working late one evening to provide extra hours for working residents. Manager Metzler explained that the original plan was to have employees start at 8:30 a.m. and work until 6:00 p.m.

every day except Wednesdays when they would work later. The intention was to reduce Court overtime. Manager Metzler stated that the Municipal Building will be open a half hour earlier in the morning and an hour later in the evening. Councilmember Swain stated that commuters will not be able to make it in either in the morning or evening. Additionally, many people take Fridays off so they will lose that day. Deputy Mayor Cosgrove suggested adding an hour to Wednesday so employees worked to 6:30 p.m. Manager Metzler stated they would run into problems with meals. When Court employees are working 10:00 a.m. to 10:00 p.m. they are taking a half hour for lunch and half hour for dinner.

Councilmember Swain asked if he had projections regarding cost savings. Manager Metzler stated there will no savings in utilities because of the building set up, but Department heads and employees are aware that the goal is to reduce overtime. Employees will now work a flexible schedule to avoid overtime. Municipal Clerk Kwasniewski reminded the Council that there are less Council meetings in the summer so there will not be a big savings in her department. Borough Hall had evening hours in the past but residents did not come. Councilmember Swain stated that her concern was meeting the needs of residents. If the greatest number of residents were coming in 8:00 a.m., then there was merit to opening early. Manager Metzler explained that this change only affected employees inside the Municipal Building, with the exception of the Police.

Deputy Mayor Trawinski stated that when they closed for a snow day years ago the Police Department filed a grievance because the building was closed. He wondered if being closed on Friday would present a problem. Manager Metzler explained the complaint was filed because the employees who were sent home were compensated. With the new arrangement employees will still be working their 35 hour work week. He clarified that employees in Police Records will be working the four day week as well. This schedule will be in effect June 28th through September 5th only.

Mayor Baratta asked if he was considering having this schedule year round. Manager Metzler stated that it was possible employees might have a four day work week although he would keep the building open five days a week by using flexible hours. The outside crew would balance a six or seven day operation.

Councilmember Peluso requested a cost analysis at the end of the trial period comparing costs to last summer. Manager Metzler confirmed that an analysis will be done.

There was consensus to allow the employees in the Municipal Building, with the exception of the Police Department, to work Monday through Thursday from

8:00 a.m. to 5:30 p.m. with a 45 minute lunch and have the building closed on Fridays. The hours will be in effect from June 28 through September 5, 2012.

SKATE PARK AT WALSH POOL

Manager Metzler stated that they needed to decide whether or not to fill in Walsh Pool and where to locate the skate park. Deputy Mayor Cosgrove stated that he given this a lot of thought and driven through all sections of town. He cannot support the skate park. No matter where they put the skate part they will encounter all the same issues. Residents near the skate park will feel they are getting something that others did not want. Although he thought the concept of a skate park was a good one, they would be better off selling the equipment.

Deputy Mayor Trawinski supported the idea of a skate park at Walsh Pool, as he remembered several young residents asking the Council to find a place where they could skate board. There are all types of organized sports in town; why shouldn't these children have the same right to use Borough facilities. They need to try this and do their best to enforce the rules and regulations. He thought Walsh Pool was the best location for the skate park since there are no residents affected and Dobrow Complex is a recreational complex. Councilmember Swain stated that she would like to know what the actual costs would be. She felt the skate boarders learned from the first experience.

Manager Metzler was concerned about losing County funding. He asked the Council if they were willing to commit \$25,000 to the skate park, with the understanding that the amount may decrease to \$10,000 if they get the fill for free. They will have to put down a macadam surface and fence in the area.

Councilmember Peluso stated that he always sees children skateboarding at CVS or the Berdan Grove basketball court. He thought Walsh Pool was the best location. Deputy Mayor Cosgrove stated that he has spoken to many residents who feel there is a negative connotation associated with the skate park. People who use the complex, as well as the League of Women Voters, Fair Lawn All Sports and Fair Lawn Football Association have voiced opposition. He felt the skate park should be in a County park. Deputy Mayor Trawinski stated that other municipalities have skate parks and they are working out. There were concerns about skaters using the walking path at Dobrow Complex but they have not received one complaint. Mayor Baratta felt that this location had the least amount of residents nearby.

There was consensus that Walsh Pool be filled in to house a skate park at a cost of \$25,000, with Deputy Mayor Cosgrove dissenting.

ESTABLISH COUNCIL MEETING DATES FOR THE 4TH QUARTER OF 2012

Municipal Clerk Kwasniewski stated that she needed to submit the meeting dates for September through December for the Borough calendar by June 8th. Mayor Baratta liked the current schedule of meetings. Deputy Mayor Trawinski agreed.

There was consensus that the Council maintains the current schedule of Work Sessions and Council Meetings per month during the months of September through December.

Deputy Mayor Trawinski asked to review the July and August meeting dates to make sure there would be a quorum. Municipal Clerk Kwasniewski stated that the meetings were July 10th and July 17th and August 14th and 21st.

Attorney Mondello stated that Mark Madeo will be covering for him on June 12th.

SPECIAL MEETING

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, the Work Session was adjourned to Special Meeting at 9:30 p.m.

Mayor Baratta reconvened the Work Session at 9:35 p.m.

MISCELLANEOUS PUBLIC COMMENTS

Craig Miller, 5 Ramapo Terrace wondered if there were grants for a camera at the crosswalk by the Broadway Train Station, as he has seen cars drive through this intersection while pedestrians were still crossing. Perhaps the camera could catch the license plates of the car so a summons could be issued.

Deputy Mayor Trawinski stated they need State approval before any cameras could be installed. The State is looking at the effectiveness of the cameras, which have been working well in Newark. Manager Metzler did not think they get to determine where the cameras are installed. Deputy Mayor Trawinski stated that the request has to be for an intersection that meets the statistics. He suggested that Manager Metzler ask Mark Gordon to speak to NJ Transit.

Mr. Miller asked if there was a way to have the Memorial Day Parade flow more continuously to avoid the bottleneck at Memorial Park and prevent lapses in between marchers. Deputy Mayor Trawinski stated that bands stop at the band stand for three minutes maximum. The Police do a great job of moving along vehicles. Mr. Miller stated that he saw several band members and Boy Scouts

being escorted away by Ambulance Corps members due to heat exhaustion. Deputy Mayor Trawinski stated that the procedure was changed to avoid having Veterans have to stand in the assembly area. They are now allowed to wait anywhere in the park and are called to the circle when the ceremony begins.

Mark Berman, 15 Bedford Place stated that he has two sons who routinely cross Fair Lawn Avenue on their way to school. The crosswalk has been historically difficult to use because of the interaction of cars, but the boys have never seen a Police presence at this site. He felt they should occasionally schedule a Police officer at the crosswalk to have more control of the area.

Mr. Berman thanked the Council for the rational way they addressed this matter. He acknowledged that his neighbor is very unhappy with the chickens, but there are several adults and children who stop by to see them and he gives them eggs. He confirmed that the yard is fenced in. They currently have a rooster, which they bring in at night, but if something happens to it he does not plan to replace it. They let the rooster out at 7:30 a.m. during the weekdays and later on weekends. When the Health Department suggested they keep the rooster inside until 8:30 a.m. every morning they complied. He thanked the Council for taking the correct action.

Rich Seibel, 15 Halsey Terrace thanked the Council and everyone involved with the Memorial Day Parade for doing a terrific job. He attended the event in Paramus with the Navy seals, who repelled down from three helicopters. It was a spectacular site. He suggested that Fair Lawn get on the list to have the Seals visit next year.

He asked if the Police were still using decoys to pose as pedestrians in crosswalks. When other residents see people being over the word gets out.

He reminded the council that D Day, Flag Day, Father's Day and July 4th were all approaching.

CLOSED SESSION RESOLUTION:

Upon motion by Councilmember Swain and a second by Deputy Mayor Trawinski, the following closed session resolution was unanimously adopted at 9:45 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 Contract Negotiations – Borough Manager; 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 the 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 Swain and a second by Deputy Mayor Trawinski, the Work Session was adjourned at 10:05 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/MMC
Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Jeanne Baratta

Deputy Mayor John Cosgrove

Councilman Kurt Peluso

Councilwoman Lisa Swain

Deputy Mayor Ed Trawinski