

## Work Session - May 18, 1999

Mayor Ganz called the meeting to order at 7:35 p.m. Municipal Clerk Kwasniewski read the statement of compliance with the Open Public Meetings Act.

**PRESENT:** Mayor Ganz, Deputy Mayor Ahearn, Councilmembers Dobrow and Trawinski (late).

**ABSENT:** Councilmember Tedeschi.

Also present: Manager Sacks and Municipal Clerk Kwasniewski.

Councilmember Trawinski arrived at 7:37 p.m.

**Review of Tentative Agenda** - Municipal Clerk Kwasniewski advised that a resolution concerning the confirmation of Treasurer's purchases will be added to the agenda.

**Broadway Development Planner** - Joseph H. Burgis of Burgis Associates, Inc. was present. He explained that they were a consulting firm with eleven years' experience representing twenty-two municipalities in New Jersey. Many municipalities they represent have down-towns that need development and one of their associates was on the committee that developed the legislation for redevelopment. They have done work in Westwood, Oradell, Tenafly and Park Ridge. He explained the process they use beginning with ariel photography of the area. He presented several plans of what they did for Tenafly and presented drawings of Park Ridge.

The issues for Fair Lawn include the fact that Broadway is State highway, poor signage, and an overall lack of a quality visual impression. The housing and redevelopment law has six criteria. He was not sure that Broadway would meet any of the criteria. Although obsolescence of design may be one criterion that they meet. He explained the process they would use to decide if they meet the criteria for the redevelopment statute. They would help identify properties for the Borough to acquire to meet parking needs. If a developer is interested, they work with them to craft the ordinance. He suggested that the Council let the store owners know the scope of the project right from the beginning. To make these projects a success, they must be involved with the process.

Mayor Ganz thanked him for coming to the meeting.

**CCO Ordinance** - This item was deferred until June 1 due to Attorney Lustgarten's absence.

**Wireless Acquisition Services Inc.** - This item was deferred until June 1 due to Attorney Lustgarten's absence.

**River Road Cooperative Parking** - Don Smartt, Bob Gordon and Arthur Levine were present. Manager Sacks advised that a committee of RRIC and the Borough Engineer interviewed Leonard T. Bier concerning implementing the cooperative parking plan. He is one of the preeminent people in the parking field in New Jersey. They are prepared to hire him. Besides the implementation of the parking plan, the Council needs to add some properties that were inadvertently left out of the SID.

Mr. Smartt explained that last June they laid out a plan to develop cooperative parking. They hired Bohler Engineer to do an inventory of the existing parking. In December they agreed that Bohler should lay out a configuration of proposed parking. RRIC has set aside additional resources to engage Mr. Bier. They asked for additional funds to develop a complete scope of services to implement cooperative parking. The Planning Board has active applications that require cooperative parking so there are time constraints.

Bob Gordon noted that this is a critical element that needs to be put in place for the River Road redevelopment to move forward. He urged the Council to move as quickly as possible to continue the partnership that has existed since the beginning.

Arthur Levine noted that the first phase is technical. Bohler Engineering is going to make a survey of all the parking spaces on River Road and the square footage so they can develop a ratio relative to the zoning ordinance. They will determine the utilization of the space. Mr. Bier will review that information and make recommendations on how they will manage it, who will manage it and how will they pay for it. It is a crucial item for this project.

Mr. Smartt noted that the cost will range between \$7500 and \$15000. If the Borough staff is going to be used, the cost will be at the low end of the range. If not, it will be at the high end. RRIC had set aside \$7500 that they have increased to \$17,500. He asked that the Borough do the same so that they do not have to come back for additional funds.

Mayor Ganz wanted to know if recapturing any of these costs from the applicants who will use the cooperative parking were possible. Mr. Smartt thought that the Borough could do that since the B4-B5 ordinance calls for a formula that has not yet been worked out for paying for spaces that they need. Mayor Ganz noted that the Council budgeted \$7500. Councilmember Dobrow

pointed out that condemning land for the parking requirements that will also cost the Borough may be necessary.

Mr. Smartt stressed that time is of the essence. The Borough and RRIC have to have this plan in place no later than the end of the year. There is an ordinance in place that cannot be complied with but the applicants or the Planning Board. RRIC has reallocated and funds for the parking.

Councilmember Trawinski expressed concern about the increase. He was not prepared to commit funding for any unknown projects. He wanted to know what the projects were first. The Council made the zoning changes at the request of RRIC. He wanted to hear from CFO Eccelston that he can find the additional money. When they committed the \$35000 in 1995, they said that they were going to reduce that amount in future years. They want RRIC to be more self-sustaining. He agreed that the parking has to be put in place. The Council concurred with Councilmember Trawinski.

Councilmember Dobrow expressed concern that RRIC will ask for additional funds for condemnation that could be costly. Councilmember Trawinski thought a parking utility would provide a revenue stream. A funding mechanism must be in place. Mayor Ganz noted that the Council agrees that they need parking and it has to be managed. If they could find the funds and make sure that it does not go beyond the scope of \$17,500, he was prepared to support it. Councilmember Ahearn concurred. Councilmember Dobrow agreed but she wanted it understood that there must be a revenue stream to pay for it.

Mr. Gordon noted that the period of prosperity and development activity that has existed may not continue. The opportunity exists now but it must be done quickly. He urged the Council to proceed expeditiously. Mr. Smartt noted that RRIC was ready to negotiate the scope of services. He asked for assistance from the Borough Attorney and Borough Engineer.

This matter will be on the agenda following the regular meeting if CFO Eccelston can certify the funds. Mayor Ganz wanted to hear from Councilmember Tedeschi and Attorney Lustgarten as well.

**Veteran's Circle** - Manager Sacks spoke to Jim Storozuk who wants it to be very clear that it is dedicated to Fair Lawn residents who served in the United States armed forces. After a brief discussion, the Council concurred. Attorney Lustgarten will determine whether a resolution is sufficient or if an ordinance is required.

**Bus Stop at Terhune on Saddle River Road** - The Council agreed to restore the bus stop. It will be placed so that it is on the side yard of the property that fronts on Terhune Place. It will not be in front of Mr. Raffiani's house. An ordinance will have to be adopted.

**Bullet Proof Vests** - Manager Sacks advised that applying for the grant for the vests may be worthwhile because the Borough only has to pay 50% of the cost. If the vests have a five-year guarantee but they do not put some into service for a year, the Borough is losing 25% of the value. However, it is still a good idea because they are only paying 50%. The consensus was to apply for the grant and to try to delay the purchase for as long as possible. This item will have to be included in the capital budget. Manager Sacks estimated the cost to be \$18,500.

**Energy Deregulation - Municipal Cooperative** - Manager Sacks reported that PERMA is forming a municipal energy joint purchasing system with the Bergen and South Bergen Joint Insurance Funds. They are estimating that an average homeowner pays \$20 to the cost of municipal electricity. Of that \$20 a year a 5 percent reduction that is about \$1 a year for each homeowner on the municipal portion may be possible. She has asked to be included in the Northwest Bergen meetings although they may ask for a \$250 membership fee. Riverside Cooperative is having PSE&G come in June to talk about what they are going to be doing. DCA is still working on specifications for the municipalities so there will be some uniformity. Mayor Ganz asked CFO Eccelston to analyze each proposal as it comes in.

**Board of Education Liaison Meeting** - Manager Sacks reported that the Board of Education is inclined to go with the School Board's Association for energy deregulation. They talked about the Radburn School traffic safety issues including handicap parking. They were somewhat receptive about the ice rink but they would have to plan for it in the future. They discussed sharing facilities whenever possible. They would like to meet with the Council as a whole to discuss the drug survey that they recently distributed and some parents found shocking. The results were fairly normal for a suburban school and for the socioeconomic population that exists in Fair Lawn. They are creating an alliance with several groups to deal with the problem that is not just a school problem.

**Closed Session Resolution** - Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, the following closed session resolution was unanimously adopted at 9:25 p.m.

**WHEREAS**, the Open Public Meetings 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; and

**WHEREAS**, this matter permits the exclusion of the public from such discussion; and

**WHEREAS**, public disclosure of the results of this discussion may be made by the governing body of the Borough of Fair Lawn regarding appointments on May 25, 1999 if so approved and on the other matter once the ordinance is adopted;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since the matter set forth above is one which permits the exclusion of the public.

Mayor Ganz reconvened the meeting at 9:40 p.m.

**Broadway Development Planner** - Susan S. Gruel, P.P. of Heyer, Gruel & Associates, PA was present. Ms. Gruel indicated that the firm has had significant experience in working for municipalities particularly developed communities that are addressing redevelopment and revitalization. She is a professional planner and was a member of the governing body when Bridgewater Township was involved in their redevelopment of the Bridgewater Commons and senior housing.

Ms. Gruel presented a picture board of Broadway as it exists today. They need street scape improvements. There is not much green in many areas. They have found the use of the redevelopment process very successful. They suggested a preliminary evaluation of the assets and liabilities of the area. They believe that a combination of redevelopment and street scape type improvements that would be coordinated together. Public participation is a really important component so that everyone feels that it is their plan.

They have worked with for planning boards, governing bodies and a combination of both through the redevelopment process. They have done twenty-five to thirty plans including Roselle Park, Harrison and Franklin.

The governing body has to decide which parcels should be considered for redevelopment and then request a preliminary investigation to see if the criteria are met. The Planning Board makes the recommendation after a hearing. She can assist the Council in determining the area. She explained the statutory criteria for redevelopment.

She explained that while they are not marketing consultants, they do work with real estate marketing consultants. While the market is important, the Borough must have the vision. The market consultants would identify certain niche retail uses. They would promote the retail uses after the plan is done. They assist in developing a strategy.

She felt that most communities try to get the private owners to be involved to create the public private partnership. It can also be an impediment and then a more proactive stance is needed. While there are target areas that might require condemnation, the rest would be working with the property owners to try to solve their problems. She did not think that just having a developer come in is best. There must be an overall vision for Broadway. It would have to be evaluated in context of a framework of a plan.

She explained some things Bridgewater was able to do in their redevelopment that has been very beneficial to the township. These redevelopments have to be a partnership that benefits both the developer and the community.

Mayor Ganz thanked Ms. Gruel for coming.

Mayor Ganz distributed a draft press release on this issue. He asked the Council to submit their comments to Manager Sacks.

**Closed Session Resolution** - Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, the following closed session resolution was unanimously adopted at 10:20 p.m.

**WHEREAS**, the Open Public Meetings 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 contractual negotiations; and

**WHEREAS**, this matter permits the exclusion of the public from such discussion; and

**WHEREAS**, public disclosure of the results of this discussion may be made by the governing body of the Borough of Fair Lawn within 90 days or sooner if a decision is reached;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since the matter set forth above is one which permits the exclusion of the public.

**ADJOURNMENT** - Upon motion of Councilmember Trawinski and a second by Deputy Mayor Ahearn, the meeting was adjourned to Closed Session at 10:50 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AEE

Municipal Clerk

## Closed Session - May 18, 1999

Mayor Ganz reconvened the meeting at 9:25 p.m.

**PRESENT:** Mayor Ganz, Deputy Mayor Ahearn, Councilmembers Dobrow and Trawinski.

**ABSENT:** Councilmember Tedeschi.

Also present: Manager Sacks and Municipal Clerk Kwasniewski

**Personnel** - The Police Chief's salary for 1999 will be \$94,290. For 2000 he will receive the same increase as the other Department Heads.

Angie DelBuono and Shirley Loeber will be added to the Fair Lawn 75<sup>th</sup> Anniversary Committee.

Manager Sacks announced that the Court Administrator is retiring this summer.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AE

Municipal Clerk