



**BOROUGH OF FAIR LAWN  
MAYOR AND COUNCIL  
MEETING MINUTES  
  
WORK SESSION**

**WORK SESSION MEETING MINUTES OF JANUARY 11, 2022**

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

In accordance with the Open Public Meetings Act, adequate notice of this meeting, giving the time, date and information for accessing this public meeting, was sent to 'The Record' on December 30, 2021, was posted on the bulletin board located on the 1<sup>st</sup> floor of the Municipal Building, was filed in the Office of the Municipal Clerk, and was posted on the Borough's website.

**PRESENT:** Mayor Peluso, Deputy Mayor Cutrone, Deputy Mayor of Community Affairs Krause and Councilmembers Reinitz and Rottenstrich.

**ALSO PRESENT:** Manager Van Kruijning, Acting Municipal Clerk Magarelli and Attorney Verrone.

**REVIEW OF TENTATIVE AGENDA** - January 25, 2022 Meeting

Councilmember Reinitz stated he may be adding a Junior Mayor.

**COUNCIL COMMENTS**

Councilmember Reinitz:

He thanked the Council for accommodating his phone call during the Re-organization meeting, as he was not able to attend in person.

His committees will begin meeting tomorrow.

Councilmember Rottenstrich:

Green Team – They will continue their shade tree initiatives and working towards Sustainable Jersey Silver Status. They are researching noise emitted from landscaping equipment with the Environmental Commission and working on the creation of a bicycle corridor.

She met with Jane Spindel and Mr. Paek from Cliff Garden Florists, who has expressed interest in creating a peace park at the new flag park on Plaza Road. Mr. Paek would like to donate trees and lilac bushes for the space.

She met with the grant writer, the director of the Main Street Committee and Chamber of Commerce director to start working on a Main Street New Jersey District Transformation Grant program, which would provide start up operational funding.

Planning Board – they discussed an application for a proposed senior housing complex with 307 units, 46 of which are affordable. Members of the Fair Lawn Volunteer Ambulance Corps expressed concern about handling the increased load for this additional senior population. The hearing was continued until February 7<sup>th</sup>.

Deputy Mayor of Community Affairs Krause:

He stated the idea of a Peace Park was a combination of great timing with the purchase of the flag lot and the joint efforts of the Arts Council, Green Team and Open Space Committee.

Environmental Commission – they discussed the Bicycle Corridor and the Licensed Site Remediation Professional (LSRP) answered questions about the Clariant property. Many of the answers were encouraging.

Deputy Mayor Cutrone:

She announced that the Pythian Sisters were having a fundraiser at Jersey Mike's.

Community Relations Advisory Committee – they will be hosting a blood drive on Martin Luther King, Jr. Day at the American Legion from 12:00 to 6:00 pm.

Senior Citizen Advisory Committee – Lisa MacClements informed her that Fair Lawn High School Masques gave free tickets to an upcoming production to seniors at the Senior Center. The Guidance Department will now refer students looking for community service to Fair Lawn for All Ages. She is working on the Senior to Senior note program, which will have senior citizens write congratulatory notes to graduating seniors from the High School. The Committee also suggested having the Center close on the same snow days as schools.

Mayor Peluso:

He met with the Fair Lawn High School Parents' Association. They appreciate the support they receive from the Council and the improvements made to the fields. He advised them they were willing to work with the Board of Education and Superintendent of Schools.

He was looking forward to meeting with the Boy Scouts on Thursday evening.

Pool Committee – they are already thinking of ways to improve the next pool season.

He anticipated the Finance Committee would be meeting soon to discuss the budget.

He has received all the meeting dates for the EDC and the Chamber of Commerce for 2022.

### **USE OF SENIOR CITIZEN CENTER**

Deputy Mayor Cutrone explained they had discussed requiring masks and vaccinations at the Center. Vaccination rates were 91% among Fair Lawn adults, but they did not know the percentage for non-residents, so they discussed prohibiting non-residents from the Senior Center during COVID. Once positive case numbers increased sharply they decided to require vaccinations and masks at the Center, and considered limiting the Center to Fair Lawn residents only.

Mayor Peluso stated he appreciated the phone calls, letters, and suggestions he received on this subject. Since there are 84 senior units on River Road, another senior development being built, and another senior development before the Planning Board, he suggested they grandfather in the current non-residents at the Center, but restrict non-residents from joining in the future.

The Council gives each Senior Social Club \$3,000, which he felt should be used on Fair Lawn residents only. He would like to determine a pay structure for exercise classes and senior social clubs.

There was a unanimous consensus that public comments be allowed for this item only.

Jack Phillips, 373 Oak Avenue, River Edge, stated he lived in Fair Lawn since the early 1960's, but moved out of town two years ago. He viewed the members as his family. He preferred to be considered a "legacy" member. He asked if paying a fee would make non-residents an equal member.

Mayor Peluso stated they need to understand that the Senior Center is for Fair Lawn residents. When Memorial Pool was flooded, they asked nearby town if Fair Lawn residents could use their pool for a few days and they all said no. Non-residents are not the same level as a Fair Lawn resident. Mr. Phillips was no longer paying towards Fair Lawn. He felt the Borough was going above and beyond by letting non-residents use the Center.

Pam Berklund, 135 Hazel Street, Clifton, stated she was an active member for many years and has now moved to Clifton. She felt this issue came about

because three residents could not attend the Holiday party. Attendance was first come, first served. In her senior social club, 11 out of 30 members are non-residents and four non-residents serve as officers.

Councilmember Reinitz stated this discussion has nothing to do with the holiday party. If a Fair Lawn family moves to River Edge, the children cannot attend Fair Lawn schools unless they pay the out-of-town rate. The Senior Center is a public club paid for and maintained by the Borough; it is not a private club maintained by an outside group.

Elaine Meyer, 135 Hazel Street, Clifton said she is also a former Fair Lawn resident and currently serves as president of her Senior Club, along with several non-resident officers.

Mayor Peluso asked Ms. Meyer how her club spends the funding provided by the Borough. Ms. Meyer stated they go to restaurants, both local and out of town, or hold sandwich parties at their club.

Peter Adely, 13-30 Edward Street stated if they restrict membership, they will be hurting seniors who rely on the Senior Center as their lifeline. He understood the issue of taxes, but he felt the Council should think carefully on how they will implement changes. The Directors of the Center care about the members.

Mayor Peluso stated they do not want to hurt established friendships, but it will be challenging to handle the influx of new Fair Lawn seniors coming. They are looking at having a legacy program for the existing out of town members, but those members will not be allowed to bring new non-resident friends with them.

Max Krown, 17-25 Elliot Terrace stated the Center is a life line. He cares about all the members, regardless of where they live. Non-residents shouldn't be considered second class members and all members should have the same rights. Mayor Peluso stated that Fair Lawn residents should come first and have first priority for exercise classes.

Harry Krame, 9-06 4<sup>th</sup> Street agreed non-residents should be grandfathered in. With regards to exercise classes, there should be a sign in sheet for people out of town and a fee for people not grandfathered in.

His main concern was that people do not have to be vaccinated or wear a mask to attend the lunch program, despite needing a mask to get into the Center.

Mayor Peluso stated other Senior Centers hand out box lunches to go, but they know many members rely on the socialization aspect. Deputy Mayor Cutrone explained that the lunch program is a County program, so Bergen County would have to make that requirement.

Mr. Krame stated that Elmwood Park, Midland Park, Saddle Brook are all County run Senior Centers, and you cannot go in without showing proof of vaccination or a mask. Manager Van Kruiningen stated that all of the attendees taking advantage of the lunch program at the Senior Center are vaccinated. Mayor Peluso stated they agreed with him and were working on this.

Kathleen Adely, 13-30 Edward Street stated she is president of the Fair Lawn Happy Seniors. The socialization her club experiences is very important. She knows a non-resident who had nowhere to go before she joined the Center, and that person is so grateful to be a member. Mayor Peluso agreed that the Center is wonderful, and he knows the great work the Directors, Karin Krankel and Donna Neill and Nancy, the exercise instructor, do. He reiterated that every non-resident currently enrolled in the Senior Center will be able to remain on as a member.

Councilmember Rottenstrich stated that she hopes to be a member of the Senior Center in the future. However, if they continue to allow non-residents, and the senior population in Fair Lawn senior continues to grow, there may not be openings for her. She felt the Legacy program is important for Fair Lawn residents. They want to keep those who have enriched the programs at the Center and made it a warm and wonderful place. She wished the out-of-town members would advocate for the same kind of services in their town.

Myrna Beck, 5-18 Estler Court asked if they would continue to grandfather in Fair Lawn residents. Deputy Mayor Cutrone stated yes, but they would have to be a member before they moved.

Fred Braff, 19-19 Jordan Road felt the non-residents should be allowed to remain since they contribute a lot. However, as a longtime resident watching the town grow with more seniors wanting to come to the Center, he feels Fair Lawn residents should have priority. When it comes to services or programs that are costly to Fair Lawn taxes, he felt non-residents should be willing to pay a small fee to participate.

Pam Broklin stated there is a signup sheet for residents and a second sheet for non-residents for exercises classes, so that is not an issue. She asked if future non-residents would be allowed to join the center for a fee. Mayor Peluso said no. Only established members who move out of Fair Lawn could continue to use the Center as a non-resident, but they would lose resident priority.

Michele Krame, 9-06 4<sup>th</sup> Street thought it was a great idea to allow current non-residents to remain.

Claire De Virgillo, 69 Kingsland Court stated they had five women that came from the Glen Rock Senior Center. They saw all the programs Fair Lawn offered and said their town would never offer all those programs.

Craig Miller, 5 Ramapo Terrace felt strongly that non-residents should not be allowed to join the Senior Center moving forward. It is a Fair Lawn Senior Center. He also felt out of town members should pay a higher fee than residents. The out of town members should also contact their Council and fight for a senior center in their home town.

When asked, Mayor Peluso stated he would like fees collected from non-residents to remain with the Center and be used toward senior programs and speakers.

Manager Van Kruiningen stated he will draft a new version of the Center's Rules and Regulations with the Directors and provide a copy for the Council to review. They can continue their discussion at the February Work Session.

Councilmember Reinitz would also like to know why the Senior Center was marketing programs and offering club officer positions to out-of-town members rather than working on expanding the current base of resident members. How did they reach this point?

Mrs. Adely stated that out of towners were invited to join the Senior Center many year ago when they built the building and membership was dwindling.

Mayor Peluso thanked everyone for their comments. They were greatly appreciated. He thanked Donna Neill and Karin Krankel for coming tonight.

There was a unanimous consensus to continue the discussion at the February Work Session.

### **ORDINANCE ON FARM ANIMALS AND LIVESTOCK**

Councilmember Rottenstrich explained that she wanted to focus on roosters, as their crowing can be a quality of life issue. She suggested discussing this now but adding it to a future Work Session as "Prohibition of Roosters". Mayor Peluso noted that this has come up several times. He was in favorite of prohibiting roosters. Deputy Mayor Cutrone agreed. Councilmember Rottenstrich did not feel they should be grandfathered in either.

There was a unanimous consensus to allow resident Max Khaskin, 16-10 Hunter Place to speak on this item only.

Mr. Khaskin stated his neighbor has 30 chickens and a rooster. He is not against chickens, however, the rooster's crowing, especially when they are trying to sleep, has become a nuisance. Manager Van Kruiningen noted there is no regulation limiting the number of chickens. Mr. Khaskin stated he would like to see an ordinance regulating what residents can and can't do regarding chickens and roosters. Councilmember Rottenstrich stated she would like to

review their old draft ordinance that was never passed, and add elements of Ridgewood's ordinance.

### **DISABLED VETERAN TAX EXEMPTION APPLICATIONS**

- a. Block 4613 Lot 11
- b. Block 2326 Lot 7
- c. Block 2613 Lot 22

Manager Van Kruijning referenced his email of January 6, 2022 with the attached memo and supporting documentation from Tax Assessor Henderson. The residents have been declared 100% disabled by the VA.

Deputy Mayor of Community Affairs Krause asked how many residents currently take advantage of this exemption. Manager Van Kruijning said less than a dozen. All veterans can obtain a \$250 tax reduction.

There was a unanimous consensus to approve the tax exemption for the three disabled veterans referenced above.

### **NOTIFICATION TO GOVERNING BODY OF BOROUGH EMERGENCIES POLICY**

Manager Van Kruijning referenced his email from yesterday, with the updated policy for Notifications to Governing Body of Borough Emergencies.

There were no changes by the Council.

### **AMENDMENT TO POLICE DEPARTMENT ORDINANCE - REQUIREMENTS FOR APPOINTMENTS**

Manager Van Kruijning explained there was legislation passed that the Civil Service Commission shall exempt the requirement to take an examination for an entry level law enforcement position for a person who has successfully complete the basic course of Police Officer training and has an authorized NJ Police Training Certification. He provided a draft of the ordinance they would be required to pass. They would still be a Civil Service community.

### **UNSOLICITED NEWSPAPER ORDINANCE**

Mayor Peluso has heard from residents wanting to opt out of the weekly newspaper that gets delivered to their house, but the process is very difficult. Some towns have established ordinances allowing residents to opt out, and if the newspaper ignores them, there is a fine. Newspapers charge for advertising based on number of subscribers so they don't want people to opt out. He sees unread newspaper lying around properties all the time.

Councilmember Reinitz wanted this geared towards newspapers only, so it doesn't including people standing on a corner handing out a flyer.

### **SPECIAL EVENT ORDINANCE & APPLICATION**

Manager Van Kruijning reviewed his previous request to increase the fee for Borough provided services for special events to 50% of incurred costs, and 35% for non-profit or Borough based organizations. Permits must be submitted 45 days in advance of the event, along with a certificate of insurance. If it is Borough sponsored or Borough co-sponsored there are no costs.

### **PUBLIC COMMENTS**

Upon motion by Deputy Mayor Cutrone and a second by Councilmember Reinitz, the time for public comments was unanimously opened.

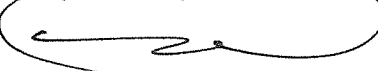
Myrna Beck, 5-18 Estler Court asked about the new senior housing. Manager Van Kruijning stated the development on River Road was independent living and assisted living, with two separate buildings. Ms. Beck asked if the development with 307 units was going to be a rental property and would the units be rent controlled. Manager Van Kruijning stated they are proposing 307 units of which 46 units would be affordable. The development is currently before the Planning Board.

Upon motion by Deputy Mayor of Community Affairs Krause and a second by Deputy Mayor Cutrone, the time for public comments was unanimously closed.

### **ADJOURNMENT**

Upon motion by Councilmember Rottenstrich and a second by Councilmember Reinitz, the Work Session was adjourned at 8:57 p.m.

Respectfully submitted,



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Nicholas J. Magarelli  
Acting Municipal Clerk

The undersigned has read and approved the foregoing minutes.



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Mayor Kurt Peluso