

**B R O A D W A Y I M P R O V E M E N T
C O R P O R A T I O N**

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**Broadway Improvement Corporation
Regular Board Meeting
Fair Lawn Community Center
10-10 20th Street
Thursday September 9, 2010**

Minutes

Attendance: In attendance were Trustees: Bate, Beshlian, Cummins, Godfrey, Guy, Kabrel, Kerbekian and Tregidgo (8) and Borough Liaisons: Trawinski and Van Kruiningen {for Stafford} (2)

Unable to Attend: Frenkel (1)

Staff Present: Smartt and Davis (2)

Welcome & President's Report

Welcome Borough Manager & BIC Borough Liaison Timothy Stafford

Don noted that Timothy Stafford was unable to attend but that Jim Van Kruiningen, assistant to the Borough Manager, was in attendance as his designee. The trustees welcomed Jim to the meeting. Jim noted Timothy Stafford's apologies that he could not attend the meeting this evening due to a commitment made prior to his engagement by the Borough of Fair Lawn as Borough Manager.

Welcome Guests

There were no guests in attendance at the beginning of the meeting. George Konstantinidis, 4-38 Hartley Place, Fair Lawn, arrived at 7:20 p.m. during the Borough liaisons report. The trustees welcomed Mr. Konstantinidis as a guest at the meeting.

Letter of Appreciation - Deputy Mayor of Community Affairs Weinstein – BIC Support of Fair Lawn Fireworks Celebration

All received a copy of the letter from the Borough thanking the BIC for their \$500 sponsorship to the annual fireworks.

District Meeting – Thursday October 14, 2010 at 7 PM at the FL Community Center – Agenda

Bob and Don reported that the October 14th meeting is scheduled as a 'district meeting'. The Agenda, following a short business meeting, will focus on a presentation of the BIC Vision Plan updates for Broadway. Refreshments will be provided. Invitations will be sent by eblast to all business owners, through postcard mailings to all property owners and through distribution of the invitations to the business owners at their locations.

Administration

Minutes of the June 10, 2010 Board Meeting – Board Members

The Board approved the June 10, 2010 Board of Trustee Meeting Minutes as presented.

Minutes of the July 8, 2010 Executive Committee Meeting – Committee Members

The Executive Committee approved the July 8, 2010 Executive Committee Meeting Minutes as presented.

Financial/Audit/Insurance

Borough Council July 20, 2010 Resolution #274-2010 – 2010 BIC Budget Adoption

Rich noted that the Borough Council approved the BIC 2010 Budget at its July 20, 2010 Council Meeting. Bob noted his attendance at the Public Hearing on June 13th.

September 9, 2010 Voucher Register

Charlie Tregidgo reviewed the September 9, 2010 Voucher Register which was approved as presented.

September 9, 2010 Financial Report & Balance Sheet

Charlie Tregidgo reviewed the September 9, 2010 Financial Report and Balance Sheet which were accepted as presented.

BIC 2009 Audit Report

Copies of the 2009 Audit Report, as prepared by the BIC auditors firm Oliwa & Company, were provided. It also was noted that both the BIC 2009 Annual Tax Return and the BIC 2009 Annual State of New Jersey CRI Report, along with the annual audit report, were submitted to the respective agencies on August 13, 2010.

Borough Liaisons Report

Broadway/Route 4 - Return to Local Control

It was noted that at the August 10, 2010 Borough Council Meeting, Capital Alternatives, the Borough's grant writer, advised Borough Council that NJDOT officials were receptive to giving the municipality ownership of a section of Route 4 – specifically the stretch from the intersection of Route 208 to the Elmwood Park border in Fair Lawn.

Borough liaison Ed Trawinski noted that the Council voted unanimously to ask Capital Alternatives to advise the NJDOT that the Borough was willing to enter into such negotiations. Ed also noted, in response to questions, that the Borough would negotiate for the benefit of the Borough and Broadway and that he anticipates that the timeline could be between 6 months and a year to being these negotiations and discussions to closure.

Ed also provided an update on the status of the 'Master' which has limited the BIC from having its Vision Plan recommendations reviewed for implementation by the respective Borough Boards. Ed reported that a hearing is being held on September 15th and he believes that the Master might allow for zoning changes to made in those areas outside of the Borough areas impacted by Judge Harris' decision; Broadway not appearing to be an area impacted by the Judge's ruling. This action would allow the BIC to move forward with its planning in the near term rather than the longer term to work with the Borough on implementation of its recommendations from the Vision Plan that have been in abeyance since the completion of the report because of legal issues faced by the Borough and the appointment of a 'Master'.

Marketing

2010 BIC Marketing Program Update

Bob and Don reported that the BIC has had three (3) co-op ads (April, May and August/September) and anticipates an additional three (3) co-op ad offerings in October, November and December for the holiday season.

Don noted that more business owners wish to participate in the cooperative advertising program sponsored by the BIC and that the BIC currently utilizes the back page of the newspaper to accommodate the businesses that wish to advertise in this program. In order to accommodate additional business owners (beyond the 10 now accommodated on the back page allocation) the trustees agreed that they should keep the back page and provide for additional ad space within the newspaper in the centerfold section.

Don will follow up in this regard.

Market Study Update

Don reported that the RRIC Marketing Committee is reviewing a draft of the report and will be meeting twice this month, including a meeting on September 30th with Joe Getz of JGSC Group.

Don noted that the report is approximately 160 pages and that the RRIC, under whose aegis the study was completed, will first review the report draft during the month of September and following their reviews the report will be shared with the partners in the study (BIC,EDC, Chamber of Commerce and NJMG).

Don highlighted some of the initial findings in a synopsis as follows:

- There were 1202 responses received to the survey
- 88% of respondents live in the Fair Lawn zip code
- Among all respondents who said they visit “several times per month,” 64% named Radburn, 52% named River Road and 32% named Broadway
- Among all respondents who said they visit “once a year or less,” or “none,” 10% named Radburn ,12 named River Road and 22% named Broadway
- Although shopping is the most frequently mentioned activity, shoppers on River Road are less likely to engage in shopping activity than shoppers on either Broadway (65%) or Radburn (73%)
- River Road and Radburn capture the largest share of respondents’ weekly shopping trips with 29% each
- Broadway captured 9% f weekly shopping trips and “other” captured 34%. This is a significant increase for Broadway compared to both the 2006 and 2000 surveys.
- Among all respondents, 90% said they feel very or somewhat secure while visiting River Road, and only 1% do not they feel very insecure along the corridor.
- This compares favorably to 8% who said they feel safe in their home neighborhood and 97% who said they feel secure while visiting Radburn. In both cases, only 1% of respondents said they 1 very insecure when visiting these areas
- Only 59% of respondents feel very or somewhat secure when visiting Broadway, and 9% said they feel very insecure
- Respondents were asked to rank the importance of continuing improvements along River Road, Broadway, and Radburn. This question had been asked in previous surveys of 2006 and 2000
- 67% of respondents said it is very important to continue improving River Road. 58% each said the same thing about Radburn and Broadway
- The importance of continuing importance has grown, since the 2000 survey, for all three areas. River Road remained consistent since the 2006 survey at 67%, but that is an increase from 57% in the 2000 survey.
- A total of 367 respondents answered the open ended question about other languages than English spoken in the home, with 209 answering that no other language was spoken in the home.
- Of those that did answer that another language was spoken in the home. 21 different languages were mentioned. Among that group, 55 named Russian, 38 named Spanish, 30 named Hebrew, and 5 each named Italian and French.

Maintenance/Appearance

Expansion of BIC Planter Program

Bob and Don reported that the RRIC has extra large planters that they would like to ‘gift’ to Broadway. George Bate recommended several locations along Broadway and pictures of the locations were provided. Rich will forward pictures of the noted RRIC planters to Craig. It was agreed that the BIC should finalize the location of the ‘gifted’ planters with additional sites noted for the Warren Point School frontage and Peter Wong’s Ice Cream Shoppe. Don will finalize this review and arrange for the relocation of the

'gifted' RRIC planters to Broadway. The BIC will maintain the planters when the relocation is finalized for the spring planting program.

Additionally, George Bate noted that he had visited some locations in other communities that bore holes along their streetscapes for the planting of trees. It was noted that engineers, as part of any streetscape program as cited in the BIC Vision Plan, would develop specific streetscape and more permanent planting areas for Broadway when design specifications are developed.

Borough Council: Dumpster 'Screening' Ordinance Correspondence Request

All received a copy of a letter dated September 2, 2010 from Borough Clerk Joanne Kwasniewski in regard to Borough Council's request for BIC input in terms of a proposal to have an ordinance that would require business owners to provide 'screening' of dumpsters; this request also made of the RRIC.

The trustees discussed this and expressed their concern about the potential cost impact in a bad economic climate and the burden it would place on local business and property owners. The BIC Executive Committee will review this matter. George Bate will provide pictures that were referenced by Ed Trawinski, as provided to Borough officials by Ray Vuoncino, of the Borough's Maintenance Committee. The BIC Executive Committee will make a recommendation for consideration by the BIC Board and then the final recommendation would then be provided to the Borough Council as requested.

Don will send an acknowledgement to the Borough Clerk noting the BIC's direction in this matter and that the BIC will provide its input after review.

Broadway Master Plan

Borough/Capital Alternatives Broadway 2010 Grant Application – August 13, 2010

All were emailed a copy of the grant application submitted by Capital Alternatives, the Borough's grant writer, for Broadway. Don reported that BIC representatives will continue a review of the application in an upcoming meeting with Borough officials and Capital Alternative representatives.

BIC Executive Committee - Borough Representatives – Capital Alternatives Representatives Meeting

Don and Bob reported that Bob was contacted by Mayor Tedeschi and that the Mayor and Bob have agreed that it would be beneficial for a meeting to be held between Capital Alternative representatives, Borough representatives and the BIC Executive Committee, Don and Mark Gordon, to discuss the grant writing assistance process and how the parties may work together for the benefit of Broadway. Jim Van Kruiningen will follow-up with Borough Manager Timothy Stafford and the Mayor to note to them that the BIC Executive Committee and Don and Mark are prepared to meet as soon as possible. Jim will request that they advise the BIC of potential meeting dates and times.

Cooperative Parking/Boston Market

Don reported that he and Mark Gordon have continued dialogue with representatives of Boston Market in terms of the utilization of parking spaces at the Fair Lawn Broadway store. More information will follow in this regard.

Planning Board & Zoning Board Variances Granted Report

All were emailed and received a hard copy of the respective reports in terms of variances granted by the Fair Lawn Zoning and Planning Boards from 2005-2010. It was noted that this was a significant undertaking by the BIC with much value added because it allows the BIC to revisit its own Vision Plan to ascertain whether any of the recommendations offer in the plan need to be revised based on actual variances granted for both parking and signage.

Ed Trawinski noted that copies of this report, following further review by the BIC Executive Committee, should be forwarded to the Borough's Master Plan subcommittee and Cheryl Bergailo. He noted that the Borough's Master Plan is on schedule to be totally redone in 2011.

Master Plan Updates/Other

Don reported on the status of the Welcome Sign Application (permit to Borough Clerk from NJDOT mailed yesterday), the installation of the enhancers (fall), the upgrades made at the Broadway Station, as well as the speed limit signs (finalized in early summer).

Old Business

Zap Lube 37-10 Broadway – BIC Board of Trustee Correspondence to Borough Council

Charlie and Craig reported that they will be working together on a letter to be forwarded by the BIC to the Borough Council in regard to Zap Lubes ongoing lack of action as agreed to under the Zoning Board Memorializing Resolution of September 22, 2008.

Grunauer Place/Parking on Broadway Side Streets

It was noted that Charlie and Don appeared before Borough Council in May and requested that the Grunauer Place parking model be implemented on all side streets off both sides of Broadway within the district to provide additional parking spaces for Broadway. It was also noted that as of this time Joanne Kwasniewski has advised that the request was forwarded to the police department and the request is still under review. Ed Trawinski noted that Traffic Officer Franco had health problems over the past few months and that the BIC Borough liaisons will follow up in terms of the request.

Hajjar Medical 15-01 Broadway

Don will follow up with the Planning Board office regarding the status of the application that was made by Hajjar Medical that was viewed by the BIC and Joint Design & Ordinance Review Committee as an overdevelopment of the property. The recent study completed on the 'variances granted report' indicates that the Borough's files reflect that the project was 'approved' in 2009 and it was noted that demolition has now occurred at this location. Dennis Cummins had noted that if the BIC voiced their concerns and the Planning Board approved it anyway, the BIC should send a letter to the Planning Board noting the BIC's disapproval of its actions in this regard. It was noted that numerous agencies are provided the opportunity to provide input and that the respective Boards render their decisions independent of Borough Council and based upon input provided by all agencies that provided comment.

This application was under review by the Planning Board prior to the Borough Council amending the ordinance which now requires the BIC, EDC and RRIC to receive copies of all application materials presented for review by the respective Borough Boards.

Public Comment

Public Comment commenced at 8:46 p.m.

George Konstantinidis, 4-38 Hartley Place, Fair Lawn

The trustees addressed questions and comments presented by Mr. Konstantinidis as follows:

- In response to Mr. Konstantinidis' commenting that he was at this meeting location on June 10th and the Board was not here, the trustees noted that they last met on Thursday, June 10th at 7 PM in the same room as this evening's meeting which is the meeting location for all BIC Board of Trustee Meetings. It was noted that the Board of Trustees approved the minutes of the June 10th Board of Trustee Meeting at this evenings Board of Trustee Meeting.
- In response to Mr. Konstantinidis' comments that the BIC did not include the 'service road' area where the Gotham City Diner is now located until after he commented on it at a meeting, the trustees noted that the meeting referenced by Mr. Konstantinidis was an initial meeting opportunity, extended by invitation from the BIC to all business owners and property owners in the SID, to meet with PPS, the initial consultants on the Broadway Vision Plan study, to seek the respective business owners and property owners comments on the potential focus of the study. Based on that meeting at which recommendations were offered by business owners and property owners in attendance, including Mr. Konstantinidis, the BIC and consultants identified the study area for the eventual Broadway Vision Plan which did include the service road as a gateway and this has resulted in improved signage in that area.

- In response to Mr. Konstantinidis' question regarding Capital Alternatives, Borough liaison Ed Trawinski noted that Capital Alternatives is the Borough's grant writing firm and is not compensated by the BIC but rather receives its compensation through the Borough only when and if a grant application is approved and a grant is awarded.
- In response to Mr. Konstantinidis' comment in regard to an earlier Agenda discussion relating to cooperative marketing, the trustees noted that all Broadway business owners within the SID are offered the opportunity to participate in the cooperative advertising program. The trustees noted that business owners pay a discounted price of the advertising cost for the cooperative ads that are placed jointly by Broadway SID business owners and there has been an increased interest by SID business owners to participate - including the owners of Gotham City Diner - who Don Smartt followed up with personally after speaking with Mr. Konstantinidis several months ago.
- In response to Mr. Konstantinidis' comment regarding copies of the BIC tax returns, Charlie Tregidgo, BIC Treasurer, noted that tax returns are provided to the respective State and Federal agencies as required by statute and as prepared by the audit firm. Charlie also reported that the annual audit, more detailed that an annual tax return Form 990 EZ, is prepared by the same independent auditing firm and is prepared according to federally mandated 'Generally Accepted Accounting Principles' {GAAP} with all expenses in accordance with the annual BIC budget as presented to and approved by Borough Council following a Public Hearing on the annual budget; Charlie Tregidgo acknowledging that Mr. Konstantinidis may not be in agreement with how the BIC chooses to dedicate its financial resources but that that the BIC budget and its appropriations are a collective decision of the Board of Trustees with all actions regarding the budget and expenditures acted on in a public forum by a quorum of the Board of Trustees. A copy of the BIC Annual Audit Report for the fiscal year ending December 31, 2009, presented to the BIC this evening, and as prepared by Oliwa & Company, was provided to Mr. Konstantinidis as a courtesy. It was noted that this audit report is also provided to Borough Council as well as respective State and Federal Agencies.

A motion was made by Edward Guy, seconded by Frank Kabrel, to end Public Comment at 9:19 p.m. The motion offered was unanimously approved by the trustees.

Other Business

There was no other business brought before the Board.

Next Board Meeting: Thursday, October 14, 2010 at 7:00 PM at the Fair Lawn Community Center

Adjournment

There being no further business before the Board, the Board meeting adjourned at 9:20 p.m.

Respectfully submitted,

Rich Davis