

REGULAR MEETING OF DECEMBER 13, 2005

Mayor Ganz called the meeting to order at 7:32 p.m. Assistant Municipal Clerk Bojanowski read the following statement of compliance:

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in the Record issues of December 18, 2004. Notices were also posted on the bulletin board located on the first floor of the Municipal Building and the Maurice Pine Free Public Library. Copies were mailed to the North Jersey Herald and News and the Shopper. The annual notice identified the times and locations of the Council meetings and work sessions.

PRESENT: Mayor Ganz ,Deputy Mayors Etler and Weinstein and Councilmembers Caan and McCarthy.

ALSO PRESENT: Manager/Municipal Clerk Kwasniewski, Attorney Lustgarten and Assistant Municipal Clerk Bojanowski.

Mayor Ganz asked Mr. Paul Kafer to lead the Pledge of Allegiance.

PROCLAMATION: FAIR LAWN HIGH SCHOOL MARCHING BAND AND COLOR GUARD

Assistant Municipal Clerk Bojanowski read the proclamation regarding the Fair Lawn High School Marching Band and Color Guard earning the third-place finish in the Group IV Open Class National Championship held at Giants Stadium on November 5-6 and 12-13, 2005. Mr. Paul Kafer and several senior members of the band accepted the proclamations on behalf of the marching band and color guard.

Recess:

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Caan the meeting was recessed.

Mayor Ganz reconvened the meeting.

COUNCIL COMMENTS:

Deputy Mayor Etler stated he did not have any comments to make.

Deputy Mayor Weinstein stated that on Sunday he went with his daughter, Ashley, to the Fair Lawn Football Association dinner. It was a wonderful experience for all of the kids. They all received awards.

Councilmember Caan stated that over the Thanksgiving week he had the opportunity to go to Grand Isle, Louisiana. It is the most southern part of Louisiana and hardest hit by

Hurricane Katrina. He realizes that there are many people in Fair Lawn and Bergen County that need help but if anyone can spare it, every part of Louisiana needs help. There are people there that are still in bad shape.

He stated that this is probably the last council meeting of the year and he wanted to thank the members on this dias. There is a tremendously talented group of people. Starting with our Clerk, Marilyn Bojanowski and her assistant Dorothy Van Kruiningen. They do a tremendous job getting things prepared for us and particularly this year and last year there was a large volume of work requested by some residents in town which has buried them in work unbelievably. They were still able to get the job done and they did it well in spite of the circumstances. He commended Marilyn for the great job she did.

Councilmember Caan thanked Borough Manager Joanne Kwasniewski who has proven time and time again that she has been able to handle the job. When she first started her position we had the Radburn fire which was an incredible experience for the town. An even bigger tragedy was the death of Mary Ann Collura. In each case she handled the job well. She does her job well and always kept Fair Lawn first.

To Borough Attorney, Richard Lustgarten, who at meetings saved us a tremendous amount of time just with his knowledge that he has accumulated over the past 15 - 20 years. He has always given sound advice and some ingenious ideas of keeping Fair Lawn heading the right direction.

He thanked Councilmember McCarthy, another member, who is a great talent, especially in land use and his advice in many areas on open space has been a tremendous help to the board and he has been an asset to this council.

He thanked Deputy Mayor Weinstein who keeps coming up with new ideas after new ideas from, the Recreational Facilities Committee to the Economic Development Corp. to the Broadway Special Improvement District and there are more things that are too numerous to mention. He has done a great job and this is his first go through. He will be here longer than he was. We all can look forward to what he will do and Fair Lawn should be happy to have him on the Council.

Councilmember Caan said to Mayor Ganz who he was elected with originally and served a term with. He does not know a harder working person than our Mayor. If anyone has written him, called him or emailed him for asked for anything, no mater how small or trial, the response has always been immediate. He has shown a dedication to the job. The dedication has been incredible. No one has brought more money into the Borough than Mayor Ganz has in the past few years. That is to be saluted. Fortunately he will continue to work on the Freeholder Board where he will be able to continue to work for the County and the Borough of Fair Lawn.

ORDINANCES: SECOND READING

Upon motion by Deputy Mayor Weinstein a second by Councilmember McCarthy, it was unanimously agreed to read the following ordinance by title and open the time for a public hearing.

Ordinance No. 2037-2005

“AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION THEREFORE.”

Mayor Ganz explained that this ordinance involved a grant from the New Jersey Department of Transportation in the amount of \$140,000 for improvements to Berkshire Road and Arcadia Road.

There being no comments by the public, upon motion by Deputy Mayor Etler and a second by Councilmember McCarthy it was unanimously agreed to close the time for public hearing.

Upon motion by Deputy Mayor Etler and a second by Councilmember McCarthy, Resolution No. 329-2005 adopting Ordinance No. 2037-2005 was unanimously passed.

Upon motion by Deputy Mayor Etler a second by Deputy Mayor Weinstein, it was unanimously agreed to read the following ordinance by title and open the time for a public hearing.

Ordinance No. 2038-2005

“AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE.”

Mayor Ganz explained this ordinance is accepting funds for barrier free improvements to Firehouse #2 in the amount of \$95,000.

There being no comments by the public, upon motion by Deputy Mayor Etler and a second by Councilmember McCarthy, it was unanimously agreed to close the time for public hearing.

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, Resolution No. 330-2005 adopting Ordinance No. 2038-2005 was unanimously passed.

Upon motion by Councilmember McCarthy and a second by Councilmember Caan, it was unanimously agreed to read the following ordinance by title and open the time for a public hearing.

Ordinance No. 2039-2005

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS

Mayor Ganz explained this ordinance would prohibit parking on Hartley Place from Rosalie Street to Raphael Street between the hours of 8:00 a.m. and 10:00 a.m. Monday through Friday. This was done at the request of residents living there because of commuter parking.

There being no comments by the public, upon motion by Councilmember McCarthy and a second by Deputy Mayor Etlar, it was unanimously agreed to close the time for public hearing.

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Resolution No. 331-2005 adopting Ordinance No. 2039-2005 was unanimously passed.

RESOLUTIONS BY CONSENT # 34-2005

Upon motion by Deputy Mayor Weinstein and a second by Councilmember McCarthy, Consent Agenda 34-2005 containing the following items was unanimously adopted.

- a. Resol. #332-2005 - Approval of Raffles and Bingos:
Fair Lawn Jewish Center - Bingo
Fair Lawn Jewish Center - Instant Raffle
Fair Lawn Jewish Center - On-premise 50/50
- b. Resol. #333-2005 - Refund of Tax Overpayments
- c. Resol. #334-2005 - Approval of Minutes:
Work Session 9/20/05
Special Meeting 9/20/05
Closed Session 9/20/05
Regular Meeting 9/27/05
Work Session 9/27/05
- d. Resol. #335-2005 - Adopting Internal Revenue Service Regulations - Valic
- e. Resol. #336-2005 - Rescind Resolution No. 324-2005 Uniforms - Police, Auxiliary Police, School Guard
- f. Resol. #337-2005 - Rescind Resolution No. 328-2005 Fair Lawn Community Center - Audio Visual Systems
- g. Resol. #338-2005 - Award of Bid: Uniforms - Police, Auxiliary Police, School Guard

- h. Resol. #339-2005 - Award of Bid: Fair Lawn Community Center - Audio Visual Systems
- l. Resol. #340-2005 - Award of Bid: Storm and Sanitary Sewer Cleaning and TV Inspection
- j. Resol. #341-2005 - Appointments to the Borough Garden Committee
- k. Resol. #342-2005 - Endorsement of CDBG Grant Application: Bris Avrohom, E.S.L. - After School Program
- l. Resol. #343-2005 - Endorsement of CDBG Grant Application: Bris Avrohom, E.S.L. - Employment Skills Program
- m. Resol. #344-2005 - Endorsing the Housing Element and Fair Share Plan

RESOLUTION NO. 345 -2005 - Appointments to Open Space Committee

Upon motion by Deputy Mayor Weinstein and a second by Councilmember McCarthy, Resolution No. 345-2005 was unanimously passed.

MISCELLANEOUS PUBLIC COMMENTS

Upon motion by Deputy Mayor Etlar and a second by Councilmember McCarthy, it was unanimously agreed to open the time for public comments.

Donal Meyers, 8-22 Mayfair Terrace stated that he knew in the past they have had heated discussion but tonight he just wanted to wish Mayor Ganz and Councilmember Caan the best of luck and thanked them for the years of service to the Borough.

Harvey Rubinstein, 22 Rutgers Terrace, complimented the DPW for the good job they did with snow removal. He said the Radburn Building sidewalk had not been taken care of in a timely matter. He questioned several charges that were on last month's Manager's Report. Manager/Municipal Clerk Kwasniewski stated she would get the answers to him. Mr. Rubinstein stated the Housing Plan was discussed by the Planning Board last night. He was told the Borough needed 53 units under their obligation. He concluded by wishing the Mayor and Council a happy holiday season.

Howard Mark, 12-23 Ferry Heights stated he had gone to Bergen County and they told him they never received a Green Acres grant application from the Borough of Fair Lawn. Deputy Mayor Weinstein stated there were motions done to apply for it but then they found out that someone purchased the property. They are looking into applying for another grant. Mr. Mark hoped that the next time everything goes in order. Deputy Mayor Weinstein told him that everything takes time in government. Mayor Ganz reminded Mr. Mark that the grants were done on an annual plan.

There being no further comments from the public, upon motion by Deputy Mayor Etlar and second by Councilmember McCarthy, the time for public comments was unanimously closed.

Mayor Ganz read the following statement: Dear friends, family and Council. As my stint as a Fair Lawn Councilman and Mayor draws to a close, I wanted to take this opportunity to thank everyone involved.

When I began this journey 18 years ago on the zoning board, I never dreamed I would have a chance to be on the Council or Mayor. There is no higher honor than to serve your community. But one man cannot make the kind of changes we made without a lot of help. From the volunteers to the Borough employees, you all helped me make a difference. I would like to thank my fellow Councilmembers for their support, both those on this current Council and those before. You have all truly helped make Fair Lawn "A Nice Place to Visit, a Better Place to Live."

It has been a remarkable journey with ten years on the Zoning Board and eight years on the Council which included being Mayor for seven years. Now, let me share an apocryphal tale with you.

Seven years ago, I was being sworn in as Mayor. My predecessor (a young lad named Ed Trawinski) approached me and handed me three letters. He told me to open them in the event of a crisis. The first crisis came and I opened the first envelope - the letter inside read, "blame the prior Mayor". Later on the second crisis came and I opened the second envelope - the letter inside read, "blame the prior Council". Finally the third crisis came and I opened the final envelope - the letter inside read, "prepare three letters."

I am leaving my successor three letters with my hopes that they will also make a difference and leave Fair Lawn a better place.

ADJOURNMENT TO WORK SESSION

Upon motion by Councilmember McCarthy and a second by Councilmember Caan, the meeting was adjourned to work session at 8:09 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor David L. Ganz

Councilmember Allan Caan

Deputy Mayor Martin Etlar

Councilmember Owen McCarthy

Deputy Mayor Steven Weinstein

