

WORK SESSION OF JANUARY 4, 2005

Mayor Ganz called the meeting to order at 9:03 p.m.

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

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

Review of Tentative Agenda - 1/11/05:

Manager/Municipal Clerk Kwasniewski stated there were no changes or additions to the Agenda.

Well Drive Nonresponses:

Attorney Lustgarten reported that eight deeds have been executed. He sent a letter to the remaining property owners on October 27 and has not received a response from any of them. He wanted to know if a letter should be sent to them advising that if they are interested they would have to pay the Borough by a certain date and that they cannot use the lots if they do not purchase them. Mayor Ganz felt that before the letter is sent, the Manager should contact the individuals to see if they are indeed interested. She should report back to the Council in three weeks.

Cops in Shops Grant:

Manager/Municipal Clerk Kwasniewski stated that last year this was a successful program that allowed cops to be placed in liquor establishments to see who is buying liquor and cigarettes. Last year they picked up a DWI. She strongly recommended authorizing this grant.

There was a unanimous consensus to approve the Cops in Shops grant.

Environmental Grant - RRIC Application:

Manager/Municipal Clerk Kwasniewski stated that River Road Improvement Corp. would like to apply for this grant but would need an endorsing resolution from the Borough. She stated the only resource the Borough would supply would be manpower. Mayor Ganz questioned who provided the funds for this grant. Don Smartt, from RRIC, was present and explained the grant was from an environmental fund, a private nonprofit organization under the State. He said they were asking for \$10,000 and it will not cost the Borough anything. Mr. Smartt stated they would like to finish what they have started when they laid the groundwork for this program. Previously they have worked with the Borough, Passaic Valley Water and their own organization to clean up the area and plant saplings. Deputy Mayor Etler stated he did not understand what RRIC intended to do. Mr. Smartt went over

the plans explaining what they intend to do. Deputy Mayor Etler felt it was a good idea but suggested that they contact the Passaic Valley Sewerage Commission. Mr. Smartt stated he would do that and he wanted to make the Borough aware that RRIC would like to see the Borough take an active part. He would like to go forward knowing that he has DPW and Engineerings support.

There was a unanimous consensus to approve the application subject to RRIC contacting Passaic Valley Sewerage Commission.

Ordinance Changes:

Planning Board / Zoning Board Minutes - Manager/Municipal Clerk Kwasniewski stated they had previously agreed to this but she needed clarification. Attorney Lustgarten stated this only related to the minutes by the Planning and Zoning Boards. Mayor Ganz asked that Attorney Lustgarten prepare the ordinance. He said the minutes will stay on the website six months after the date of posting.

There was a unanimous consensus to prepare an ordinance that would permit removing the minutes from the website six months after posting.

Junior Firefighter benefits - Attorney Lustgarten advised that they introduced the ordinance without including any language about benefits for the Junior Firefighters. The Fire Board requested participation in the Volunteer Discount program, up to half of a regular firefighter's clothing allowance, a pool pass to the municipal pools and their time served as Junior Firefighters to count toward their accumulated LOSAP time. Attorney Lustgarten suggested that the liaisons should meet with the Fire Board about the benefits they requested. Manager/Municipal Clerk Kwasniewski stated the letter they submitted tells what they are requesting. Deputy Mayor Etler felt that the pool tags were not a monetary cost and either is half the cost of the uniforms. He did feel that LOSAP has a monetary impact. He thought their request should be sent to the CFO to find out what the impact is. Mayor Ganz felt if they drop out, LOSAP should end. Councilmember Caan questioned how many junior firefighters there will be. Mayor Ganz advised there will be 40. After a lengthy discussion Mayor Ganz asked for an analysis for five and ten year increments.

Snow Emergency - No Parking on Any Street - Manager/Municipal Clerk Kwasniewski stated that DPW has requested an ordinance for this during snow storms. She had ordinances from four other towns. Mayor Ganz questioned if it meant County roads and streets by the apartments. Manager/Municipal Clerk Kwasniewski stated they would like to see every street clear. Mayor Ganz questioned where the residents would park who live at the apartments and places where there are parking problems. Councilmember Caan was not in favor of this proposal. Deputy Mayor Etler stated there are a lot of cars with no place to go. Deputy Mayor Weinstein wondered if any research had been done on this. Manager/Municipal Clerk Kwasniewski stated DPW's point is that it is difficult to plow with

the cars parked illegally on the streets. Councilmember Caan realized it would make their job easier but it will inconvenience a lot of people. Attorney Lustgarten suggested that a notice be put on the website that at the first sign of snow the cars should be removed from the streets. Mayor Ganz stated he holds the snow plowers in the highest regard since he rode with them during a snow storm and he knows how difficult it is for them to plow. Attorney Lustgarten stated that last year they had fourteen storms and only two CGL claims. Councilmember McCarthy felt that perhaps the snow removal procedure should be stated on Chanel 77 and the website.

Discussion Daly Field Planner:

Deputy Mayor Weinstein stated he and Councilmember McCarthy interviewed five companies. They broke down the fees, the process and their accomplishments. It has come down to two companies. Councilmember McCarthy stated they met with these companies and followed up by checking on their references. Deputy Mayor Weinstein stated they tried to select a company that had no connection to Fair Lawn. Councilmember McCarthy stated it is a community project and every resident has an interest in this. They want the companies to seek input from the residents and the Council. He felt that Burgis was well prepared for this type of project. Deputy Mayor Weinstein stated that after this was done they would help with the grant applications. He stated they recommended Burgis Associates.

Deputy Mayor Etlar stated it seems they have done their homework and he would support appointing Burgis Associates. Councilmember Caan stated that Burgis Associates have experience in the northern Bergen County area and working with green space. They come with recommendations from other towns as top planners. Mayor Ganz stated that he was familiar with several planners and Burgis has gotten good recommendations. He recommended that they come back to the Council with a plan and architectural renderings. Deputy Mayor Weinstein stated that Burgis had people on staff that could do that. Councilmember McCarthy stated they have spent more than two months on this.

There was a unanimous consensus to hire Burgis Associates for a fee of \$19,500 to undertake the planning of Daly Field.

Attorney Lustgarten advised that this would have to be done by resolution. Mayor Ganz asked that Attorney Lustgarten review the proposal and when he is satisfied to prepare a Professional Services resolution. Manager/Municipal Clerk Kwasniewski inquired about the reimbursables. Mayor Ganz suggested that Attorney Lustgarten decide and report back at the next work session. He advised that Deputy Mayor Weinstein and Councilmember McCarthy come back to the Council with architectural suggestions.

There was a unanimous consensus to have Deputy Mayor Weinstein and Councilmember McCarthy report back to the Council with their findings.

Budget Dates:

Manager/Municipal Clerk Kwasniewski stated the budget will be sent home on January 14 and she was thinking of dates in February knowing how tight their schedules are. Mayor Ganz stated they will pick dates after the Council gets the budget. He suggested that she report back to them on the breakdown of departments. They should plan on 6:00 p.m. meetings and Saturday mornings. He suggested they work it out at the next work session on January 18th.

Miscellaneous Public Comments:

Peter Kortright, 16-24 Ellis Avenue, stated that Burgis Associates has done several projects throughout the County. He felt they had the most experience in planning and master plans.

Michael Rooney, 14 Burnham Place, asked what the charge to the Planner would be and would it be to keep Daly Field green. Mayor Ganz informed him the charge will include many things. Mr. Rooney asked if the Planning Board would discuss this Planner. Mayor Ganz told him that the Planning Board is separate from the Council and they will do whatever they need to do. Deputy Mayor Weinstein stated that the Planning Board was working on the Topps property. Councilmember McCarthy stated that whatever happens with the Planner, the public will be kept informed on the process. It will be kept open to all of the residents and will be on Channel 77 and the website. Mr. Rooney asked about the Master Plan. Mayor Ganz stated that Burgis Associates has recognized that the Master Plan has to be amended. Mr. Rooney asked about the other properties. He said that Mr. DiGeronimo has a rendering of the area.

Scott Levy, 2-19 Lyons Avenue, stated that he is a professional landscape architect and knows Burgis Associates. He seconds Mr. Kortright's opinion that they are well known in Bergen County.

Attorney Lustgarten advised that every six years by statute, they have to redo the Master Plan and ultimately it comes back to the Council.

Wendy Dabney, 13-05 Ivy Lane, submitted a letter from the Environmental Commission stating their accomplishments for the last year.

Closed Session:

Upon motion by Deputy Mayor Etlar and seconded by Councilmember Caan 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 Personnel and Contract Negotiations; and

WHEREAS, these matters are ones which permit the exclusion of the public from such discussions; and

WHEREAS, public disclosure of the results of these discussions shall be made relating to Personnel within forty-five days by either the Manager or Mayor and Council and for contract negotiations upon formal resolution of the matters except for legal strategy.

WHEREAS, public disclosure of the results of these discussions shall be made upon the conclusion of these matters by the Governing Body of the Borough of Fair Lawn.

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.

Mayor Ganz reconvened the meeting at 11:01 p.m.

AT&T:

Mayor Ganz stated that the Council did not take any action on AT&T's request to install equipment on the water tower. He felt that Attorney Lustgarten should negotiate with them. Attorney Lustgarten felt this would require an ordinance change on cell tower locations.

There was a consensus to have the Borough Attorney negotiate an agreement with AT&T to place their telecommunications on the water tank on Morlot Avenue.

Official Payments:

Manager/Municipal Clerk Kwasniewski stated she was working on setting the payment plan up on the website expecting it to be up and running by February 1st. Mayor Ganz asked that she report the status to the Council on January 11, 2005. Deputy Mayor Etler questioned why someone would want to use it. Mayor Ganz stated there are many reasons why they would. Mayor Ganz felt it would make the Borough user friendly.

Energy Audit:

Councilmember Caan stated that the Council had discussed this previously and thought they were going to see if it was feasible. Manager/Municipal Clerk Kwasniewski thought it would be done the usual way just going through the utility bills. She has two or three companies that will do that. Mayor Ganz the Council wants the percentages.

There was a unanimous consensus to have the Manager come back with a proposal.

Deputy Mayor Weinstein spoke about solar energy and the programs that will not cost the Borough any money in the long run. The Borough could save thousands of dollars. He suggested having one of those companies come in and give a presentation.

Adjournment:

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, the meeting was adjourned at 11:14 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