

WORK SESSION OF JUNE 21, 2005

Mayor Ganz called the meeting to order at 7:37 p.m.

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

ALSO PRESENT: Manager/Municipal Clerk Kwasniewski, Assistant to Municipal Clerk Van Kruiningen and Attorney Lustgarten.

ABSENT: Assistant Municipal Clerk Bojanowski

Review of Tentative Agenda - 6/28/05:

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

Saddle River Park Estates - Maltese Drive:

Manager/Municipal Clerk Kwasniewski stated they received a request some time ago from Saddle River Park Estates management which is located on Maltese Drive asking them to take over the street. Mayor Ganz asked what the width of the street was. Deputy Mayor Etler believed it was about 14 feet on each side. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to get the actual dimensions from Engineering and whether it meets current standards. Manager/Municipal Clerk Kwasniewski stated it does not meet current standards. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to find out what it would cost to bring it up to current standard. Manager/Municipal Clerk Kwasniewski stated Mayor Ganz had asked her to notify the management company that should the Council decide to do this they would have to meet all of the towns current ordinances.

Manager/Municipal Clerk Kwasniewski stated they currently park on that street overnight because it is a private street. She stated staff does not think it is a good idea to take the street back because they will be responsible for it. At this point they are paying for lights and snow for a total of \$1,100.00 per year. The road is in need of work and felt that was why they want the town to do this then they will be responsible for it. Deputy Mayor Etler stated when it rain heavy it starts to flood. He perceives the problem is that the one drain that goes out toward the hospital and other to the parkway are plugged up and need to be blown out or taken out and clear out. He added they told him there was a small pipe in there and they had a contractor come in to put a big pipe in but on the other end it started to plug up. They want do some other thing maybe put a catch basin in on the street on Saddle River Road.

Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to come back with an analysis of what it would cost to bring the street up to current code and then the Council will decide.

Councilmember Caan asked if there are other problems on the road that they may not be aware of if they took it over the town would be responsible for those repairs. He felt they should find out what all the needs are before any decision is made. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to ask them if they have any engineering studies or surveys of their own they wish to share with the Council and ask them if they have any they do not wish to share. He asked to get back to them by August 9th.

Conveyance of Property by the Board of Education:

Borough Attorney Lustgarten stated they have been sending paperwork back and forth with the Board when the dimensions of the grass area was expanded and the building was rotated. He explained this goes back a year ago. They finally sent a letter to him asking for \$5,000.00 for the right of entry or license agreement which never came up before by anyone. He revised the original license agreement with some of their comments but this is evidently an item of substance. He believed they were getting this for a \$1.00 and felt that was it should be. He stated they received on Fair Lawn Avenue four different easements for \$1.00 for Chandler Drive. He added now a co level of government in town wants to charge \$5,000.00 which he felt was absurd.

Deputy Mayor Weinstein recalled when this was happening there was an offsetting transfer of property by Edison School and they held them up because they wanted to do it at the same time and that was for \$1.00. Manager/Municipal Clerk Kwasniewski stated they talked about it but never did it. Deputy Mayor Etler felt Deputy Mayor Weinstein was right that was the offset because they wanted more parking behind Edison School and they agreed to do it. Councilmember McCarthy agreed and knew there was a discussion about where exactly the property at Edison was that they were talking about. Mayor Ganz recalled they had all of these discussions but also decided to not to tie them together and would examine each one independently. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to call Superintendent Watson and get an answer for the next meeting. He added if they need to have the Edison School thing as part of this to Council to take consensus on this a long time ago. Deputy Mayor Etler thought they already did it. Mayor Ganz stated if they have to do it again they would.

Community Development Appointments:

Manager/Municipal Clerk Kwasniewski stated Community Development appointments expire on July 1st and the Mayor and Council have to appoint one representative and one alternate and she has to appoint one of each also. She stated Ken Garrison is her representative and Deputy Mayor Etler is the Council's representative. She added Deputy Mayor Weinstein is the alternate for the Council and they appointed Adam Silverstein as the other alternate. She explained they need to do this by resolution by next week because of the July 1st deadline.

Mayor Ganz suggested Deputy Mayor Weinstein for the primary appointment for the Council. Deputy Mayor Weinstein

suggested Deputy Mayor Etler as the alternate.

Councilmember McCarthy felt that was good idea because they both know the process.
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There was a unanimous consensus to appoint Deputy Mayor Weinstein.

A consensus was taken to appoint Deputy Mayor Etler as the alternate with Mayor Ganz and Councilmember Caan dissenting.

Grant - You Drink and Drive, You Lose 2005 Enforcement Project:

Manager/Municipal Clerk Kwasniewski explained they have an opportunity to get a drunk driving enforcement grant. She stated it is a reimbursement grant that runs from August 19th to September 5th for up to 80 hours of enforcement overtime. She felt they should do it. Mayor Ganz stated the most important things about this is they get drunk drivers off the road and second people who carry weapons and violate parole and a whole series of other things are picked up. Mayor Ganz stated there is a 80 hours cap. Manager/Municipal Clerk Kwasniewski added it caps at up to \$50.00 an hour for up to 80 hours of overtime. Mayor Ganz stated it is a \$4,000.00 cap grant and includes Labor Day.

There was an unanimous consensus to apply for the grant.

New Jersey League of Municipalities Convention:

Manager/Municipal Clerk Kwasniewski asked about the policy on non employees particularly the boards since they have requests from different boards to send people. Mayor Ganz stated the Council will handle them on an individual basis and asked Manager/Municipal Clerk Kwasniewski to provide them with a list of the requests.

Borough Attorney Lustgarten recommended doing this quickly because hotel reservations would need to be taken care of very soon. Manager/Municipal Clerk Kwasniewski stated she would get a memo out the next day.

Summer Meeting Dates:

Manager/Municipal Clerk Kwasniewski wished to review the dates. She explained they

have a work session July 12th , regular meeting on July 19th and a special meeting on July 26th. She added they have work session on August 9th and a regular meeting on August 16th. Mayor Ganz suggested they schedule the work sessions on July 12th and August 9th but with the intentions of not having them unless it is necessary. He stated schedule on July 19th and August 16th a 6:00 p.m. work session so they could do whatever work that is required.

Request from Fair Lawn Deaf Program:

Manager/Municipal Clerk Kwasniewski stated the Fair Lawn Deaf Program leased the old Police Auxiliary building and they have asked to put a directory sign up on the lawn. She stated since the town owns the building they need permission to put it up and have asked Page Four

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to use the town electrician. Deputy Mayor Etler spoke to Theresa Bianca and stated it is a grant where they have money to put the sign up and told him they could hire their own electrician. He felt it was a good idea. They want to have a sign that lights up because people come to look at it first to find out where they are going. Councilmember Caan asked what the hours were because if it is lit up it may cause problems in a residential area. Deputy Mayor Etler suggested they put it on a timer. Manager/Municipal Clerk Kwasniewski suggested if they are going to put it on a timer since they are tenants the town could decide the hours it could be lit. Councilmember Caan asked what their hours are because there are residents across the street and if it was lit after dark and how bright it would be that could be an issue. Borough Attorney Lustgarten felt the only issue would be the sensitivity to the across the street neighbors and they should limit how late the sign can stay on.

There was a unanimous consensus for a 9:00 p.m. cut off.

Manager/Municipal Clerk Kwasniewski stated they need a sign permit. Borough Attorney Lustgarten recommended they wait for an answer from the Building Department on their recommendation on candle watts and such details. She added they should use their own electrician. She did not feel they should be using Borough employees to install their sign.

Miscellaneous Public Comments:

Craig Miller, 5 Ramapo Terrace asked if there were any ordinances on curfews or outside gatherings on residential properties or on how loud they can be and how late. Mayor Ganz explained there are noise ordinances and they were accessible on line on the Borough Code. Mr. Miller asked if it was possible to have increased police patrol in the Ramapo Terrace area. He explained he had hedges destroyed and believed it was retaliation from calling the police on neighbor who was having a party. He had already had contacted the police. Mayor Ganz explained he would pass it on to the police but could make no promises. Manager/Municipal Clerk Kwasniewski stated if there is a complaint made to the police about a loud party they do dispatch someone to talk to them.

Harvey Rubinstein, 28 Rutgers Terrace stated he was told that some of the ballfields lights are on all night long. Mayor Ganz stated that was not accurate. Manager/Municipal Clerk Kwasniewski explained the timer is in a lockbox so no one can change them and she has had no complaints about lights being left on all night. Deputy Mayor Weinstein stated the Superintendent of Parks has had complaints about the lights going off too early.

Mr. Rubinstein asked about markings he had seen on Century Road by Dunkerhook. He called the Road Department, Public Service and the State Office. The State office told him they thought it may be for termite work and they were there to mark off the gas pipeline. He felt they may have problems in the Maltese Drive area that are not obvious but with research they may find there is more to it then just taking over the roadway. Mayor Ganz stated that is why they are asking for all the information.

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Mr. Rubinstein asked which exact property was it that they were talking about with the Board of Education. Mayor Ganz explained it is the property that is immediately adjacent to new community center.

Closed Session:

Upon motion by Councilmember McCarthy and seconded by Councilmember Caan, the following closed session resolution was unanimously adopted at 8:08 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, 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 upon appointment by the Borough Manager within 60 days; and

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.

Upon Motion by Councilmember McCarthy and a second by Councilmember Caan, the closed session meeting was recessed back to work session at 8:10 p.m.

Chandler Drive:

Councilmember Caan stated on Chandler Drive parking he felt they should notify the tenants that they need to get parking stickers. The only residents that were told they needed one were those who were ticketed. He did not believe the rest were aware they needed them. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to send letters

to the residents with the new policy including the effective date and advise them if they do not have a sticker and do not call in their cars they will be ticketed. Borough Attorney Lustgarten suggested attaching temporarily a sign under the one that is there that says permit required for overnight parking so if someone did not get the letter they would see it on the sign.

Manager/Municipal Clerk Kwasniewski explained the new signs have been ordered will be up by the end of the month before the tickets go into effect. She added they gave them to June 30th.

Deputy Mayor
Weinstein suggested
extending it two
more Page Six

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weeks. Manager/Municipal Clerk Kwasniewski did not believe that was a good idea. They will notify the people. Councilmember McCarthy believed the overnight parking restrictions were suspended for the holiday weekend. Manager/Municipal Clerk Kwasniewski believed that would be true but would check to make sure.

Manager/Municipal Clerk Kwasniewski stated she would get the letters sent out to all tenants.

Councilmember Caan stated whatever the overnight policy is they need to be coordinated because people calling in are getting different answers. Councilmember McCarthy stated it is a service the police do not handle it internally. Borough Attorney Lustgarten stated the service is not suppose to be answering questions and if people need additional information they need to call the police for the policy. Borough Attorney Lustgarten believed it was the Chief of Police who has the authority to suspend overnight parking. Councilmember Caan wanted to know what the policy is from the Police. Mayor Ganz asked Manager/Municipal Clerk Kwasniewski to send the letters to the residents.

There was an unanimous consensus to have Manager/Municipal Clerk Kwasniewski send a letter to the tenants.

Councilmember McCarthy suggested if July 4th is not included, they include it for this year only. Councilmember Caan recommend the letter stated the effective date is July 1st when the policy will be adhered to rather than July 4th or 5th. If something happens over the holiday weekend and they get tickets it is not because they advised them differently.

There was an unanimous consensus to suspend parking through July 4th.

Fair Lawn Community School - use of Walsh Pool:

Mayor Ganz stated they received a request from Fair Lawn Community School to use Walsh Pool and that a resolution will be on for June 28th to approve it. He added it was \$2,000.00 for the Fair Lawn Community School to use the pool on Tuesday, Thursday and Friday.

There was an unanimous consensus to approve the request from Fair Lawn Community School to use Walsh Pool.

