

WORK SESSION OF MAY 31, 2005

Mayor Ganz called the meeting to order at 7:31 p.m.

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.

Special Meeting:

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, the meeting was recessed to the Special Meeting at 7:31 p.m.

Mayor Ganz reconvened the meeting at 8:36 p.m.

Letter from a Property Owner of Broadway SID:

Deputy Mayor Weinstein stated he received a letter from a property owner of the Broadway SID supporting the Broadway Improvement District but wanting to change the formula because they would not be receiving the benefit as other retail businesses would on the Broadway corridor. Deputy Mayor Weinstein recommended proceeding with this the same way they did with River Road. Mayor Ganz stated they will send it to the entity that is going to be administrators and let them make their own determinations. Borough Attorney Lustgarten endorsed that because it is consistent with the past precedent. He added the problem with doing it prior to the actual creation of the SID is they may reach inconsistent conclusions. He added there procedure in the SID ordinance to make an appeal.

Lyncrest Nature Preserve:

Deputy Mayor Etler stated he received a letter from Wendy Dabney, Environmental Commission Chairperson stating she would like to do a nature learning preserve. She wanted to put it behind Lyncrest School because there is a swamp like area behind the school. She advised him she could get some grant money but was asking the Council for their approval to go ahead with the proposal for the grant. Mayor Ganz felt it was a worthwhile goal but felt they should hold it until their next meeting. He explained they need to go through it and figure out how this could best proceed. Deputy Mayor Etler stated there is a filing deadline of June 15, 2005. Mayor Ganz stated they will have a meeting between now and then.

Borough Attorney Lustgarten suggested if they take a consensus to authorize the Manager/Municipal Clerk Kwasniewski to work with the Environmental Commission to get the grant application in and then they could ratify that at a future meeting. He asked if this would require matching funds or just endorsement. Deputy Mayor Etler stated he was told just endorsement. Manager/Municipal Clerk Kwasniewski stated they do not know if there

is any contribution which comes from the Borough. She added there would be a contribution from the Fair Lawn Recycling Center and she did not know what Ms. Dabney has talked to them about. She added they need to see the application and resolution that is required.

Mayor Ganz suggested getting their general agreement with the details to be worked out with Manager/Municipal Clerk Kwasniewski, Wendy Dabney and the Board of Education and come back to the Council with a proposal that can allow for a timely filing of the grant.

Consensus was taken and in principal the Council was in favor of supporting the Nature Reserve behind Lyncrest.

Work Safety Zone:

Councilmember McCarthy stated over the weekend he was reviewing an article about the pay provided to police officers for work safety zones. Their rate was comparable to Fair Lawn but the municipality charged \$5.00 an hour for the use of any vehicles. He asked what they charge. Borough Attorney Lustgarten stated they have a dollar amount for the vehicle. Councilmember McCarthy asked to see what it was and when it was last revised. Manager/Municipal Clerk Kwasniewski stated it is \$5.00 a car. Mayor Ganz thought Councilmember McCarthy raised a timely issue as to whether that should be reviewed in light of the cost of gas. Manager/Municipal Clerk Kwasniewski stated some towns have seen this as way to make money and have charged outrageous fees and PSE & G and Verizon are exploring hiring their own people to do it because it would cost less.

Mayor Ganz stated he just wants to be sure if they are going to put out vehicles and people that it not be at a loss to the taxpayers. They do not subsidize entities that are able to afford. He added they both know because they have had discussions with the use of police vehicles that police vehicle that operate 24 hours a day normally have 40,000 or 50,000 miles on them but the engine light is at 200,000 mile. He asked Manager/Municipal Clerk Kwasniewski to come back to them with a recommendation and if the recommendation is to keep it as it is then that is what they will do.

Closed Session:

Upon motion by Deputy Mayor Weinstein and seconded by Councilmember Caan, the following closed session resolution was unanimously adopted at 8.36 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 and or the Mayor and Council not to exceed 90 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.

Adjournment:

Upon motion by Councilmember McCarthy and a second by Councilmember Caan, the meeting was adjourned at 8:43 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