

## **WORK SESSION AGENDA OF NOVEMBER 1, 2005**

Mayor Ganz called the meeting to order at 7:33 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.

### **CABLE TELEVISION RENEWAL:**

Manager/Municipal Clerk Kwasniewski stated she had called Gary Shaw from Cablevision informing him that the Mayor and Council had met with the Cable Television Board. She has to get back to him with the length of the agreement. Deputy Mayor Etler requested a short term franchise. Mayor Ganz stated long or short franchise they are the only game in town. Other companies show no interest in Fair Lawn. Attorney Lustgarten advised that this negotiation took such a long time they may make it retro active to the date of the expiration of the franchise.

There was a unanimous consensus to authorize Attorney Lustgarten to prepare an ordinance to renew the contract.

Attorney Lustgarten asked for two meetings to prepare the ordinance. He will get in touch with Gary Shaw to iron out the details.

### **HOLOCAUST SURVIVOR PROPOSAL:**

Sol Horn was present. He explained how he was a Holocaust survivor who came to the United States in 1949. He is a member of the East Social Center located in Paterson. They would like to erect a monument in front of the Municipal Building to honor all those who were lost, not only those who were Jewish. He told of how he lost all of his family. Deputy Mayor Etler asked what kind of memorial were they proposing to erect. Mr. Horn said it was for all of the people that perished in the Holocaust. Deputy Mayor Etler felt it was a reasonable request and suggested putting a plaque on the 9/11 wall for them.

There was a unanimous consensus to approve the idea in concept, pending review of the design.

### **STATUS ON 39-24 GARVEY PLACE TREE:**

Manager/Municipal Clerk Kwasniewski stated she had heard from new residents asking to have their tree taken down. There was nothing wrong with the tree. PSE&G trimmed it so that no branches were in the wires. The resident's complaint is that the roots are coming up in the grass and the sidewalk is lifting. They cannot get a tree surgeon since it is a Borough tree. She informed the residents that the Borough does not take down healthy

trees. Attorney Lustgarten asked if they had seen the roots or the sidewalk lifting before they bought the house. Mayor Ganz stated there would be reasons to remove a tree if it affected the health, safety or welfare of the residents. Attorney Lustgarten advised that if the tree were dangerous the Borough would take it down. They should not change the policy when it isn't dangerous. Mayor Ganz advised Manager/Municipal Clerk Kwasniewski to let them know that the Council does not want to change the policy.

There was a unanimous consensus to not change the tree removal policy.

### **OPEN SPACE COMMITTEE MEETING UPDATE:**

Deputy Mayor Weinstein said the meeting went well. There is a good cross section of people. One of the items discussed was to put out a press release to the public. Councilmember McCarthy suggested they send a letter to The Shopper and The Record listing the goals of the committee. Deputy Mayor Weinstein said the committee will be seeking input on the Naugle house. Mayor Ganz asked for an update after the meeting in December. Manager/Municipal Clerk Kwasniewski stated that Maureen Moriarity downloaded information about Open Space which was sent to the committee along with the Master Plan. Mayor Ganz asked that the information be copied to the Mayor and Council.

### **CONTRACT RENEWALS:**

Manager/Municipal Clerk Kwasniewski stated that the Borough has professional service contracts for various Health Department areas which must be renewed each year. The following proposals for 2006 have been obtained.

Professional Nursing Services - Valley Hospital Community Nursing in the amount of \$14,482.14 which is an increase of \$1,023. They have said they need five additional hours for communicable disease reporting. Also, ten additional hours are needed for Directed Observed Therapy for tuberculosis cases mandated by the CDC. We still have the Borough Nurse cannot do it all herself. Councilmember Caan asked about the number of hours. Manager/Municipal Clerk Kwasniewski stated they work 15 hours total.

There was a unanimous consensus to proceed with the Manager's recommendation to renew the contract with Valley Hospital Community Nursing.

Loss Control Services - Commerce Risk Control has submitted a proposal in the amount of \$2,425 which is the same cost as in year 2005. Manager/Municipal Clerk Kwasniewski reviewed the services they provide.

There was a unanimous consensus to take the Manager's recommendation to continue the contract with Commerce Risk Control.

Child Health Care Conference Physician - Edward J. Sciano, Jr., M.D. has submitted a proposal in the amount of \$4,990 which is the same cost as in year 2005. The Borough requires services for immunizations for babies and others. The clinic is well attended.

Deputy Mayor McCarthy asked how many people use the clinic. Manager/Municipal Clerk Kwasniewski said she will get that information to him.

There was a unanimous consensus to proceed with the Manager's recommendation to continue the contract with Edward J. Sciano, Jr., M.D.

Health Educator - Health Awareness Regional Program (HARP) has submitted a proposal in the amount of \$13,780 which is an increase of \$288.50. She reminded them that half of the contract amount is paid for by the Priority Health Public Funding grant. Manager/Municipal Clerk Kwasniewski said the Health Officer does a lot of programs with them.

There was a unanimous consensus to proceed with the Manager's recommendation to continue the contract with Health Awareness Regional Program.

### **WESTFIELD FAMILY READINESS:**

Manager / Municipal Clerk Kwasniewski stated she had received a letter from the Westfield Family Readiness Group advising us that the 250<sup>th</sup> Signal Battalion, 42<sup>nd</sup> Infantry Division received orders to come home from their tour of duty in Operation Iraqi Freedom. The Mayor of municipalities in New Jersey were asked to place yellow ribbons or red, white and blue ribbons throughout downtown streets for the soldiers to see when they return. Mayor Ganz stated the County has a yellow ribbon around every building.

There was a unanimous consensus to place a yellow ribbon in front of the Municipal Building.

Mayor Ganz asked that the Manager communicate to the group that Fair Lawn will be taking part of "Operation Yellow Ribbon"

### **TEMPLE FLAG:**

Manager/Municipal Clerk Kwasniewski stated that she had been working with the orthodox temple because they cannot dial 911. They devised a flag system and would like to announce it on Sunday, November 20, 2005 at 11:00 a.m. They feel it will give them a higher level of comfort. Mayor Ganz asked if this was authorized under their religious laws. He said the Council would show it's support.

### **MISCELLANEOUS PUBLIC COMMENTS:**

Felice Koplik, 6 Reading Terrace, felt that as a member of the Historical sub-committee, the Mayor and Council should implement the commission to preserve the historic sites. She named the various historic locations throughout the Borough. She knows that the Mayor and Council had endorsed Radburn as a Historical designation and she knows they support open space. She asked the Council to appoint members to sit on a Historic

Commission to protect the sites for the future. Mayor Ganz asked what the difference was between what the Borough had already and what she was proposing. Ms. Koplik said the commission can do condemnation. There has been a reluctance of the prior Council of activating this commission. Mayor Ganz asked that she give a report the second meeting in December.

Laurence Koplik, 6 Reading Terrace, stated that the board would be advisory and would not have any powers at all. He met with Art Rubel who has a lot of information. He can come in and talk to the Council. Grants are available. They would have no condemnation powers. Deputy Mayor Etler felt it would be a duplication of the Open Space Committee. His historical committee is archiving information. One of the objects of the Open Space Committee is historical preservation. Mr. Koplik stated that under the Municipal Land Use law, when it is a commission, they have additional statutes and benefits. Deputy Mayor Weinstein stated he would like to know more about this. He asked Mr. Koplik to provide any further information to the Mayor and Council.

Arlene Rubinstein, 28 Rutgers Terrace, felt there was something to be said with having a commission. They should do this to preserve the past. This commission would not have condemnation authority. They would be an advisory in nature. They may be able to raise funds. Ms. Rubinstein asked that the Council rezone the Naugle House to the way it was. Harvey Rubinstein, 28 Rutgers Terrace, spoke about Cable Television. Attorney Lustgarten stated the Borough would have a non-exclusive contract. Mayor Ganz stated that some towns have multiple contracts.

Mr. Rubinstein spoke about the Holocaust Survivor proposal and felt they should think about this since others will be coming forward asking for the same thing. He felt that perhaps another spot would be better. He suggested Memorial Park.

Mr. Rubinstein stated that by agreeing to the flag system would they be opening up the Borough's responsibility if someone had a heart attack or was injured. Attorney Lustgarten stated the Borough would need responsible notice. The Borough has TORT claim immunity.

Suzanne DiGeronimo, 16 Beekman Place, stated that the list of historical locations is backed by the CCRF. They want to do everything to ensure the historic preservation of these properties. She thought the Council should rezone the Naugle property. Attorney Lustgarten stated he is drafting an ordinance which they will discuss at another time.

### **CLOSED SESSION:**

Upon motion by Councilmember McCarthy and seconded by Councilmember Caan, the following closed session resolution was unanimously adopted at 8:44 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 upon formal appointment by the Mayor and Council of the Borough of Fair Lawn within 30 to 60 days and in regard to Contract Negotiation upon agreement with the labor units;

**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 Deputy Mayor Etlar and a second by Deputy Mayor McCarthy, the meeting was adjourned at 9:10 p.m.

pectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor David L. Ganz

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Councilmember Allan Caan

Deputy Mayor Martin Etlar

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Councilmember Owen McCarthy

Deputy Mayor Steven Weinstein