

WORK SESSION OF OCTOBER 18, 2005

Mayor Ganz called the meeting to order at 7:30 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 - 10/25/05:

Manager/Municipal Clerk Kwasniewski said the Police Department would be celebrating their 75th Anniversary on Tuesday along with making promotions. Everyone is invited to attend. Captain Cook has worked hard on this project gathering artifacts and information about the history of the Police Department. She said that Chief Rose would like to say something at the meeting. Mayor Ganz suggested they adjourn the meeting until the celebration is over and then reconvene and continue the meeting.

Cable Television Renewal:

Manager/Municipal Clerk Kwasniewski stated she had received a call Gary Shaw from Cablevision. She told him they were still discussing it and she will get back to him. Mayor Ganz asked that she schedule a block of time for them to discuss this further since there are issues that need to be addressed. Deputy Mayor Etler asked about the length of the franchise. Mayor Ganz informed him it was 10 to 15 years. He asked that they discuss this further at the next Work Session on November 1.

Naming Something for John Alaimo:

Deputy Mayor Etler stated he had met with John Alaimo's daughters telling them what the Council intends to do. They were in favor of the baseball field being named after their father. Mayor Ganz asked if there were any contributions from Rotary. Deputy Mayor Etler said no. Manager/Municipal Clerk Kwasniewski stated the Chamber of Commerce thought it was a good idea. Deputy Mayor Etler said that Superintendent of Parks and Recreation Frey suggested dedicating the sign in April. Deputy Mayor Weinstein suggested holding the dedication when the field is completely redone as part of the grand opening.

There was a unanimous consensus to approve Deputy Mayor Etler's suggestion.

Mayor Ganz asked that Superintendent of Parks and Recreation Frey advised them how long it will take to make the upgrades to the field. Councilmember Caan suggested doing it before the first game is played there. Attorney Lustgarten suggested having Mrs. Alaimo throw out the first pitch.

Endorsing CDBG Application - United Cerebral Palsy of Hudson County, Inc.:

Manager/Municipal Clerk Kwasniewski stated she had received a phone call from this non-profit group. They have a group home on River Road and are applying for \$40,000 for a van. They need the Borough's endorsement resolution for Community Development.

Deputy Mayor Etler stated he will vote against it. Mayor Ganz asked that a copy of the resolution be sent to him.

November Meeting Schedule:

Manager/Municipal Clerk Kwasniewski read the meeting dates and asked if they would want to meet on November 7, the day before the election. She can schedule a Special Meeting at a Work Session. Mayor Ganz suggested having a Work Session and a Special Meeting on November 1, cancel November 7 and have a Work Session at 6:30 p.m. followed by a Regular Meeting on November 22.

Special Meeting:

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor McCarthy, the meeting the meeting was recessed to the Special Meeting at 7:46 p.m.

Upon motion by Deputy Mayor Etler and a second by Deputy Mayor Weinstein the work session was reconvened at 7:47 p.m.

Miscellaneous Public Comments:

Rich Baratta, 12-02 Fair Lawn Avenue, stated he had reviewed the documents regarding the new Recreation Center and had several questions. He asked about the insurance. Attorney Lustgarten advised that the Borough has full coverage on it since they were operating under the umbrella policy with the JIF. Mr. Baratta asked if FLCC needed to provide financial statements. Mayor Ganz stated they would need to submit something to the BCIA. Attorney Lustgarten advised that FLCC is a separate corporation under title 15. He said any money they collect will be public record. Deputy Mayor Weinstein stated that the State of New Jersey requires an audit if they raise over 100,000, that way it protects everyone. Mr. Baratta asked how the officials got elected. Attorney Lustgarten stated it was originally George Frey, Manager/Municipal Clerk Kwasniewski and himself. Later on Manager/Municipal Clerk Kwasniewski and he resigned and John Cosgrove took over. Mr. Cosgrove picked the trustees and they did their by-laws. Mr. Baratta asked if the only connection between the Borough of Fair Lawn and the FLCC is the lease. Attorney Lustgarten stated that once the building is completed the Borough will be the tenant. Mr. Baratta asked if the payments would be going to the Amboy Bank. Attorney Lustgarten told him the County was the second guarantee. The FLCC cannot use the building as collateral so they cannot apply for loans. Mr. Baratta felt the FLCC has to provide the expenses and explain how they pay the contractors. Mayor Ganz stated that after the construction is complete the Borough takes control of the building. Attorney Lustgarten stated that every penny will be exposed to the public. Mr. Baratta stated he just wanted to know what the Borough's exposure was.

Harvey Rubinstein, 28 Rutgers Terrace, spoke about the Planning Board meeting that took place the night before. At the meeting a concept plan was brought in on property on Maple Avenue and it was less than forthcoming. Deputy Mayor Etler stated they need to come in with a site plan. When it comes in there are other people on the Planning Board that want deed restrictions. Attorney Lustgarten advised that the Council took a consensus that the plan would be subject to whatever the Planning Board decides.

Closed Session:

Upon motion by Deputy Mayor Etlar and seconded by Deputy Mayor McCarthy, the following closed session resolution was unanimously adopted at 8:10 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 formal appointment by the Borough Manager within 60 days;

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 Deputy Mayor McCarthy and a second by Councilmember Caan the Work Session was reconvened at 8:25 p.m.

Manager/Municipal Clerk Kwasniewski advised the Council that they will need to approve Emergency Appropriations for gas and water because of the dry summer and Passaic Valley has given the Borough an increase. Mayor Ganz asked that a Special Meeting be scheduled for November 14, 2005 at 7:00 p.m.

Adjournment:

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor McCarthy , the meeting was adjourned at 8:29 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

