

WORK SESSION OF SEPTEMBER 13, 2005

Mayor Ganz called the meeting to order at 9:00 p.m.

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

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

Cable Television Franchise Renewal:

Manager/Municipal Clerk Kwasniewski stated she had sent the ordinance to the Cable Television Board for their comments and recommendations. With the receipt of the two ordinances, Attorney Lustgarten has suggested that they defer the discussion for two weeks to give the Council and the Board an opportunity to review them. Mayor Ganz asked that they be responsive to the Cablevision offer. He asked that the information be passed on to them about dish network or a non exclusive arrangement anyone can have.

Open Space Committee:

Deputy Mayor Weinstein stated he would like to defer this for two weeks to see if they get more resumes. He would like the committee to have between 11 and 13 members and would like to have the first meeting held sometime in October. Councilmember McCarthy felt the deadline should be in October and schedule a meeting in November. He would like to hear input from a larger section. Manager/Municipal Clerk Kwasniewski stated she had received one resume to date. Mayor Ganz suggested that the size of the committee was ideal. Councilmember McCarthy felt that this is the initial stage of a small group, once they get it rolling they would like to seek participation from all sectors of the public.

Deputy Mayor Etler asked what the purpose of this committee was. Deputy Mayor Weinstein stated to go over the inventory of open space that exists now and for the future. Councilmember McCarthy stated to also look into avenues of funding. Attorney Lustgarten advised they should adopt a resolution forming the committee. He felt that the charge to them should be much broader than the one for the Planning Board. He did not foresee a conflict between the committee, the Planning Board and what the Council want to do. Deputy Mayor Weinstein would like a member of the Planning Board on the committee. Councilmember McCarthy asked that the resolution be prepared for the next meeting.

Day Spa in the Radburn Building:

Andrew Poley and Michael Lagrotteria, from Sole Spa in the Radburn Building were present. They informed the Council of the many problems they have encountered trying

to open their business and get a Certificate of Occupancy from the Building Department. He felt the Construction Official was abusing his powers. Attorney Lustgarten raised questions about what they do and if they had obtained a permit from the State.

Manager/Municipal Clerk Kwasniewski stated she had met with these individuals and the

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problem was that they needed site plan approval since they changed the parking. She reminded Mr. Poley that the establishment and each massagist were required to be licensed by the Borough. They would also need to get fingerprinted by the Police Department.

Mr. Lagrotteria stated that the reason they didn't get a Certificate of Occupancy for this business was not because of the parking situation. It was because they were opening a massage parlor. Attorney Lustgarten advised them that there is a licensing policy. They cannot resolve this tonight. He asked if they have changed their parking configuration. Mr. Poley stated that is an issue that affects all of the tenants that submit or apply for a Certificate of Occupancy. He said there are several tenants there already. He thought the Building Department was waiting for Engineering's plans which have nothing to do with the spa.

Deputy Mayor Etlar stated that they have a parking problem at the Radburn Building. They designated parking spaces in violation of the what the Planning Board advised them to do. He felt that it was unfair that Mr. Poley was accusing the Building Inspector of abuse of power when he was not there to defend himself. He felt this problem was self made.

Attorney Lustgarten advised them that they have a right to ask for a written reason why they were denied a Certificate of Occupancy. Then they have an appeal process they can follow. He informed them that the Council wants to help them but without it being in writing and without the Building Inspector here, their hands are tied. Mr. Poley stated they were

seeking to compel a meeting with Mr. Kolano and the Mayor and Council and any others in an attempt to resolve this. They just want to open their business.

Mr. Poley stated that he had received a formal letter to cease and desist. He felt Mr. Kolano abused his power. Attorney Lustgarten advised that they are allowed to interpret the law. He asked him to outline the operating procedures of a massage parlor. Attorney Lustgarten advised Mr. Poley to contact the Manager to set up a meeting in the next few days.

Mayfair Terrace:

James Frangione, 8-07 Mayfair Terrace was present. Mayor Ganz stated they heard what he had to say in the Regular Meeting. Manager/Municipal Clerk Kwasniewski stated that she knows for a fact that the Chief has been out there several times. They have borrowed equipment from Glen Rock to measure the volume and speed. Mr. Frangione stated that the volume is normal but there are speeders. Deputy Mayor Etlar felt that maybe speed bumps would help. He felt that not everyone on the block would have to agree to speed bumps. Mr. Frangione stated that they had a petition for traffic calming devices signed by all of the neighbors. Deputy Mayor Weinstein stated in 2002 he had run into him and they talked about narrowing it down to speed humps or tables. Manager/Municipal Clerk Kwasniewski reminded them they that were purchasing a traffic analyzer. Mayor Ganz felt it was all random, two accidents in three years. He encouraged Mr. Frangione to go back to the residents with one resolution and to let them know that the Council would be interested.

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Councilmember McCarthy asked what the cost of removable speed bumps would be and if it were labor intensive. Manager/Municipal Clerk Kwasniewski stated she would check with Engineering.

There was a unanimous consensus to have speed bumps installed only if all of the residents agree and if they were portable so they can be removed for snow plowing.

Attorney Lustgarten stated that the speed bumps are noisy and felt that the neighbors would have to be in favor of them.

Donal Meyers, 8-22 Mayfair Terrace, stated that he had witnessed the accident. The car hit the property owners steps and then a tree. The driver was a High School kid. Mr. Meyers felt he was not sure speed bumps are the answer. They need stop signs and more enforcement. He explained that it is a three block area dead ending into a park. There is heavy traffic on Mayfair Terrace since the people tend to use it as a passthrough. Mayor Ganz felt the equipment that the Manager talked about might work. He suggested that Mr. Frangione get everyone to sign the petition.

Gary Sacchinelli, 23-17 Ellington Road, stated block has the same problem. They were told that speed bumps could not be used because the fire trucks could not get past them. He questioned the left hand turn onto Midland Avenue and what was happening with that. The residents of Ellington Road want relief.

Harvey Rubinstein, 28 Rutgers Terrace, stated he has sat at many Council meetings and has heard many things. He suggested that the Manager set up a meeting with the Police, DPW and County to see what can be done. Mayor Ganz stated that speed bumps sound good to him.

Mr. Frangione stated that he wanted to be specific to do what is right because what he sees is not good. Attorney Lustgarten stated the Council will get costs and get it done.

Mr. Sacchinelli stated that people do not abide by the speed limits. Mayor Ganz suggested that he have his neighbors sign up for a speed bump or table. In the meantime, he will have the Manager ask Chief Rose to put additional enforcement out there.

George Street Parking Lot:

Deputy Mayor Etlar stated he had received copies of the ordinance and the minutes regarding the George Street parking lot. He found there should be a charge for parking in the lot. He felt they should have stickers. There seems to be no control of how many spaces are being used. He felt that the Borough spent \$400,000 for this parking lot which was not meant to be just for the apartment dwellers. Deputy Mayor Weinstein stated they need to get control over it. Mayor Ganz stated he understood they had to remove their cars in the morning. The cars should be stickered. Manager/Municipal Clerk Kwasniewski stated that Traffic Safety Officer Franco was doing a survey. The Bank of

New York has complained that there are no spaces left for their customers. Attorney Lustgarten stated his recollection was that the primary purpose was for the people who come to do business Page Four
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had a place to park. The second purpose was to allow overnight parking to people who live in the apartment buildings but they would have to remove their cars in the morning. The issue of charging for the use of the lot got lost in the shuffle. He felt that it seemed to have worked out since tenant parking was anticipated. Councilmember McCarthy stated he had driven past and saw that the lot was full.

Manager/Municipal Clerk Kwasniewski stated they need to institute a sticker program that would also allow the Police to enforce the parking. She can have someone put flyers on the cars. Councilmember McCarthy suggested sending a letter to the apartments letting them know about the parking issue. Mayor Ganz suggested putting a sign on the lot. Give the people until October 1 to get a sticker or a ticket. Deputy Mayor Etler felt they should charge the people to park since the Borough has to maintain it. Mayor Ganz stated the sticker program would need an ordinance.

Attorney Lustgarten recommended they allow three parking spaces for overnight parking. He recommended the Council should review that what Traffic Safety Officer Franco comes up with in his survey. He advised they should allow the three spaces, have the residents get the stickers and implement the program by January 1.

There was a unanimous consensus to authorize the program as stated by Attorney Lustgarten.

October Meetings:

Manager/Municipal Clerk Kwasniewski stated there will be a promotion of a Sergeant along with the Police Department's 75th Anniversary celebration. The Police plan on setting up displays showing things from their past. They also intend to have an open house. Deputy Mayor Weinstein felt they should postpone having the meeting at the school.

There was a unanimous consensus to hold the Work Session on October 11 at 6:00 p.m. and cancel the Work Session on October 4 and hold the Regular Meeting at the Municipal Building instead of the school.

Miscellaneous Public Comments:

Craig Miller, 5 Ramapo Terrace, explained a problem he recently had with the Police Department. There was a suspicious car parked overnight and no ticket was given. When he called the Police Department they asked for a license plate number and was then told it was a Borough resident. He was concerned that they were checking residential streets and wondered how they would patrol the George Street parking lot.

Donal Meyers, 8-22 Mayfair Terrace said he was receptive of their concerns about Mayfair Terrace but felt that to get everyone to sign a petition would be difficult.

Gary Sacchinelli, 23-17 Ellington Road stated that the Broadway Adult Care facility was allowing their patrons to take walks on his street. He felt the problem was they were not being escorted and was concerned if they fell. He is also concerned that someone may Page Five

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fall in front of his house. The other day, his neighbor found one of them on their swing set. Mr. Sacchinelli stated that the Broadway Adult Care’s site plan allows for seven buses and they have fifteen buses parked in their lot. Attorney Lustgarten advised him that Manager/Municipal Clerk Kwasniewski will check it out. Mr. Sacchinelli stated there is a big hole in the sidewalk that the facility covers with a garbage can. Manager/Municipal Clerk Kwasniewski stated the inspectors have been out there several times. They were told to make the area safer. She will look into this and if they did not comply a summonses will be issued. Mayor Ganz asked that she report back on the status of this in two weeks.

Adjournment:

Upon motion by Deputy Mayor Etlar and a second by Councilmember McCarthy, the meeting was adjourned at 10:29 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