

## WORK SESSION JANUARY 13, 2004

Mayor Ganz called the meeting to order at 6:01 p.m. Assistant Municipal Clerk Bojanowski read the statement of compliance with the Open Public Meetings Act.

PRESENT: Mayor David Ganz, Deputy Mayor Etler and Deputy Mayor Weinstein (late), Councilmember Allan Caan and Councilmember Owen McCarthy.

Also present: Manager/Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Lustgarten.

Interview Gilbane Construction Co. Inc.:

Allen Weitzman stated this was the last bid received and turned the meeting over to Dennis Cornick.

Dennis Cornick thanked everyone on behalf of Gilbane for giving him the opportunity to come here to present their qualifications and their team for the Arts and Recreation Center. He asked his team members to then introduce themselves. They were Richard Bender- Chief Estimator, Ed Stevenson- Superintendent, Bill Carter- Project Manager and Phil Zezulinski- Project Executive.

Mr. Cornick stated Gilbane was founded in 1879. The company is family owned and managed by the fourth generation of Gilbanes. They are a big company and do about two billion dollars a year and ranked as the nation=s fifth largest builder by E&R Magazine and have about sixteen hundred full time people. He stated the company was very comfortable doing high visibility public sector projects. He showed six examples, including the State House Dome renovation in Trenton, the renovation of the Capital Building in Albany, New York, and War World II Memorial and the Capital Visitor=s Center in Washington D.C.

Mr. Cornick stated they bring extensive experience in performing arts and recreation center projects having constructed Performing Arts Centers in Providence and San Jose. They have built recreation centers for Ohio State University, University of Illinois and many entities.

Mr. Cornick stated their New Jersey operation has worked in the State for thirty-five years, over two and half billion dollars in local construction, offices located in Lawrenceville, Jersey City and they have three hundred and fifteen full time people within their regional operation. They are one of the largest builders in the State. They have done almost three hundred million dollars of work in Bergen County, so they know the local marketplace. They did the Administration Building in Hackensack, BCI building and the Jail and several major projects for Haufman LaRoche in Nutley. Seventy five percent of the their local work is repeat business. The average size project in New Jersey is about twelve million dollars. They are a national builder and there are some advantages to that, but they are also a local CM and this project is very important to them and would love the opportunity to do it. They believe bigger is better for this project because of the people resources they bring, the lessons learned. Their national purchasing power will bring economic benefit under a GM type approach.

Phil Zezulinski stated he has been in the industry for twenty seven years, eight of which have been with Gilbane, and worked for a major developer in the southern part of the state for about ten years and have had the opportunity to deal with both construction and development sites. He understands what it takes to put a project in the ground from the inception right through to the construction process. He comes to this project from day one, and will be involved right to the completion. He has the ability to make financial decisions on

the behalf of Gilbane. He is the point contact person if there are any issues with this project. The key points of this project are very important, recognizing that scheduling is a very important element to achieve, but they cannot avoid the safety issues on the project. They visited the project site. They understand the High School is right next to the project site. They are trying to work around the issues of the school. Additionally the residents need to be protected from the noise levels, dust levels, whatever may be going on because it is a sensitive place where people live and they need to be sensitive to those issues.

Mr. Zezulinski stated they see this project in two phases, one during pre-construction phase or the design phase and the construction phase. During the design phase he is involved with Bill Carter and their project team. Mr. Carter brings the resources to the table for Gibane. The resources being from their purchasing group through the estimating site safety and site safety personnel. They have a regional site safety manager who participates in every project they do. Mr. Carter will be the direct contact for the project for the construction part of the project. He will have direct contact with the architects. They will bring the engineers, project superintendent and any home office support necessary for the project.

A lengthy discussion followed where various topics of the construction process were talked about such as the types of work they have completed, the number of staff, scheduling, cost consulting, contractibility review, detailed estimates, coordination and expediting of the permits, and the construction time line.

The following figures were presented on the spreadsheet. The totals were for Owner=s Representative - no bid; as Construction Manager not as Constructor - no bid; as Construction Manager as Constructor for the pre-construction phase - no bid, construction phase without GMP - no bid; Pre-Construction Phase - \$5,000 per month or \$25,000 lump sum; Construction phase with GMP - 2.5% of the Construction cost. The savings participation for the owner would be 100% and for the Construction Manager would be 0%.

Mayor Ganz thanked them for their presentation.

Allen Weitzman stated there will be major rewrites that are not reflected in this project. Kevin McCornick, from The Ives Group, stated these figures did not include reimbursable expenses. Mayor Ganz stated that the Council needs to know what their expenses will be. Attorney Lustgarten advised that none of the prices included reimbursable expense. Mayor Ganz suggested that Mr. Weitzman get the amounts from each contractor.

Chester and Ontario Streets:

Manager/Municipal Clerk Kwasniewski stated she would see if the Borough needed this property and will get back to the Council in a week.

Deputy Mayor Etlar stated the Council had already talked about this property and it was decided to leave it as a piece of green. Manager/Municipal Clerk Kwasniewski stated she would get the report and let the Council know.

Upon motion by Councilmember Caan and a second by Deputy Mayor Weinstein, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

## REGULAR MEETING OF JANUARY 13, 2004

Mayor Ganz opened the meeting at 7:40 p.m. Assistant Municipal Clerk Bojanowski read the following statement of compliance:

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in "The Record" issue of December 19, 2003. Notices were also posted on the Bulletin Board located on the First Floor of the Municipal Building and at the Maurice Pine Free Public Library, copies mailed to The North Jersey Herald and News. The Annual Notice identified the meeting location and the time of the Council Meetings and Work Sessions.

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.

Mayor Ganz announced the passing of Ann Freeman. He stated there will be a resolution of condolences on the agenda to send to Isadore.

### COUNCIL COMMENTS

Deputy Mayor Etler gave his activity report for the month of December. He stated he attended the following:

- Holiday tree lighting
- Boy Scouts of Troop 45 for Civil lesson
- Board of Education for the coming referendum
- Ives Group about the coming of the new Community Center
- Fire Board monthly meeting
- Cert graduation in Paramus
- Cert recognition dinner
- History meeting
- Borough employee Retirement dinner
- Memorial lighting at the VFW

Deputy Mayor Weinstein stated he was proud to announce that the private sector has met the invitation of the Council. They have received more than half of the money needed for the consultant to move forward with the Economic Development Program in Fair Lawn.

The first meeting with this committee is this week.

Councilmember Caan stated he was proud to attend the ceremony for John Nakashian at St. Leon >s Church where he received the St. Gregory Medal which is the highest honor given by the Armenian Church. He described John as honest, fair and compassionate, whenever he is called upon he always come through. He attended the Eagle Scout meeting for Alan Soriano who received the rank of Eagle Scout.

Councilmember Caan was also in Trenton to witness the swearing in of Assemblyman Robert Gordon.

Mayor Ganz welcomed everyone to the first business meeting of the new year. He stated he also attended the convocation of John Nakashian who typifies the spirit of volunteerism and makes Fair Lawn the great place that it is. He repeated that the St. Gregory Medal is the highest honor given by the Armenian Church to a laymen. The United States Ambassador to Armenia was present especially for this occasion as well as the

Grand Patriarch of the Eastern portion of the Church.

Mayor Ganz stated Eagle Scout Allan Sorbiano and his parents were the proud recipients of many honors including those from the County Executive, numerous members of the Freeholder Board and the Legislature. He was delighted to attend because it shows how dedicated the young people of Fair Lawn are to serve us.

Mayor Ganz also attended the swearing in of former Mayor of Fair Lawn Robert Gordon in Trenton as Assemblyman. He stated Assemblyman Gordon continues to look for office space and is looking the Radburn Building. They have agreed to make available office space in the Borough Hall on a temporary basis allowing him to begin to offer constituent services at the earliest opportunity. Manager/Municipal Clerk Kwasniewski added that Assemblyman Gordon would be moving into the old health department. She did not believe it would have any negative impact. Assemblyman Gordon is anticipating only three or four months, this is not a long term commitment. Mayor Ganz stated it was a good commitment for the people of the 38th District, and he is delighted they could participate in this way.

Upon motion by Deputy Mayor Etlar and second by Deputy Mayor Weinstein, it was Resolution 63-2004 was unanimously adopted expressing the Mayor and Council=s regret the recent passing of Ann Freeman on Tuesday, January 13, 2004.

## PRESENTATIONS

Mayor Ganz thanked Councilman Victor Amato for his four years of service to the Council and the community as a whole. He stated that the job of a Councilmember of the Borough of Fair Lawn or anywhere is in many respects a thankless task. It is very rare that someone comes to the podium and says thank you for doing something. It is more often that they hear complaints. Mayor Ganz said to Mary Amato that she now has her husband back and all those Tuesday nights and many other nights that have previously been devoted to this is now going back to being devoted to her. It is the family, friends and social acquaintances of the Councilmembers that feel it the most because the Councilmembers time is never their own. He stated they appreciate the commitment and service he made to the Borough.

Assistant Municipal Clerk Bojanowski read the Certificate of Appreciation, which Mayor Ganz presented it to Victor Amato.

Victor Amato stated that he tried very hard to come up with a acceptance speech, but was unable to. He said he was extremely touched and appreciative of these awards, although he was not sure he deserved it. He was humbled and appreciative of these words. He wished the Council his very best and that they each have his faith in their judgment and his trust. He also stated he wished the best to the Borough employees who do a terrific job. He stated he was so glad his wife was with him through all of this because she was a tremendous amount of support.

## MANAGER'S APPOINTMENT

Manager/Municipal Clerk Kwasniewski announced the appointment of Joel Miklacki, Esq. as Prosecutor and Catherine Bani, Esq. as Assistant Prosecutor.

## RESOLUTIONS BY CONSENT #3-2004

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Consent Agenda 4-2004 containing the following items was unanimously adopted.

a. Resol. #48-2004 - Approval of Raffles & Bingos:

John A. Forrest School PTA, On-premise merchandise

John A. Forrest School PTA, On-premise 50/50

Temple Beth Sholom Men=s Club, Bingo

Temple Avoda, Off-premise 50/50

Knights of Pythias, Off-premise merchandise

Richard E. Byrd School HSA - On-premise 50/50

b. Resol. #49-2004 - Award of Bid: Storm and Sanitary Sewer Cleaning and Television Inspection

c. Resol. #50-2004 - Award of Bid: Hydrant and Hydrant Parts

d. Resol. #51-2004 - Award of Bid: DPW Parking Lot Improvements

e. Resol. #52-2004 - Award of Bid: Uniforms - Police, Auxiliary Police, School Guard

f. Resol. #53-2004 - Tax Refund Due to Tax Court Judgement

g. Resol. #54-2004 - Authorizing Cancellation of Taxes Billed In Error

h. Resol. #55-2004 - Professional Services - Engineering Services

i. Resol. #56-2004 - Professional Services - Architectural Services

j. Resol. #57-2004 - Amending Pool of Experts/Alternate Public Advocates and Conflict Panel

k. Resol. #58-2004 - Renewing the Fair Lawn Veteran and Volunteer Coalition for Services and Discounts  
Committee Members

l. Resol. #59-2004 - Renewing the Fair Lawn Recreational Facility Review Committee Members

m. Resol. #60-2004 - Renewing the Business Leadership Committee Members

n. Resol. #61-2004 - Appointment to the Cable Television Board

o. Resol. #62-2004 - Professional Services: Architectural Services

#### MISCELLANEOUS PUBLIC COMMENTS

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, it was unanimously agreed to open the time for public comments.

Francis Davis, 14-01 Morlot Avenue read a letter regarding Fair Lawn Television Productions from the League of Women Voters. She stated although they had been very helpful in September 2003 the League experienced a problem. Mary Anne Hutlack then president of Fair Lawn T.V., had always diligently cooperated with them. However, the volunteers of Fair Lawn T.V. were not interested in covering their program. When they asked them to edit the tapes which they eventually managed to have done and make copies for distribution to Cablevision and its counterparts in the Districts thirteen communities, they were told equipment was not functioning. They had to have the work done outside at a price. Neither the League or other service organization should be excluded from the use of Borough owned equipment operated by the volunteers. She asked that they please consider requiring a specific amount of hours per week or per month with the members. The League has long felt that a twenty four hour operation of the cable channel should be headed up by a paid professional who is responsible for administration of the channel 77 and is accountable for its activity. They expect that the Borough by sponsoring its own T.V. channel anticipated a focus on civic affairs thereby providing Fair Lawn voters the opportunity to hear all candidates and non partisan voter information in addition to programs of a lighter vein. Fair Lawn residents should not be denied this service. There is an election on April 20, 2004 for the Board of Education and they are now planning a forum. They anticipate this event will be taped and aired.

Mrs. Davis questioned why the P.A. system was not working correctly and they could not hear very much at all. Mayor Ganz stated he would have the Manager look into that right away and see if there was some way to amplify the microphone. Manager/Municipal Clerk Kwasniewski stated that some on the Councilmembers do not turn their microphones on and some speak too far away. She then stated they would work on it again.

Nancy Wallace of 10-05 Campbell Road asked if any consideration had been given to putting off

deliberations concerning a new Community Center until after the Board of Education has had their referendum vote. She stated that since the only items the public gets to vote on regarding bonding has to do with the school and since the proposed referendum is a really important improvement to the school system, they should put off discussion until after the March election. Mayor Ganz stated they had not answer was no. She asked if they would consider doing so. Mayor Ganz replied the Council always considers any proposal.

There being no additional comments from the public, upon motion by Councilmember Caan and second by Deputy Mayor Etlar, the time for public comments was unanimously closed.

## ADJOURNMENT

Upon motion by Deputy Mayor Etlar and second by Councilmember Caan, the meeting was unanimously adjourned at 8:02 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk