

## BUDGET MEETING OF FEBRUARY 3, 2004

Mayor Ganz called the meeting to order at 6:03 p.m. Assistant Municipal Clerk Bojanowski read the statement of compliance with the Open Public Meetings Act.

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

Also present: Manager Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski, Attorney Lustgarten(late) and CFO Eccleston.

Police - Mayor Ganz stated the purpose of the budget hearings was for the Council to go over the budgets with all of the departments. He welcomed Acting Chief Rose. He complimented the Manager/Municipal Clerk Kwasniewski and CFO Eccleston for creating a documents that call for a lot of sacrifice.

Acting Chief Rose, Captain Sudol, Sgt. Cauwels, Police Officer Steven Cannici and Lonny Mergler were present. Acting Chief Rose stated they have gone to significant lengths to make cuts but there are things that the department needs. He explained that this year there will be an increase in contractual services because of the CAD system. Mayor Ganz asked how he felt about this increase since he was a taxpayer. Acting Chief Rose stated he was comfortable with it and felt that emergency services should not be cut since that would not help the residents. Mayor Ganz questioned overtime and holiday pay. Acting Chief Rose stated that line reflected pay raises. He said the department would be losing five officers this year. The full complement would be 57 officers. Mayor Ganz wondered without budget constraints what would he like to see. Acting Chief Rose stated he would like to put officers in the training academy, two now and one more in the summer. CFO Eccleston stated the police officers begin \$10,000 lower than normal starting salary when they start the academy. Mayor Ganz questioned the increase in over time. Acting Chief Rose stated because of Mary Ann Collura=s death a lot of officers were out for long periods of time. Mayor Ganz noted that summonses were down. Acting Chief Rose stated the first quarter was up, the second quarter was down because of Mary Ann=s death and morale issues.

Attorney Lustgarten arrived at 6:29 p.m.

521-10-03 Overtime for Police Dispatchers - This line item was reduced from \$14,300 to \$10,000.

521-20-22 New Auto - The Council took a consensus to get the vehicles from the BCIA bonds.

521-10-03 Overtime for Police - This line item was reduced from \$190,000 to \$150,000.

521-10-04 Comp Time - This line item was reduced from \$113,500 to \$101,000.

521-10-05 Holiday Pay - This line item was reduced from \$90,100 to \$81,100.

521-20-13 Office Supplies - This line item was reduced from \$8,200 to \$6,700.

521-20-52 Academy & Range - This line item was reduced from \$400 to \$362.

Capital Items:

Bullet resistant soft body armor vest - Acting Chief Rose explained that the current body armor utilized by the officers expire at the end of the year 2004. This is the scheduled replacement for this equipment. He stated

that the officer=s safety will be compromised because current vests will not be covered by the manufacturer due to the expiration date. Mayor Ganz wondered if grants were available. Acting Chief Rose stated the problem with grants is they would have to order the vests now and would not get them until 2005. They cannot assume the government will give out grants for these vests. He explained how important it was for them to get the vests before they expire.

Passenger Van - Acting Chief Rose explained that the present van will be 14 years old. The life expectancy is 10 years and they have already exceeded that. Despite the low mileage there have been numerous breakdowns. The mechanic feels the issues are age related and will continue unless there is a complete overhaul replacing all of the rubber/plastic/electrical parts. Attorney Lustgarten advised the van should be parked on the side of a busy street to deter speeding traffic. Mayor Ganz asked Acting Chief Rose for a list of items he would like to see fast tracked. Ultimately the Borough will bond the items with the BCIA which would save the down payment.

Motorola HT 1250 Portable Radio, Stubby Antenna, Speaker Microphone and Leather Swivel Case - Acting Chief Rose stated the portable radios in the patrols are twelve years old. This is a scheduled replacement that should have been done at seven years. The portables are constantly being sent out for repairs costing the department unnecessary repair cost.

40 Motorola CDM1250 UHF Radios Plus antennas for Police Vehicles - Acting Chief Rose explained they need this to upgrade the current transmission from 12.5 mhz to 25 mhz per FCC license requirements. The Fair Lawn Police Department has been granted a new license for transmitting on a new frequency requiring this upgrade. Police Officer Mergler stated this upgrade will be done in the vehicles as they are replaced and new equipment is put in over the next two years. The department must be compliant by 2005. Attorney Lustgarten advised that they should not violate the law. Police Officer Mergler stated the new frequency is on a narrowband width. He explained the radios will operate with other town=s frequencies.

Five .40 Caliber Police Carbines, Twenty Magazines for carbines, Five Big Sky Racks for vehicles and Five Ammo pouches for carbines - Acting Chief Rose stated they would like to add five carbines to the arsenal. The carbines will be placed in the patrol vehicles. To control cost they have only asked for five carbines this year.

First Aid Kits - Acting Chief Rose stated the current first aid kits in the police cars are between eight and ten years old. They are in disrepair and need to be replaced. The new kit will allow for carrying all types of first aid equipment along with an oxygen bottle and blood borne pathogen protection kits. Deputy Mayor Etler felt the kits should be restocked instead of being replaced.

Two Motorola UHF Quantar Repeaters including new Antenna for Municipal Building and installation of equipment - Acting Chief Rose stated the current backup repeater and main repeater are twenty years old and not the proper repeater. New parts or replacement parts are not available. The current antenna is twenty years old and is damaged from lighting strikes and weather.

Genrac 15KW Propone Powered Generator Purchase & Install, Purchase and Install 250 Pound propane tank, Purchase and Install security fence and Install cement bas for generator and propane tank - Acting Chief Rose stated that the equipment is needed to keep the repeater system and radio system for the Police Department operational during a power outage. This will provide power for the Fire Department as well as the Police unit.

Sony Mavica Camera MVC-CD400, style, Digital Camera - Acting Chief Rose stated this would allow for better crime scene processing with new and improved technology This camera will store pictures on CD=s and would allow for more pictures and better quality photos. Mayor Ganz asked him to find out what is on

State contract.

PUBLIC COMMENT:

No one wished to be heard.

ADJOURNMENT - Upon motion of Deputy Mayor Weinstein and a second by Deputy Mayor Etlar the meeting was recessed to the Work Session at 8:34 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

WORK SESSION FEBRUARY 3, 2004

Mayor Ganz called the meeting to order at 8:40 p.m.

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

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

Closed Session:

Upon motion by Councilmember Caan and seconded by Deputy Mayor Etlar 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 pending litigation and 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 pending litigation within 180 days except for legal strategy or upon resolution if the matter is resolved and for personnel upon appointment by either the Borough Manager or Mayor and Council; 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.

Mayor Ganz reconvened the Work Session at 9:55 p.m.

### Review of Tentative Agenda 2/10/2004:

Manager / Municipal Clerk Kwasniewski stated she would like to add a raffle. Mayor Ganz directed her to put it on the Consent Agenda if no one objected.

### Photo for Display - County Administration Building:

Mayor Ganz advised that the County Clerk has asked for photos for the Administration Building. Deputy Mayor Etlar stated that the County Executive had asked for this one and a half years ago. Mayor Ganz felt the Council should make the determination of what photo they would like to send to the County. He had requested from County Clerk Donovan what size she was looking for.

### Veterans Monument Funding:

Mayor Ganz stated he had received a request for funding the veteran=s monument here at the Municipal Building and at Veteran=s Circle. There was funding put aside in last years bonding. They have found there is additional costs associated with this project in the amount of \$10,000. He felt they would have to go out to bid for this since it would cost \$38,000. A significant portion of this was funded by a bond ordinance last year. He would like to see this completed by July 4, 2004. Manager/Municipal Clerk Kwasniewski stated they would need a bond ordinance. Mayor Ganz informed her it had to be fast tracked. He asked Manager/Municipal Clerk Kwasniewski to check with the American Legion and other veteran=s groups to make sure all of the veterans were on the list.

There was a unanimous consensus to authorize going out to bid for this project and to do it fast tracked.

### Not For Profit Corp - Sales Tax Exemption:

Mayor Ganz referred to a letter they received from Steven Wieklotz about the sales tax exemption which was not helpful. Attorney Lustgarten thought a governmental contractor did not pay sales tax.

### Proposed Ordinances:

Hardship Permits - Plaza Road North - Manager/Municipal Clerk Kwasniewski stated that Traffic Safety Officer Franco has recommended that the residents at 318, 320 ad 322 Plaza Road North be allowed to receive an annual permit to park on the street instead of issuing the monthly hardship permits he has been issuing for the past several years. Permits of this type are already issued to several other residents.

Attorney Lustgarten recommended that they not authorize this. Mayor Ganz asked Attorney Lustgarten to write an opinion on it.

Parking Prohibited 8 - 10 a.m. - Grunauer Place - Manager/Municipal Clerk Kwasniewski stated that Traffic Safety Officer Franco had received a petition from the residents of the A5-blocks@ of Grunauer Place asking for relief from commuter parking. He has recommended that the parking be prohibited from 8:00 a.m. and 10:00 a.m..

There was a unanimous consensus to approve the parking prohibition.

### Renewal of Interlocal Agreement with Ridgewood - Health Officer Services:

Manager/Municipal Clerk Kwasniewski stated that the interlocal agreement with the Village of Ridgewood for Health Officer Services runs from January 1, 2004 through December

31, 2004. The annual amount has been \$6,000. Mayor Ganz asked that she negotiate with Ridgewood to increase the fee to \$7,200.

There was a unanimous consensus to ask the Village of Ridgewood for an increase to \$7,200.

Attorney Lustgarten suggested negotiating for as much as possible. Mayor Ganz stated they did not want to lose the contract with them either.

#### Change Order - Municipal Building Addition:

Manager/Municipal Clerk Kwasniewski stated that Engineer Garrison has requested a change order for the Municipal Building addition which reflected the upgrade of an electrical panel required by the new code, cost of a cornerstone and the removal and replacement of additional concrete sidewalks.

There was a unanimous consensus to authorize the change order and add it to the Consent Agenda for February 10, 2004.

#### Professional Services - Child Health Conference Physician:

Manager/Municipal Clerk Kwasniewski stated that Dr. Edward Sciano has provided health care services for our Child Health conference and Hepatitis B immunization clinics for the past eleven years. In the past they did not adopt a professional service resolution but she advised that they should. His fee is \$65.00 an hour and they estimate he will require 70 hours for the year at a cost of \$4,550 for the period of January 1 through December 31, 2004. Mayor Ganz asked that they ratify and confirm all previous agreements.

There was a unanimous consensus to authorize a professional service resolution for Dr. Sciano.

#### Liter Marshal Program:

Manager/Municipal Clerk Kwasniewski stated that Ron Lotterman, the Clean Communities Coordinator has presented a new program to help alleviate litter. He believes this program, if implemented, would be the first in New Jersey. Litter is a quality of life issue that numerous complaints from residents are received. Mr. Lotterman came across an article about a new Litter Marshal Program in Franklin County, Ohio, which he believes could be implemented. The cost for printing the forms, envelopes, advertising and the give-aways for the volunteers would come from the 2004 Clean Communities Grant.

Mayor Ganz thought it was a great idea and worth a try. Councilmember Caan wanted to know what happened if someone gets caught littering again. Mayor Ganz advised that the Police Officer would give a ticket. Attorney Lustgarten wondered if they would have to go to Court. Manager/Municipal Clerk Kwasniewski felt it might make people more aware.

Mayor Ganz suggested posting it on the website and channel 77.

There was a unanimous consensus to institute the new liter marshal program.

#### Special Redevelopment Counsel:

Attorney Lustgarten requested this item be deferred until the next Work Session.

#### WTC Memorial:

Manager/Municipal Clerk Kwasniewski stated that Jane Spindel received a piece of the World Trade Center

and would like to incorporate it into the memorial outside.

There was a unanimous consensus to allow Jane Spindel to incorporate the piece of the World Trade Center into her design.

#### Miscellaneous Public Comments:

Don Oliver, 8-32 Mitchell Place asked what the final cost was for the addition to the Municipal Building. Manager/Municipal Clerk Kwasniewski will get him the information.

#### Insurance:

Councilmember Caan thought the Borough should look into combining the insurance policies. Manager/Municipal Clerk Kwasniewski stated she would look into this. She is meeting with the insurance company on February 16. She will let the Council know.

#### Letters to New Residents:

Councilmember Caan spoke with the Chamber of Commerce as requested and they expressed no objection to his proposal. He then presented the Council with a sample of what the booklet may look like. Next, he mentioned that he would be the one to solicit the businesses but not until a few weeks after the Chamber of Commerce mailed out their directory so as not to interfere.

#### Welcome Packet:

Mayor Ganz asked that Manager/Municipal Clerk Kwasniewski circulate the complete package to the Council. He also felt that the slogan AFair Lawn is a great place to visit, a better place to live@ should be stamped on the back of the envelope.

#### Fair Lawn Avenue and Chandler Drive Traffic Light:

Mayor Ganz advised that County Engineer, Gary Ascolese has informed him that the Department of Public Works met with the Borough Engineer and the Borough=s consultant several times on this project. The conceptual design was completed by the County's staff and was submitted to the Borough Engineer over three months ago. The Borough needs to acquire property on the south side of Fair Lawn Avenue and work out the cross easements for the operation of the driveways coming out at the traffic signal. There are also issued to be resolved concerning the shopping center access driveways. Mr. Ascolese informed Mayor Ganz that once the plans are completed, the right of way acquired, and the legal agreement is signed between the County and the Borough, then the project can be put out to bid. Mayor Ganz stated that Riggs has not finished their part and neither has the Engineering Department. Funding for acquiring land has not even been discussed. Manager/Municipal Clerk Kwasniewski stated they should wait for Riggs report and then get appraisals for the land. Mayor Ganz stated they should identify the land owners to see if they know any of the owners. Mayor Ganz stated they need a firm commitment from Riggs and the Engineering Department to complete this project. He realizes it will require spending money to acquire the land.

There was a unanimous consensus to authorize the Manager to direct Engineering to get this project completed.

#### Meeting with Community Development:

Mayor Ganz stated there will be a Community Development meeting soon and has asked the two Deputy

Mayors to fight for Fair Lawn=s share of the money.

Movies Under the Stars:

Mayor Ganz asked what kind of movies they would play. They need more information such as does the fee include the license to show the movie. Deputy Mayor Weinstein suggested getting sponsorship.

There was a consensus to authorize the Manager to explore this further.

Parking on Lucena Avenue:

Mayor Ganz questioned the request to have a parking spot on Fair Lawn Avenue and Lucena Drive. Manager/Municipal Clerk Kwasniewski stated the Department of Transportation said they cannot park in a AT@ intersection. Traffic Safety Officer Franco tried having it changed but could not. Mayor Ganz advised her to send a letter to the Commissioner of the Department of Transportation for a response and to examine why a parking space cannot be allowed there.

Update on Well Drive:

Manager/Municipal Clerk Kwasniewski stated she was waiting for the surveys to be completed. Attorney Lustgarten advised they would need to do an ordinance and the deeds after that.

Update on Field Lighting:

Mayor Ganz stated the Council would like this expedited so that it can be used in the spring. This will allow thousands of kids and adults to use the fields at night.

Update on Berkshire:

Mayor Ganz asked for an update. Manager/Municipal Clerk Kwasniewski stated they just approved the professional service resolution with Birdsell Engineering.

Kraft Letter:

Mayor Ganz stated that the Borough received a letter from Kraft responding negatively to the redevelopment resolution regarding their property. Attorney Lustgarten advised that the Borough has enough documents in house despite to their response. He suggested that Tax Assessor McCullum should pull his files and give to Planning Board.

Closed Session:

Upon motion by Councilmember Caan and seconded by Councilmember McCarthy the following closed session resolution was unanimously adopted at 10:38 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 or Mayor and Council; 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.

Mayor Ganz reconvened the Work Session at 11:05 p.m.

Snow Problem on Owen Avenue:

Mayor Ganz thanked Manager/Municipal Clerk Kwasniewski for taking care of the problem on Owen Avenue.

Naugle House:

Mayor Ganz stated that as part of the application that will be going before the Planning Board the Borough would have to enter into a lease back agreement with them for a nominal \$1 lease.

Saddle Brook Ordinance:

Mayor Ganz stated that Saddle Brook appealed their Mt. Laurel obligation and wondered what affect it will have and what the impact would be on Fair Lawn. Attorney Lustgarten advised that it did not affect the Borough legally.

Property Maintenance:

Attorney Lustgarten advised that he will be attending a Property Maintenance meeting. He will report back to the Council after the meeting.

Emergency Management / Assistant Manager:

Councilmember Caan questioned the status of the protocol that was done. Manager/Municipal Clerk Kwasniewski advised she would be sending a memo to the Council.

Overtime:

Mayor Ganz advised that the Council would like overtime reduced by 35% across the board. Manager/Municipal Clerk Kwasniewski stated that 40% of the budget gets used for snow removal and water main breaks.

Tree City:

Deputy Mayor Weinstein questioned how many trees the Borough has planted. Manager/Municipal Clerk Kwasniewski stated they have planted 253 trees. Deputy Mayor Etlar felt they put a lot of money into this project.

Adjournment:

Upon motion by Councilmember McCarthy and a second by Councilmember Caan, the meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk