

BUDGET MEETING OF FEBRUARY 10, 2004

Mayor Ganz called the meeting to order at 6:10 p.m. Assistant Municipal Clerk Bojanowski read the statement of compliance with the Open Public Meetings Act.

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 Mayor Etlar and Deputy Mayor Weinstein(late), Councilmember Caan and Councilmember McCarthy.

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

Library

Library Director Tim Murphy, Karen Charipper, Phylis Weglein and Penny Kaplan were present.

Deputy Mayor Weinstein arrived at 6:13 p.m.

Tim Murphy stated their biggest need was books. They are finding with increasing frequency that they are not having all the books on hand and AV materials that the Fair Lawn patrons want. Last year they borrowed more books through the BCCLS System than they lent for the first time. Mr. Murphy stated they have tried to keep their personnel costs as low as possible. They settled for 3.5% in 2004. They cut \$16,000.00 in their part time budget.

Deputy Mayor Etlar stated they have a \$3,000.00 increase in overtime. The Council is asking all departments to take a 35% cut. Mr. Murphy stated what they call overtime for them means Sunday. It=s not overtime in the sense that someone works thirty five hours and then put in ten extra hours and get time and a half. On Sunday they pay a competitive wage with the other libraries, which works out to time and a half but at the lower end. The Library is open from 1:00 p.m. to 4:00 p.m. on Sundays. Two reference librarians and three people in children=s books. They cannot cut the reference librarians on Sundays because of the volume of those who seek assistance.

Mayor Ganz asked what fund raising or other activities the library was engaged in. Mr. Murphy stated he sent letters out to residents to leave money in their will and a few people sent in checks. He stated they are also in the process of sending letters to Friends of the Library and they received a \$250.00 check the other day. He stated they do have some significant donations in the New Jersey Cash Manager Fund which have to be spent for library books, materials and library furniture not for salary or overhead. Mr. Murphy stated their long term plan is to have that fund produce an additional revenue stream in the budget.

Capital items:

Replacement of Electric Controls for Air Handlers: Mr. Murphy explained that the present relays and switchers were over 36 years old. They have had problems with them in recent years, including a Ashock@ given to the maintenance man during bulb replacement. He felt these electric controls must be replaced to prevent further hazards and to make sure they continue to work properly and safely.

Replacement of Air Handlers #1, 3 and 5: Mr. Murphy explained that the air handlers were over 36 years old. He felt it was time to begin replace them before they fail. He stated if they did not replace them, they would risk having to do so on an emergency basis, possibly forcing the building to close.

There was a unanimous consensus to approve \$10,500 to replace Air Handler #3 this year.

Restoration of Front Canopy over Main Entrance: Mr. Murphy explained that the present canopy has leaked for several years. The roof has been patched and repaired over the years, but continues to leak. The soffit shows unsightly rust stains from the chronic leaking. He felt if they forgo this project, the canopy will continue to leak, causing an unsightly appearance to the main entrance of the Library. He also felt that it could become a safety hazard as the canopy deteriorates.

Replacement of Out-dated Wooden Shelving: Mr. Murphy stated that they need to replace wooden shelving in two locations. One is on the mezzanine that is over 40 years old. These shelves were used when the Library was on River Road. On Level B they need

to replace some antiquated shelving units originally designed for LP records that they now use to display CDs. They would like to replace them with modern shelving that will accommodate collection growth. He felt if they failed to replace them would make the Library look out of date and will stunt the growth of the CD collection.

There was a unanimous consensus to approve \$7,350 to replace the CD display.

Recreation and Parks

Superintendent of Parks and Recreation Frey was present.

561-20-81 Special - This line item was reduced to \$4,000.00.

561-20-28 Contractual Service - This line item was increased from \$13,000 to \$32,000.

561-10-02 Wages - This line item was increased from \$22,500 to \$25,000.

561-20-61 Senior Citizens Clubs - This line item was reduced from \$18,700 to \$16,500.

561-20-62 Senior Citizens Center - This line item was reduced from \$8,500 to \$8,200.

Capital:

Purchase Three Computers for the Senior Center (1) and for Recreation Secretaries (2):

Superintendent Frey explained that the present computers were old and did not have up to date software.

There was a unanimous consensus to allow the purchase of three computers in the amount of \$4,500.

Walsh Pool Chlorine Shed and Rope for Memorial Pool:

There was a unanimous consensus to delete these items.

Smithco Ball Field Machine, Pull Behind Leaf Blower, Two 36" walk mid size mower and One Kawasaki mulch utility vehicle: Superintendent Frey explained that these items would improve their operation for ball fields, leaf collection, cutting showcase lawn instead of using heavy equipment and having a utility vehicle for camp / pool, fireworks, parade, parks maintenance and other Borough functions.

There was a unanimous consensus to hold off purchasing the leaf blower and the mulch utility vehicle.

Fencing replacement and new additions:

There was a unanimous consensus to delete this item.

Field Lighting at TJ Middle School Lower Soccer Field and Tj Little League Field: Mayor Ganz asked Superintendent Frey report back to the Council in three weeks about the status of the lights if they have been delivered and if they have started construction. He asked if PSE&G has been contacted yet. Superintendent Frey will report back to them by the end of the week.

Fair Lawn Football Association: Superintendent Frey stated he would need \$20,000 to make improvements to the building. Mayor Ganz asked that Manager/Municipal Clerk Kwasniewski circulate the information to the Council regarding the steel frame building.

Veteran=s Monument: Superintendent Frey stated he needed \$15,000 for Phase Two of the monument. Mayor Ganz asked that this item be deferred until the Work Session on February 17, 2004.

Smithco Turf Sweeper: Superintendent Frey requested \$24,450 for the sweeper so that litter and small debris can be picked up. Attorney Lustgarten thought the grass did not look good. Mayor Ganz suggested changing the type of grass. He asked that Manager/Municipal Clerk Kwasniewski have Superintendent Frey come up with a projected plan to replace the grass and how much it will cost.

Municipal Court

Municipal Court Judge Mizdol and Court Administrator Cabibbo were present. Mayor Ganz asked about the discrepancy with the

over time. Judge Mizdol explained that she did not hire the additional person. She said that complaints were down. Manager/Municipal Clerk Kwasniewski stated that comp time was a problem. A person generates comp time, takes it off and someone else generates comp time to cover the person who is off. CFO Eccleston stated he could figure what they earn for comp time. Deputy Mayor Etler wondered about booking people through the television. Judge Mizdol thought it was an excellent concept, she has had between 6 - 8 prisoners a week.

Capital:

Storage Cabinets, Filing Cabinets, Office Furniture: Judge Mizdol explained that the Municipal Court has been approved to receive additional office space. The additional space is designed to enhance their record keeping and filing ability. They presently have lateral files that are worn, broken, and deemed hazardous for possible employee injury.

There was a unanimous consensus to approve this request.

PUBLIC COMMENT:

No one wished to be heard.

ADJOURNMENT TO REGULAR MEETING - Upon motion of Deputy Mayor Weinstein and a second by Councilmember Caan the meeting was adjourned to the Regular Meeting at 8:01 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

REGULAR MEETING OF FEBRUARY 10, 2004

Mayor Ganz opened the meeting at 8:05 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.

COUNCIL COMMENTS

Deputy Mayor Etler gave his January activity report as follows:

Answered the CERT call up to help police for the yearly Rotary Run from Memorial Park
Freeholders swearing in at the County Building
St. Leon=s honoring John Nakashian
Meeting for the New Community Center
Monthly Fire Board Meeting
Funeral for Ann Freeman
Civilian Police Graduation at the Senior Center
Special meeting at the Youth Center for the new Community Building
Heavy Rescue Installation Dinner at the Brownstone
Fire Department Installation Dinner at the Bethwood

Deputy Mayor Weinstein stated they are currently going through reviewing and cutting the budget. He attended the Community Grant Program with Deputy Mayor Etler and they were able to obtain \$225,000.00 in grants. Mayor Ganz pointed out that this is subject to the approval of the County Process and the Board of Chosen Freeholder.

Mayor Ganz remarked that they have been meeting on Saturdays, coming in early in the day to work on the budget on a line by

line basis as they did in previous years.

ORDINANCES: FIRST READING

Upon motion by Deputy Mayor Etlar and a second by Councilmember McCarthy, it was unanimously agreed to read the following ordinance by title.

Ordinance No. 1969-2004

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED AVEHICLES AND ATRAFFIC@, ARTICLE II APARKING@, SUBSECTIONS 232-11 AND 232-13

Upon motion by Deputy Mayor Etlar and a second by Council McCarthy, Resolution No. 74-2004 introducing Ordinance No.1969-2004 was discussed.

Mayor Ganz stated residents at Grunauer and Hartley at Morlot have requested the Mayor and Council to create a two hour parking limit between 8 a.m. and 10 a.m. All the neighbors have signed a petition. It was presented to the Council. The Traffic Safety Officer to which it was referred came back with a positive recommendation and the Council is now responding to that request.

Borough Attorney Lustgarten added specifically the 8 a.m. to 10 a.m. no parking two hour limitations is on Grunauer both sides, from Morlot to Ward and they are amending by deletion Grunauer from Rosalie to Morlot and Hartley from Route 4 to Morlot Avenue and this is at the request of the residents.

There being no further discussion, Resolution No. 74-2004 introducing Ordinance No. 1969-2004 was unanimously passed.

RESOLUTIONS BY CONSENT #5-2004

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein , Consent Agenda No. 5-2004 containing the following items was unanimously adopted:

- a. Resol. #75-2004 - Approval of Minutes
Regular Meeting 8/26/03
Work Session 8/26/03
- b. Resol. #76-2004 - Refund of Overpayment of Taxes
- c. Resol. #77-2004 - Zoning Board Appointment
- d. Resol. #78-2004 - Environmental Commission Appointment
- e. Resol. #79-2004 - Rent Leveling Board Appointment
- f. Resol. #80-2004 - Authorizing Cancellation of Taxes Due to Veteran Tax Exemption
- g. Resol. #81-2004 - Approval of Raffles & Bingos:
Central School Home & School Association
- h. Resol. #82-2004 - Professional Services - Child Health Conference Physician
- i. Resol. #83-2004 - Tax Settlement - S.K. Energy
- j. Resol. #84-2004 - Change Order - Municipal Building Addition
- k. Resol. #85-2004 - Interlocal Services Agreement with Ridgewood - Health Officer
- l. Resol. #86-2004- Amending Resolution No. 25-2004 - Public Advocate

MISCELLANEOUS COMMENTS

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

Don Oliver of 8-32 Mitchell Place questioned Resolution 83-2004 concerning tax settlement for the SK Energy. Borough Attorney Lustgarten stated this was a tax appeal in tax court in Bergen County after settlement negotiations. The original assessment was \$1, 969,000.00 and is being reduced to \$1, 700,000.00 which is a reduction for tax years 2002 and 2003.

Don Oliver wanted to know if the water rates were discussed yet. Mayor Ganz stated that it has been discussed but a conclusion has not been reached.

Don Oliver wanted to publically thank the Police Department Acting Police Chief Rose and Detective Boone for their quick response to his concerns and the time that they gave him between the holidays. Mayor Ganz stated that Acting Chief Rose handled the matter very professionally and very courteously. He was copied in on some of the correspondence and he felt Mr. Oliver did a public service and thanked him for it. Mr. Oliver stated he was very satisfied with both officers for keeping up on what was going on and the neighbors in the area are also very satisfied.

Mr. Oliver also thanked Manager/Municipal Clerk Kwasniewski for getting him the information he needed on the cost of the west wing.

Mr. Oliver asked about the Bergen County Improvement Authority (BCIA) if it had been around for a long time. Mayor Ganz stated it dates back to the Schuber Administration created in the mid 1990's and although not widely used it is used on some projects. The largest single project it was used for was to take over the old Bergen Pines, and it has been used for a number of other projects since then.

Mr. Oliver stated back when the west wing was started they were worried about the overcrowding in the building, but Assemblyman Gordon is now in the building temporarily. He wanted to know how long that would be. Mayor Ganz stated they hoped it would be only another month before his office space would be ready but it is all done in accordance with the Manager=s schedule of moving. Mr. Oliver questioned if they were renting. Mayor Ganz replied the State is renting the space at market value.

Mr. Oliver added that the Council worked very hard on the budget last year and they came up with no tax increase. He hates to think it was just because it was an election year and that they will get a tax increase this year. He stated he hopes they work as hard this year and make the necessary cuts and make it easy on the public because they all know that last year=s budget went up, the current municipal budget went up, capital expenses and a lot of that was surplus. He stated they do not have that surplus this year. He expressed concern that the taxes would increase this year between \$500 and \$700. He asked them to please work hard on the budget and he will be there when they set the dates.

Steven Bass 0-38 Hamilton Court expressed concern that FEMA said their house is now in the flood zone. It never flooded and he believes it is a mistake.

Borough Attorney Lustgarten stated the criteria is not whether he has ever been flooded, but how far he is from a waterway, whether it is the Passaic River, Saddle River or anything else in Fair Lawn. If the status of his property had been changed from non flood to flood way to a flood plain he should have received a letter from an agency stating that which would have given him some appeal rights. Mayor Ganz stated that if he called the Mayor=s office tomorrow and give his name, address and telephone number, he would see that it is forwarded to Congressman Rothman=s office to their caseworker and see if they can be of any assistance. Borough Attorney Lustgarten stated he believed the Borough Engineer has the maps and the name and address of the agency that certified the maps. Mr. Bass stated they should have told them something before they sold their house, moved everything out and then have it all fall through when everything else is approved because they are in a flood zone. Mayor Ganz said to call the Mayor=s office in the morning and Congressman Rothman=s offices will get it routed to the right place.

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

ADJOURNMENT

Upon motion by Deputy Mayor Weinstein and second by Councilmember Caan, the meeting was unanimously adjourned at 8:21 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

WORK SESSION OF FEBRUARY 10, 2004

Mayor Ganz reconvened the meeting at 8:29 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.

Budget:

Manager/Municipal Clerk Kwasniewski explained that a Budget meeting is scheduled for February 17 at 8:00 p.m. Mayor Ganz asked that the list of remaining departments be e-mailed to him.

Future Agenda Items:

Manager/Municipal Clerk Kwasniewski stated the following items will be on the Agenda, on February 21 at 8:30 a.m the Mets and a Closed Session to discuss the Tax Assessor=s position. Mayor Ganz asked for references for Tim Henderson.

Adjournment:

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, the meeting was adjourned at 8:39 p.m.
Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk