

WORK SESSION FEBRUARY 24, 2004
WARREN POINT SCHOOL

Mayor Ganz called the meeting to order at 7:20 p.m.

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

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

Geese Management Services:

Manager/Municipal Clerk Kwasniewski stated that Mayor Ganz wanted to know the final figures on Mr. LaPierre's proposal which was \$19,250.00. Deputy Mayor Etlar had asked about a squawk device, Manager/Municipal Clerk Kwasniewski stated they already have the squawk device that were purchased years prior. You could use them with flares and ducks would leave, then two flares were used, now you are not allowed to use the flares so it does not work at all. There is also a repellent but that is not different from what is in Mr. LaPierre's proposal. Mayor Ganz asked if it contained permit fees. Manager/Municipal Clerk replied they already have the permit, they applied for it already and received it. The people that would be using it are on the permit as well as some of our employees. Deputy Mayor Etlar stated he could not support this, there may be better plan and felt they should put the effort out to look for one. Mayor Ganz stated it seemed like a reasonable proposal and a sound program which would include birth control and a chemical for the grass. Councilmember Caan stated he spoke with George Frey who confirmed that the alternative that Deputy Mayor Etlar had brought to them is a good idea because the Borough owns the devices already. However the device have become ineffective since they could not use the flares anymore. He felt it was a good idea to go ahead with this plan. Deputy Mayor Etlar stated that Newark Airport had a bad problem with birds and they used the squawk boxes and they were very effective.

There was a consensus with Deputy Mayor Etlar dissenting to hire National Goose Management.

Budget Dates:

Mayor Ganz stated they needed dates for the budget. Manager/Municipal Clerk Kwasniewski stated they would try to introduce it on March 9, 2004. The Ambulance Corp is available whenever the Council is. Mayor Ganz asked if there was any reason they could not introduce in its present form. Manager/Municipal Kwasniewski stated they could, but if they file for discussion or aid and get it they would not be allowed to amend the budget. They need to at least make the cuts that they decided on, because if they get it, that is all they will be able to cut. Mayor Ganz stated this is not clear and was not the same information they were given on prior occasions. Manager/Municipal Kwasniewski stated it is done like that to prevent towns from putting in a budget that has a 29 tax point increase. They get four million dollars of aid and then keep their budget to where they wanted it to be and only had two point tax increase. That is why no cuts are allowed to be made after they receive the aid. She stated if they did not get the aid they can make all the amendments they want. Mayor Ganz asked when the Manager would like to do this. Manager/Municipal Clerk Kwasniewski stated on March 8, 2004 and introduce it on March 9, 2004. The application has to be filed by the 12th of March. Mayor Ganz stated they need to prepare to make additional changes because he will not have seen that document. Manager/Municipal Clerk stated the application has to be done for the extra ordinary aid and that is based on those number. Borough Attorney Lustgarten stated if the Council put in all the cuts and Council in contingency why not add cuts in. Mayor Ganz stated he can always estimate what the cuts will be. Borough Attorney stated who ever was able to make it should meet Saturday morning, March 6, 2004 to discuss the budget, then on March 8th to run the numbers, March 9th to introduce it. Mayor Ganz stated he has not yet seen the overtime cuts and they are not here today. Manager/Municipal Clerk Kwasniewski stated she would see if the Ambulance Corp and CFO Barry Eccleston would be available for Saturday, March 6, 2004 at 8:30 a.m., but she would be unable to attend.

Planning Board Appointment:

Mayor Ganz asked that they pull the Planning Board appointments for Closed Session next Tuesday.

Proposal from Kevin McCormack:

Mayor Ganz stated next they needed to discuss the proposal from Kevin McCormack to get all contractors involved or partially involved in the Recreation and Community Center Building. There are bids for eighteen separate areas. He stated he was not familiar with the items but from the look of them they are in sections. Consensus was taken to authorize Mr. McCormack to send this out. Manager/Municipal Clerk Kwasniewski stated that Mr. McCormack mentioned that he was not certain that they would all be bidding on it because this is not the general way it is done and they are a bit uncomfortable. Mayor Ganz stated they could not get to that without this because the figures were not in here.

Asbestos:

Borough Attorney Lustgarten stated the proposal was relating to the study for asbestos to see if it is in the Recreation Building. The proposal was reviewed and it was agreed to be put on the Consent Agenda.

Adjournment:

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

SPECIAL WORK SESSION AGENDA FEBRUARY 24, 2004

Mayor Ganz called the meeting to order at 8:06 a.m.

PRESENT: Mayor Ganz, Deputy Mayor Etlar and Deputy Mayor Weinstein(late), Councilmembers Caan and McCarthy.

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

Interview Bergen County Economic Development Corporation:

Allen Weitzman from The Ives Group was present. He introduced Beth Gorin, President of the Bergen County Economic Development Corporation, Joseph Sinzari, Mark Decon, and Fletch Creamer, Jr., President of J. Fletcher Creamer & Son, Inc.

Mr. Sinzari thanked the Council for interviewing them for the proposed Recreation and Community Center.

Deputy Mayor Weinstein arrived at 8:10 a.m.

Mr. Sinzari stated that his role would be to oversee the project. He will be on the job site three days a week. They would do their work in a timely manner and do it safely. His company intended to get the job done ahead of schedule. The price they gave was a turnkey price and they felt they could bring the job in under cost.

Fletch Creamer stated his company has been in business for 86 years. They have done work on numerous buildings in thirty three states. They were listed as one of the top 200 companies. His company has electrical and engineering subsidiaries which would bring the job in quickly and safely.

Rick Medina stated his firm, Medina Consultants, was a construction management consultant who has worked with the Department of Transportation and also with Bergen County Economic Development Corp. on various projects. They are responsive to any problems that could arise. He believes in open communication between the owner and the project manager.

Councilmember Caan left the meeting at 8:30 a.m.

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 where presented. The Bergen County Economic Development Corporation proposed to provide the following services on a lump sum basis. The total for Pre-Construction Phase Engineering Services \$50,000; General Construction Phase Services, \$9,100,000.; and Construction Management Services during Construction \$650,000. for a grand total of \$9,800,000. They anticipate that from the time the contracts are signed and the project is awarded, it will take about fifteen months to complete.

Mayor Ganz thanked them for their presentation.

Closed Session:

Upon motion by Deputy Mayor Weinstein and seconded by Councilmember McCarthy the following closed session resolution was unanimously adopted at 8:50 a.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 Attorney Client Privilege; 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 Attorney Client Privilege upon summary of minutes and except for legal strategies which will not be divulged; 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 9:24 a.m.

Adjournment:

Upon motion by Councilman McCarthy and a second by Deputy Mayor Etlar, the meeting was adjourned to the Work Session at 9:24 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

REGULAR MEETING FEBRUARY 24, 2004
WARREN POINT SCHOOL

Mayor Ganz opened the meeting at 7:45 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 Etlar and Weinstein, and Councilmembers Caan and McCarthy.

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

Mayor Ganz stated he was happy to have the 3rd graders present tonight and introduced everyone to them. He told them the Mayor and Council are elected by the residents of Fair Lawn, they meet every Tuesday and explained the Agenda.

COUNCIL COMMENTS:

Councilmember Caan stated just a couple of years ago, Emergency Management was an afterthought with municipal government. In Fair Lawn, Emergency Management is currently a part time position that pays a small stipend. Councilmember Caan went on to say a few months ago he and Deputy Mayor Etlar recommended changes to the Office of Emergency Management, and as part of the budget process that is now underway, the Mayor and Council have reached a consensus to create a full time position of Emergency Management Director. That Director will be equivalent to a department head.

Councilmember Caan stated Fair Lawn became one the leading edge communities along with Paramus and Ridgewood making Emergency Management a priority. He stated Tom Metzger the Emergency Management Director has done an exceptional job in this position. Creating a full time position will give him the opportunity to do more, learn more and plan more to keep them safe.

Also by coordinating Emergency Services capital projects and creating a long-term capital plan, they should also be able to reduce costs. He stated he believed this is an important positive step for the people of Fair Lawn

Deputy Mayor Weinstein welcomed the 3rd graders and their parents. He hoped this would start a process of involvement in their community, school, neighborhood and ultimately one day sitting up here on the Council.

Councilmember McCarthy welcomed the students and parents. He stated the email address of the Mayor and most of the individuals up here on the Council this evening are on the Borough Web pages and the internet. He stated Mayor Ganz is usually the quickest to respond, but they are available more than just at Tuesday night meetings

Proclamation: Read Across American

Mayor Ganz stated on March 2, 2004 was reading across American. He stated reading is the most precious thing they could do, it will open the door to the entire world. Mayor Ganz read the Proclamation and presented it to the 3rd graders from the Mayor and Council.

MANAGER=S REPORT

Manager/Municipal Clerk Kwasniewski had no changes.

ORDINANCES: FIRST READING

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

ORDINANCE NO. 1970-2004

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE

Borough Attorney Lustgarten stated this is a device called an ordinance introduced at a public meeting, is published in a newspaper and then the Council considers it a second time, and if it is approved a second time it becomes a law. He stated this one authorizing the receipt by the Borough of Fair Lawn \$50,000.00 in rent money under the Safe Streets to the School Program.

There being no further discussion, Resolution No. 88-2004 introducing Ordinance No. 1970-2004 was unanimously passed.

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

ORDINANCE 1971-2004

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE

Borough Attorney Lustgarten stated this will bring \$38,000.00 for the Senior Center and \$25,000.00 for barrier free curb cuts. This money passed through the County to the Borough of Fair Lawn.

There being no further discussion, Resolution No. 89-2004 introducing Ordinance No. 1971-2004 was unanimously passed.

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

ORDINANCE 1972-2004

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE

Borough Attorney Lustgarten stated they have had a flooding problem on Berkshire and Arcadia for over twenty years. This Ordinance will bring over \$500,000.00 to the Borough of Fair Lawn through the Discretionary Aid Program. This grant was obtained through the help of Senator Coniglio.

Mayor Ganz stated he was grateful to Senator Coniglio for assisting them in obtaining these funds. He added that when this work was completed it would solve a problem that has actually been around for fifty years.

Deputy Mayor Etlar stated this has been a long standing problem for Berkshire Road and all the areas around it. He explained the brook would be dredged and hopefully that flooding problem will be alleviated. He added through Senator Coniglio and the efforts of this Council after twenty eight years of trying to get this done there is finally a light at the end of this tunnel.

There being no further discussion, Resolution No. 90-2004 introducing Ordinance No. 1972-2004 was unanimously passed.

ORDINANCES: SECOND READING

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, it was unanimously agreed to read the following ordinance by title and open the time for public hearing.

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

Borough Attorney Lustgarten explained that this ordinance came from a petition from residents on Grunauer Road between Morlot Avenue and Fourth Street. He stated over the years when certain areas have been inundated with commuter parking people from the area will petition the Council for some relief. One way the Council can help is to restrict parking from 8a.m. to 10 a.m. The process is the petition comes in to the Mayor and Council, they look at it then it goes to the Traffic Safety Office. The Traffic Safety Office will report to the Manager as to whether or not there are safety concerns and makes a recommendation. The Council then brings it to a Work Session and takes a consensus whether to adopt or reject it. He stated they felt this ordinance is a good idea based on those recommendations. It was introduced a couple of weeks ago. Now any member of the public can come forward and make comments either in favor of or objecting to it or just have a general comment. He stated Mayor Ganz will then make a motion for anyone to speak, if no one wishes to, he then makes a motion to close the time for public comment.

There being no comments by the public, upon motion by Deputy Mayor and a second by Councilmember McCarthy, it was unanimously agreed to close the time for public hearing.

RESOLUTIONS BY CONSENT #6-2004

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, Consent Agenda 6-2004 containing the following items was unanimously adopted.

- a. Resol. # 92-2004 - Approval of Minutes
Work Session 9/2/03
Special Meeting 9/2/03
Closed Session 9/2/03
Regular Meeting 9/9/03
- b. Resol. # 93-2004 - Approval of Raffles and Bingos:
Fair Lawn High School PTA, off-premise merchandise
- c. Resol. # 94-2004 - Dedicated by Rider for Snow Removal
- d. Resol. # 95-2004 - Reject Bid: Alteration and Modification to Co. 2 Fire House
- e. Resol. # 96-2004 - Rescind Resolution No. 72-2004 Special Counsel Regarding Redevelopment
- f. Resol. # 97-2004 - Professional Services: Cadmus Water Storage Tank
- g. Resol. # 98-2004 - Interlocal Agreement for Use of Walsh Pool by Midland Park
- h. Resol. # 99-2004 - Interlocal Agreement for Use of Walsh Pool by Saddle Brook
- i. Resol. #100-2004 - Interlocal Agreement for Use of Walsh Pool by Prospect Park
- j. Resol. #101-2004 - Property Maintenance / Facelift Committee Appointments
- k. Resol. #102-2004 - Business Leadership Appointment
- l. Resol. #103-2003 - Award of Bid: Sprinkler Repair / Modification
- m. Resol. #104-2004 - Amend Resolution No. 22-2004 Alliance for Substance Abuse Appointment
- n. Resol. #106-2004 - Removed
- o. Resol. #107-2004 - Professional Services: Asbestos Investigation
- p. Resol. #109-2004 - Cable Television Board Appointment

Resolution No. 106-2004 - Professional Services: Goose Management Program

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Caan, Resolution No. 106-2004 was discussed.

Deputy Mayor Etler stated he could not support Resol. #106-2004. He stated they need to take more time to explore it. He felt it would have been worth it to explore other options. Deputy Mayor Weinstein stated the program is very detailed and explains what they will do as well as the grass being safe. The geese just do not like to eat it with the chemical on it.

Councilmember Caan stated he spoke with the Superintendent of Recreation about the various options and they have tried many in the past. He felt this is the most comprehensive program and all the research has been done and will take care of many areas in different ways. This will give them the best chance to control the geese and clean up the area.

Mayor Ganz stated this is not a short term solution.

There being no further comment, Resolution No. 106-2004 was passed with Deputy Mayor Etler dissenting.

Resolution No. 108-2004 - Appointment of Tax Assessor

Upon Motion by Deputy Mayor Weinstein and a second by Councilmember McCarthy, Resolution No. 108-2004 was discussed.

Mayor Ganz stated the Tax Assessor is retiring after many years of service. No one wants to pay taxes, but taxes fund our schools and the salaries of the teacher, roads are paved among many other things.

Councilmember Caan stated he was voting against this appointment, although both applicants are qualified and both would have done an excellent job, but he believed that one candidate had a little more experience, was more cooperative during the process and felt that particular candidate wanted the job and was going the extra mile to get it.

Deputy Mayor Weinstein stated he was voting yes, one may have more experience but being familiar with Bergen County is important as well and is in favor of the appointment.

Councilmember McCarthy stated he thought it is critical to have someone who is familiar with the town and neighborhoods and agreed with this appointment.

Borough Attorney Lustgarten explained the process of hiring someone for the Borough of Fair Lawn. He stated when the current Tax Assessor let them know he would be retiring, they had to make a new appointment. The Mayor and Council appointed Manager/Municipal Clerk Kwasniewski and himself for the screening process. Several candidates had to be interviewed before a decision can be made.

There being further comments, Resolution No. 108-2004 was passed with Councilmember Caan dissenting.

MISCELLANEOUS PUBLIC COMMENTS

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

Mayor Ganz explained that this is the time anyone from the general public has opportunity to speak whether with concerns or just comments.

Claudia Bogris, 2-10 33rd Street, stated she has been a resident for fifteen years, loves the town of Fair Lawn and the block she lives on. She stated there seems to be a large amount of litter and they cannot be tolerant of this. New Jersey Monthly Magazine compared Fair Lawn in the same League as Glen Rock and Paramus. If they are tolerant of this litter problem, she does not feel that can be true. She asked that they please remind our citizens what their responsibilities are.

Deputy Mayor Etler stated there is a Litter Marshall Program that is practiced in other states. People volunteer their time, they get a kit and take information from anyone they see littering, a name, license plate number and turn it over to the Recycling Coordinator. The first time they are given a warning and the second time they will be fined.

Mayor Ganz stated the Property Maintenance Committee has a lot of participants who are in charge of keeping Fair Lawn green, clean and beautiful.

Deputy Mayor Etlar stated the town sponsors two litter clean up days. He stated people could give their name and be put on a list to volunteer. He stated they give a t-shirt to the volunteers.

Councilmember McCarthy stated over the last two years they have gone to various parks, recreation complex by Walsh Pool, Berdan, cleaned the intersection by Fair Lawn Avenue and Route 208. He stated information on the various clean up dates is available on Channel 77 and the Borough's Website.

Deputy Mayor Weinstein stated as a member of the Recreation Facility Committee, they have met a number of times. A letter is sent to the All Sports Team's coaches stating before and after the games the area should be cleaned up. He stated it is the coaches, parents and everyone's obligation to follow through. Last year in May the High School student went out around Berdan and helped clean up and there is definitely a community interest in keeping Fair Lawn clean.

Ms. Bogris asked if the Mayor and Council could put something in the local paper to remind people of their responsibility. Mayor Ganz stated that Manager/Municipal Clerk Kwasniewski would put it in the newsletter.

Becky Greene, 35 Wayne Road, asked what was the status of the Budget, what was the projected increase in points and what that means to homeowners. Second, the re-construction of the Recreation Center.

Mayor Ganz stated the Council is meeting Tuesdays and Saturdays early in order to try to go through it. They have not yet completed the budget, so it would be premature to say what the final budget would be. The Manager's budget right now is about a twenty two point increase, which translates to about four hundred and eleven dollars for every home. It will be lower than that by the time the budget is introduced.

Mayor Ganz stated the Recreation/Community Center will replace the little theater that was on River Road for many years. He explained the new center will have a basketball court that is of proper size and safe, running or walking track, one hundred and fifty seat theater and many other facilities.

Deputy Mayor Weinstein stated the theater will have one hundred and seventy seats, there will be place for seniors to go to play cards and the art association will meet there, Radio Club will have their own little section. He stated upstairs will be table tennis and games for older teens. Mayor Ganz stated there will also be a coat room there so they are not just piled on the floor somewhere. Deputy Mayor Etlar stated this building will be the heartbeat of Fair Lawn.

Lisa Samson, 15 Madelyn Place, asked if there would be minutes from this meeting. Mayor Ganz stated they will be available online when they are ready.

Mary Ellen Posdon, 0-32 Elden Place stated one of the concerns she has as a parent of the Warren Point School area is the traffic on Route 4. She asked what efforts were being made to address the traffic concerns on Route 4 specifically the people who run red lights. Mayor Ganz stated this is a State Highway. They have a traffic Safety Officer who is stationed at the school to help protect and help cross the kids. He stated they have one hundred and eleven miles of roadway in the Borough of Fair Lawn and the police try to circulate on a regular basis through all parts of town. He stated in the course of a year they give out several thousand tickets for violations. He stated if she had a particular time of day there was a problem she could send him a email and he would forward it to the Manager and the Chief of Police and the Traffic Safety Officer so they are aware of it. They have fifty seven officers in the Borough of Fair Lawn and one hundred and eleven miles of roadway and they just cannot do it all.

Ms. Posdon stated one of the things brought up in the revitalization was to make Fair Lawn beautiful, if you want to make it beautiful and have people walk down Broadway and visit the shops they have to make changes to make it safe. Mayor Ganz stated they have taken other steps to try to increase and enhance this area through CBGD money that Deputy Mayor

Etlar and Deputy Mayor Weinstein were participants in and he is very confident that the Freeholder Board is shortly going to be approving the grant for Broadway revitalization.

Leasa Sampson, 15 Madelyn Place asked about the parking and dropping off at the school is really a problem. She stated she got a seventy nine dollar ticket for pulling over and escorting her children across the street. She asked if there was a way to make a drop off point for the safety of the children and for the parents who have to drop them off and get to work or is there something that could be done. Mayor Ganz stated the school property is the Board of Education and they could put this on the agenda to speak with Mr. Watson the Superintendent to try to solve the problem. He stated this school is so close to Broadway and Jack Daniels the parking is always difficult at this particular area and would ask Manager/Municipal Clerk Kwasniewski to ask Acting Chief Rose to ask the Traffic Safety Officer to look into this and see if there is something he could suggest to try to help solve this problem. Lisa Sampson stated she had three incidents and would like this to be taken into consideration for safety sake.

There being no additional comments from the public, upon motion by Deputy Mayor Etlar and second by Councilmember Caan, 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 8:45 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk