

WORK SESSION APRIL 15, 2004

Mayor Ganz called the meeting to order at 8:31 a.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 Deputy Mayor Etlar and seconded by Councilmember McCarthy the following closed session resolution was unanimously adopted at 8:33 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 contract negotiations; 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 contract negotiations 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 9:00 a.m.

Attorney Lustgarten advised that in Closed Session the Mayor and Council recommended to the 501(c)(3) the following companies March Associates, River Drive Construction and CCMS. The Council asked Manager/Municipal Clerk Kwasniewski to notify the companies. He recommended that the documents the Council had already received be forwarded to the 501(c)(3). In the event there is a time lag for the proposed start up the Council may want to consider alternate funding for this project.

Mayor Ganz stated he had a different belief because he felt that getting the funding from County could save 1/2 tax point. He asked Manager/Municipal Clerk Kwasniewski to ask CFO Eccleston to get a quote. He also asked Attorney Lustgarten to advise them of how they can proceed until they receive IRS approval. Mayor Ganz asked Attorney Lustgarten to keep the Council informed of interim financing since the 501(c)(3) has no funds. He reminded the Council that they are going to ask The Ives Group to assist in this project administratively. Attorney Lustgarten advised that since the Borough is the guarantor on the bonds and since it is a public project, it would be highly appropriate that the Borough monitor what goes on between the 501(c)(3) corporation and the County. He advised that he would supply assistance when the 501(c)(3) needs it.

Adjournment:

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the meeting was adjourned at 9:08 a.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk