

WORK SESSION OF OCTOBER 5, 2004

Mayor Ganz called the meeting to order at 7:31 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.

Review of Tentative Agenda 10/12/04:

Manager/Municipal Clerk Kwasniewski stated there were no additions.

Legal Opinion re: Two Tier Fee System:

Attorney Lustgarten advised that he had talked with Construction Code Official Van Hook who will check the UCC code. He felt it was a bad idea and asked that it be carried for a month. Mayor Ganz suggested that it be put back on the Work Session Agenda for November 1, 2004.

Police Explorer Program:

Attorney Lustgarten advised that it was up to the Council at this point. Manager/Municipal Clerk Kwasniewski stated that the Police Department is ready to go with the program. She did not think Attorney Lustgarten's objections would impact anyone. Attorney Lustgarten explained the objections he had to the program, some of which were the Boy Scouts discrimination by sexual orientation and to make sure this program did not send the participants out to do Police functions. Manager/Municipal Clerk Kwasniewski felt none of these objections were an issue. Attorney Lustgarten advised that he had prepared the resolution so it is ready to go but with added language which reads ABe It Further Resolved that this program shall be administered on a non-discriminatory basis and shall be represented as such by the Program Directors, subordinates and designees. Attorney Lustgarten advised Assistant Municipal Clerk Bojanowski to give the language to his secretary, Sylvia Tedona, to put on the resolution.

Status of Relocation of Program Held at Recreation Center:

Deputy Mayor Weinstein wondered where the programs that were held at the Recreation Center on the weekends will be held. Manager/Municipal Clerk Kwasniewski stated that 99% of programs have been relocated. They are currently working with the Board of Education to use the schools and to use Edison School on Fridays and Saturdays. The Board of Education said the Borough might have to pay for janitorial staff. She thought this was something they would have to do. She also informed the Council that Recreation is looking into renting temporary space in a warehouse. Mayor Ganz asked that she return to the Council with a proposal.

Request for Borough Garbage Truck at League of Municipalities Convention:

Manager/Municipal Clerk Kwasniewski stated that the Borough received a request from Leech to have the new garbage truck on display at the League Convention. She stated the company would drive it there or Superintendent of the Department of Public Works Conte was willing to drive it down to Atlantic City. Attorney Lustgarten advised that he was opposed to taking the truck out of the Borough since too many things could happen that would cost the Borough time and manpower. Mayor Ganz stated they would require Leech to supply the Borough with insurance. He also wondered what kind of credit would they give the Borough on

the next purchase. Attorney Lustgarten reiterated he was against this since there is legal liability involved. Mayor Ganz felt they should give credit or trailer it. Attorney Lustgarten advised that if Leech would enter into an agreement that would give the Borough a substitute truck and supply the Borough with insurance the Council could consider it. Mayor Ganz ask that Manager/Municipal Clerk Kwasniewski negotiate with them and get back to the Council.

Endorsement of CDBG Application: Children=s Therapy Center:

Mayor Ganz stated that these grants have to be in by Friday. This is not using any of the Borough funds. The CP Center is asking for \$150,000 for hard core brick and stone work for their new addition. He assumed it was alright to put it on the Special Meeting tonight.

There was a unanimous consensus to approve the endorsement of the CDBG application.

Recess into Special Meeting:

Upon motion by Deputy Mayor Etler and seconded by Deputy Mayor Weinstein, the meeting was recessed at 7:46 p.m.

Mayor Ganz reconvened the Work Session at 7:47 p.m.

Closed Session:

Upon motion by Deputy Mayor Etler and seconded by Councilmember McCarthy the following closed session resolution was unanimously adopted at 7:48 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 Contract Negotiations 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 Contract Negotiations upon formal resolution by the Mayor and Council within one hundred twenty days to one hundred fifty days and for Personnel upon appointment by the Borough Manager and or Mayor and Council within thirty days; 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 10:35 p.m.

Personnel Appointments:

Manager/Municipal Clerk Kwasniewski stated that during the Closed Session the Mayor and Council

unanimously approved appointing Barbara Bolton and Todd Newman to the Garden Committee.

Manager/Municipal Clerk Kwasniewski stated they would be hiring a part-time plumbing inspector who will be able to work Saturdays. Mayor Ganz stated this was an important Council mandate that they are hoping will help ease the backlog in the Building Department and minimize disruptions in resident=s lives.

Miscellaneous Public Comments:

No one wished to be heard.

Closed Session:

Upon motion by Deputy Mayor Etler and seconded by Councilmember McCarthy the following closed session resolution was unanimously adopted at 10:41 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 when formal action by the Mayor and Council has been finalized estimated time is ninety days; 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 10:42 p.m.

Adjournment:

Upon motion by Councilmember McCarthy and a second by Councilmember Caan, the meeting was adjourned at 10:42 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

SPECIAL MEETING OF OCTOBER 5, 2004

Mayor Ganz reconvened the meeting at 7:46 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.

RESOLUTION BY CONSENT #24-2004

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Etlar, Consent Agenda 24-2004 containing the following item was unanimously adopted.

a. Resol. #299-2004 - Confirming Endorsement of CDBG Grant: Children=s Therapy Center

Adjournment to Work Session:

Upon motion by Councilmember Caan and a second by Deputy Mayor Weinstein, the meeting was adjourned to Work Session at 7:47p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk