

## WORK SESSION OF NOVEMBER 23, 2004

Mayor Ganz called the meeting to order at 6:06 p.m.

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

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

### **Snow Plowing:**

Councilmember Caan stated that he had met with the Senior Advisory Council who expressed their concerns. One of the complaints was about the snow plowing. It seemed to them that after they have cleaned their walks and driveways, the plows come back and plow the snow back onto their property. Manager/Municipal Clerk Kwasniewski stated she has a snow meeting and will raise the issue with the DPW. She said they cannot help plowing the driveways in. Mayor Ganz asked that she inquire on the amount of time it would take them to plow out each driveway.

Attorney Lustgarten stated that last year they talked about High School students going out and shoveling for the people who cannot shovel. Councilmember Caan stated that there was no interest from the students in the High School. Councilmember McCarthy asked when the last leaf pick up would be. Manager/Municipal Clerk Kwasniewski informed him it would be the first week of December.

### **Status Richard Street Parking:**

Manager/Municipal Clerk Kwasniewski reported that the owner has widened the driveway and has more room for the employees to park. One resident has asked to prohibit parking there but Traffic Safety Officer Franco was against it. Mayor Ganz asked that she report back in six weeks.

### **Accepting Payments Online:**

Manager/Municipal Clerk Kwasniewski stated she had met with the company and questioned the letter of understanding's reference to the refunds and about no charge to the Borough. They informed her that the money would be wire transferred into the Borough's account. Attorney Lustgarten stated their letter of understanding has nothing to do with the Borough of Fair Lawn. He felt they needed to change Schedule A or change the agreement.

Manager/Municipal Clerk Kwasniewski stated she was satisfied with the mechanics and CFO Eccleston was setting up the accounts at Valley National Bank. Mayor Ganz advised that three accounts should be set up. Attorney Lustgarten advised that the residents should know there is a convenience fee.

Manager/Municipal Clerk Kwasniewski stated that the fees will be 3% for taxes and 4.95% to 6.50% for water. Her main concern was that the Borough would lose two days of interest. Mayor Ganz thought it was less than 1%. Manager/Municipal Clerk Kwasniewski stated that according to CFO Eccleston it would be a larger amount. Mayor Ganz stated that he would like

### **Business Leadership Committee**

Reimbursables - Manager/Municipal Clerk Kwasniewski stated that she had checked the contract and the resolution and cannot find anything about reimbursables. However, they did collect \$17,750 so an extra \$1,600 is in an account. With authority from the Council they could use that money to pay the reimbursables. Deputy Mayor Weinstein stated that it actually had come to more than \$17,000. He was in agreement to use this money for the reimbursables. Mayor Ganz stated that he thought they had discussed this for his services and the expenses that follow. Attorney Lustgarten advised that if it was the consensus of the Council they could use the funds to pay for the reimbursables.

There was a unanimous consensus to pay the reimbursables from the remaining funds.

Finalization and Council action - Deputy Mayor Weinstein stated that the Business Leadership Committee is done and he felt that a letter of commendation should be sent to each member. He stated that Don Smartt informed him that the committee's work should be implemented by March 2005. Mayor Ganz asked that Manager/Municipal Clerk Kwasniewski inquire of the Tax Assessor of the time involved to put together a SID with Deputy Mayor Weinstein and Councilmember McCarthy on the committee. He would like to see how many blocks and lots are involved. He asked that she report back in two to three weeks.

### **JIF Proposals:**

Manager/Municipal Clerk Kwasniewski stated she had sent the Council the information they requested from the JIF. She felt they would have to decide what to do. She recommended staying with the Bergen County JIF since the premium went down in 2003 and stayed the same in 2005. It is a Council call. Mayor Ganz stated the Council would like to save money. He suggested she go back to Mr. Grub to see if they can get a response from their board to do a one year agreement. Attorney Lustgarten suggested asking for a one year agreement with a two-year option. Mayor Ganz asked how soon she could report back to the Council. Manager/Municipal Clerk Kwasniewski stated she would report back by December 7.

There was a unanimous consensus to have Manager/Municipal Clerk Kwasniewski contact the Bergen County JIF to see if the contract could be for one year with two and three year options.

### **Meeting Dates/Time:**

December 7, 2004 - Manager/Municipal Clerk Kwasniewski stated that Hanukkah is December 7 and it is up to the Council to switch meeting dates. Attorney Lustgarten advised that they should switch the meeting to another day. Mayor Ganz stated that the Menorah lighting will be on December 8 and did not see a need to switch the meeting date.

There was a unanimous consensus to keep the meeting on December 7.

Reorganization - Manager/Municipal Clerk Kwasniewski stated they need to pick a date for reorganization. Mayor Ganz stated they would let her know in two weeks. He asked that a list of

**United Water - Water Supply Agreement Renewal:**

Manager/Municipal Clerk Kwasniewski stated that the Borough had an agreement with United Water for several years. The current one is expiring this month. It is the same water rate. The Borough Engineer has recommended that the agreement be renewed.

There was a unanimous consensus to renew the agreement with United Water.

**Schoor DePalma Proposal - Topps Cleaners Property:**

Manager/Municipal Clerk Kwasniewski stated she had received their proposal but they are concerned about a disclosure and whether they should be disqualified. Mayor Ganz stated they did the environmental work for the previous owner and the price is right for this. Attorney Lustgarten advised that he did not feel it would be an impediment. All the Council was doing were asking them to review the property for redevelopment.

There was a unanimous consensus to approve the Schoor DePalma proposal.

**Date for Presentation by BGIA:**

Manager/Municipal Clerk Kwasniewski stated she had asked the Labor Attorney for an opinion on comparable coverage before the December 7 meeting. Mayor Ganz asked that she schedule them to come to the meeting on December 7 and if they can't she should go back to BGIA. Attorney Lustgarten advised that they could negotiate with the unions. Mayor Ganz stated he would like an opinion from the Labor Counsel first then worry about matching the doctors and service. He would like a written report on each union.

**Status of Planners:**

Deputy Mayor Weinstein stated Councilmember McCarthy and he had interviewed five different planners who all had different ideas of the area. Currently they are waiting for their proposals and quotes. Once they receive them, they will come back to the Council with their recommendation. Councilmember McCarthy stated the planners said they would submit their proposals before Thanksgiving. Mayor Ganz asked that they follow up on this so that it can be implemented as soon as possible.

**Status of Parking Study:**

Manager/Municipal Clerk Kwasniewski suggested that they talk about this in December, inviting Traffic Safety Officer Franco and Arlene Liebman to the meeting. Mayor Ganz stated that he did not see the number of spaces that will be lost for construction at the High School. He suggested they invite them to the meeting on December 7. A lengthy discussion followed regarding the number of spaces and the number of drivers. Mayor Ganz asked that they come back to the Council with real information on how many cars need to park. Manager/Municipal Clerk Kwasniewski stated she will contact Superintendent Watson for definite numbers. Mayor Ganz felt the cars should be counted to get a real number. Manager/Municipal Clerk Kwasniewski stated she will have the

responsibility for the parking problem. Mayor Ganz felt they have the ability to solve the problem. He felt by the Council taking off parking restriction on various streets it would help ease the problem. Manager/Municipal Clerk Kwasniewski stated she did not agree. Mayor Ganz stated they should have a meeting with the Board of Education. Councilmember McCarthy stated they should ask the Board of Education what they intend to do with the parking problem. Attorney Lustgarten suggested that Manager/Municipal Clerk Kwasniewski and he meet with Superintendent Watson to go over this.

### **Repair Canger Circle and Memorial Park:**

Deputy Mayor Etler said the Rotary has tried to repair the circle by bringing in a contractor. They would like the Borough to contribute \$3,000 and they would pay the remaining \$3,000 for the repairs. They would like to proceed right away. The Rotary has said they would put the money out with the Borough reimbursing them. Manager/Municipal Clerk Kwasniewski stated that the CFO has said he cannot reimburse them but can find the money in an old ordinance. The Borough would pay the \$6,000 and Rotary would reimburse the Borough their portion.

There was a unanimous consensus to fund the project as long as CFO Eccleston can find the money in an old ordinance or put it into next year's budget.

### **Continuation of the Status of Parking Study:**

Mayor Ganz read a letter he received from the Mrs. Panella, Principal of Fair Lawn High School, who stated there were three hundred fifty-five licenses by January and seven hundred by June. He found this was not responsive.

### **Senior Advisory Committee:**

Councilmember Caan reported that at the Senior Advisory meeting one of the complaints was about employees parking in the visitors spots at Borough Hall. Deputy Mayor Etler suggested they look at the signs. Attorney Lustgarten advised the Police and visitor's rows should be changed or make a whole new row. Manager/Municipal Clerk Kwasniewski stated these changes would need to be done by ordinance.

### **Miscellaneous Public Comments**

Louise Orlando, 12 Arlington Place, commended Attorney Lustgarten and Deputy Mayor Etler for behaving like gentleman and treating the Manager with respect. She offered to count the cars around the high school at no expense to the Borough. She suggested that one other way would be to obtain the birth dates from the Board of Education. Ms. Orlando questioned Councilmember McCarthy about the planners being interviewed. She felt they should involve as many aspects of the population. Councilmember McCarthy stated that they want input from everyone not just from the Mayor and Council. He felt they would have to meet with the public and the different groups. Mrs. Orlando stated there are all different concerns about the development of that tract and what will go on there. Deputy Mayor Weinstein stated they will meet with the Manager, DPW, Engineering, the Radburn Association and anyone else who has input into that area. The Council intends for

**Meeting Dates Continued:**

A discussion took place regarding the meeting on December 7 which is Hanukkah. Several dates were discussed to change the meeting to. It was finally agreed upon to hold the Work Session meeting on Monday, December 13 at 6:00 p.m. and the Regular Meeting on Tuesday, December 14 and if needed to begin the meeting at 6:30 p.m.

There was a unanimous consensus to change the meeting date to December 13 at 6:00 p.m. and the meeting time for December 14 at 6:30 p.m.

**Adjournment to Regular Meeting at Milnes School:**

Upon motion by Deputy Mayor Etler and a second by Councilmember McCarthy, the meeting was adjourned at 7:36 a.m. Mayor Ganz will not be attending the meeting at Milnes School.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor David L. Ganz

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Councilmember Allan Caan

Deputy Mayor Martin Etler

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Councilmember Owen McCarthy

Deputy Mayor Steven Weinstein