

Municipal Clerk

Council Minutes - January 7, 2003

REORGANIZATION MEETING OF JANUARY 7, 2003

Acting Manager / Municipal Clerk Kwasniewski called the meeting to order at 7:36 p.m.

Invocation by Rabbi Listokin

Rabbi Listokin gave the invocation.

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 Bergen Record issues of December 27 2002.. Notices were also posted on the bulletin board located on the first floor of the Municipal Building and the Maurice Pine Free Public Library. Copies were mailed to the North Jersey Herald and News and the Shopper. The annual notice identified the times and locations of the Council meetings and work sessions.

PRESENT: Councilmembers Amato, Caan, Etlar, Weinstein, and Ganz.

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

Nominations for Mayor

Upon motion by Councilmember Etlar and a second by Councilmember Weinstein, Councilmember Ganz was nominated as Mayor. There being no other nominations, the time for nominations was closed. Councilmember Ganz was unanimously elected Mayor and took his Oath of Office.

Mayor Ganz assumed the chair.

Nominations for Deputy Mayor

Upon motion by Mayor-elect Ganz and a second by Councilmember Amato, Councilmember Etlar was nominated as Deputy Mayor. There being no other nominations, the time for nominations was closed. Councilmember Etlar was unanimously elected Deputy Mayor.

Nominations for Deputy Mayor of Community Affairs

Upon motion by Councilmember Etlar and a second by Councilmember Amato, Councilmember Weinstein was nominated as Deputy Mayor of Community Affairs. There being no other nominations, the time for nominations was closed. Steve Weinstein was unanimously elected Deputy Mayor of Community Affairs.

Swearing in of Mayor and Deputy Mayors

Senator Coniglio and Assemblyman Matt Ahearn swore in Mayor Ganz and Deputy Mayor Etler and Deputy Mayor Weinstein.

Remarks of the Mayor

Mayor Ganz read the following statement: this marks the fourth time that I have reported to you on state of the Borough, and I am pleased to be able to say that the state is good - but we face significant challenges in 2003.

This past year the Council had an ambitious agenda designed to assure continuation of existing services, expansion of other vital services to Borough residents, and preservation of the high quality of life that residents of Fair Lawn have come to expect from their elected officials and Borough employees.

Last year was a difficult year financially and this year will be harder still. The Federal Government has indicated that it will reduce aid to states, and municipalities. The state government, in turn, has suffered a severe revenue shortfall as result of the national economic condition - the recession - and will not pass back the same level of aid to maintain municipal services as it has in the past. At the same time, government mandates on state and federal levels increase the burden on municipalities for services that are required to be rendered, and for which they receive no financial assistance - except of course from the taxpayer. Our mission is 2003 is to do more with less - and this will be a substantial burden on everyone working together. He was sure they could accomplish this.

On a positive note, we are grateful for the volunteers. They are the glue that helps keep us functioning fully and effectively. We honored them this year with a proposal made by Councilmember Allan Caan, and approved by the whole Council, creating a Veterans & Volunteers Coalition, which is designed to repay back in a small way, those who served our country, and those who serve our community. More than a thousand residents in Fair Lawn have taken advantage of this program which provides discounts, and tangible economic benefits, for them.

We are also especially grateful to the emergency service members of Fair Lawn, and from the mutual aid towns that surround us. Nowhere was their importance made more clearly than the tragic fire of October 1 which destroyed a significant portion of the Radburn Plaza Building, a center point in town since the 1920=s. A total of twenty-three separate emergency services assisted in the process of putting out the blaze which actually took several days to complete. Units came from as far away as Allendale and south from Garfield. Our profound thanks to all.

Moreover, even before embers were cool, I asked Governor McGreevey and Congressman Rothman to be of assistance to Fair Lawn, and its residents to apply for obtain federal aid or assistance in the rebuilding process for the Radburn building. Governor McGreevey issued a declaration of need, based on the excellent work of our Acting Manager Joanne Kwasniewski and our Office of Emergency Management Coordinator Tom Metzler. We asked for help for the thirty-one businesses and three hundred employees who were directly affected by the catastrophe.

On December 6, Governor McGreevey, advised me of an imminent finding from the Small Business Administration that federal assistance would be forthcoming. Congressman Rothman confirmed this as well. As a result of the efforts of our hometown congressman and our governor, as well as the foresight of the Council to have an OEM coordinator, low interest (3%), government loans and outright grants, will be available to help in the rebuilding process. They are still trying for more. This rebuilding effort is ongoing and we will continue giving our assistance.

The foresight of a prior Council to make a substantial capital expenditure and buy a snorkel fire truck -

used for high story fires - brings us to another important highlight of the past year: the investment by the Council in the Borough's capital improvement program, which includes computer equipment, electronic equipment for the Ambulance Corps, the Fire Department, new roadways maintenance equipment, a new well-pump for our aging water system, upgrades for the children's section of the Maurice Pine Public Library, and a host of other items.

As in the past, your Council carefully monitors expenditures and authorizes only what is truly necessary. He stated as he said before, this charge has never been greater, but they are prepared to make the hard choices to insure efficient, through lean government operations.

As a small example, water rates went down this year after the Council was able to make a modest reduction in the price per thousand gallons charged to Borough home owners. This came in the face of a drought emergency.

Unfortunately, Borough residents were so successful in conserving water, that our self-liquidating water utility will probably suffer a shortfall because our fixed costs never go away. In this regard our citizens responded environmentally properly but our financial reward won't be there.

When we look at the recreational facilities in Fair Lawn, we do so with pride. Our baseball, football, soccer, and other field activities are played seven days a week on virtually all the fields of the Borough. As a result of this Council's efforts, and those of Senator Coniglio and Assemblyman Ahearn, two grants have been received late this year, totaling over \$250,000.00 - a full tax point. This money will allow the Borough Council in 2003 to consider lighting Center Rec and Memorial Field to further extend the ability of sport teams to fully utilize the fields and give all children in the Borough expanded practice and game time. I cannot think of a better investment.

In the last few weeks we have all read that New York City just increased taxes by 18% and like many other municipalities are seriously reducing services. Fair Lawn, by contrast, has maintained services and actually added a few such as keeping the Senior Center open seven days a week, using the minibus to take residents to the mall, and to supermarkets around town. Through the assistance of Congressman Rothman, we were able to provide new bulletproof vests for our police department, at minimal cost.

On a lighter note Deputy Mayor Steve Weinstein initiated a contest, with Council support, to create a slogan for Fair Lawn. The winner this year, was AFair Lawn, a nice place to visit, a better place to live. Many young people participated to the delight of everyone. Residing in this community for more than twenty years, I concur: Fair Lawn is a wonderful place to live.

We look forward to 2003 with the hope that international issues such as Iraq can be resolved without loss of life. We place our trust in national leaders to provide security without the loss of fundamental rights and liberties. Locally we must find solutions to issues that could divide us rather than bringing us together. I know we will be successful.

I am proud to have been a part of the Borough government for the last five years and Mayor for the last four. Earlier this week, I took up added responsibilities in Hackensack as a member of the Board of Chosen Freeholders. It is my goal as a member of the Council, and a member of the Board of Chosen Freeholders, to continue to do my best to serve the people of Fair Lawn and Bergen County. I hope 2003 brings peace and prosperity to us all. Thank you.

Remarks of the Deputy Mayor

Deputy Mayor Marty Etlar read the following statement: as this year 2002 has closed, I find the Ship of

State, Fair Lawn on a stable course. We have kept up with needed improvements and will continue to do so when necessary, always considering the cost to our citizens.

Our Police and Emergency Services continue their work with an ever increasing diligence due the heavy amount of traffic that traverses Fair Lawn through two major highways.

Taxes have remained a number one priority with this Council. While they have no control over school and County taxes, they did bring stability to municipal spending.

With the hope that we in Fair Lawn may prosper, I would like to wish one and all, all my best wishes for the coming new year.

Remarks of the Deputy Mayor of Community Affairs

Deputy Mayor Steve Weinstein read the following statement: good evening and happy new year to all. It has been an honor and a pleasure to have served Fair Lawn over the last year. I thank the residents of Fair Lawn for giving me their vote of confidence and ability to continue to serve.

As Deputy Mayor of Community Affairs I will continue the process of fulfilling the needs of the constituents.

In the last year, the Mayor, Council and I have encouraged a strong sense of community involvement. We listen and follow-up on every residential issue and suggestion. Our constituents understand and appreciate this open government policy and willingness to resolve individual concerns.

The committees that I have organized are active and have opened communication between the community, Borough employees, and the Council. We have built upon the strong sense of volunteerism for which Fair Lawn is well known.

In my first year we have achieved a lot. On my Recreational Facility Committee we have had two successful contests - AAnti - Litter@ and ACommunity Slogan@. The winning signs will be displayed around the Borough in the spring.

The residents have had major input into park maintenance. Together we are achieving long term goals of upgrading the Borough=s recreational facilities. In fact, major grants for lighting additional fields at Center Rec and Memorial were obtained - saving tax payers in excess of \$250,000.

On my Business Leadership Committee we have explored the successes and failures of other municipalities in relationship to their business communities. We are applying this knowledge to the five business districts of Fair Lawn. The committee is growing in size. People realize that vibrant business districts increase residential property values, add business ratable and makes for a desirable community.

In assisting Councilmember Caan the Volunteer and Veteran Coalition has been enormously successful. Businesses are able to show appreciation to our veterans and volunteer emergency services through major product and service discounts. The veterans and volunteers appreciate their recognition and in the true spirit of community have asked how they can further help our town.

Through my involvement as a Council liaison to various other committees - the FL Alliance for Substance Abuse, Property and Maintenance, Board of Education and the Local Emergency Planning Committee I have taken a hands on approach to Borough issues and will continue to bring them back to Council for

resolution.

Lastly, and most importantly, with regard to the municipal budget we worked hard last year and will work as hard if not harder this year - putting in numerous hours to cut and slash the budget. We will be creative in order to maintain our high quality of service while keeping a stable tax base. We must do more with less resources from the state and county.

Our residents have indicated they want quality services but they also want tax relief. We need to strike a fair balance.

We ask for Fair Lawn's unqualified support and understanding that this year more than ever, in these very tough economic times, we must tighten our belts. I love this community and you do too. We must all work to keep it vibrant and safe. Constructive input from the community is always welcome. We will succeed. We always have.

Remarks of Councilmembers

Councilmember Amato read the following statement: fellow residents and friends, good evening. Thank you for attending Fair Lawn's 2003 municipal reorganization.

In terms of fiscal constraint, this will be the most difficult year of my term. Our town and its residents, like most all in our state and country, will be struggling through a horrible economic downturn. There is no escaping it. I can only say to you that I will follow the same principle that has guided me since my first day at this job; aggressive fiscal oversight and common sense. And if I am again called a micro-manager, so be it.

However, I am encouraged with a forthcoming appointment of a new Borough Manager. I have been strongly in favor of such a change for quite awhile. Whoever this Council selects for that position will be certain, at least in the near term, to be mindful of the events of the past three years.

My friends, I encourage you to attend or view Council meetings, or write to us, but most importantly, try to stay connected to your government.

Thank you and may God look over us all.

Councilmember Caan read the following statement: last year at this time, I started my tenure on the Fair Lawn Council with a great deal of anticipation. I discussed that day some initiatives I wanted to start, and with the support of Mayor Ganz and the rest of the Council, I can report to you that those goals have been achieved.

I wanted to place pedestrian yield signs around the Borough to try and slow down speeders and warn them to stop when pedestrians are crossing at intersections. This summer, those signs were placed throughout the Borough. Citizens have reported to me that the signs are having a positive impact.

I said I wanted to have the Amber Alert Plan put into effect not only in Fair Lawn, but also throughout New Jersey. Amber Alert is the plan where when a child is abducted, citizens are alerted to that fact through the media and can help the police locate the abductors. The Amber Alert Plan has been successful in locating over forty children throughout the United States. The Amber Alert Plan is now in effect throughout New Jersey, after being signed into law by the Governor.

In Fair Lawn we have taken the Amber Alert Plan one step further. When appropriate, the Fair Lawn

Police will also use our reverse 911 system to notify residents in the immediate area to be on the lookout for a lost or missing child.

With the support of the Mayor and Council, I was able to create the Fair Lawn Veteran and Volunteer Coalition. I believe this program is the first like it, in not only New Jersey, but anywhere in the United States. The purpose of the Coalition is to provide ongoing discounts and services to our military veterans and our fire, ambulance, rescue squad, emergency management, and auxiliary police volunteers. Over one hundred businesses have agreed to participate and are providing discounts and services to these men and women who have given and continue to give countless hours of service to our community. Almost fifteen hundred veterans and volunteers have signed up for this program. If you are a veterans or the spouse of a veteran, and are not a member of this program, you can still sign up by calling the Borough Manager=s office. I want to thank all the businesses which are participating and making the Veterans and Volunteer Coalition the success that it is.

I was happy to work with Deputy Mayor Weinstein on the Recreational Facilities Committee. This new committee started by Deputy Mayor Weinstein had made significant progress in just one year of developing a plan to rehabilitate and maximize the use of our athletic fields. Just recently we received two grants totaling \$250,000 to help light additional fields.

I am proud of what we were able to accomplish last year, and I am looking forward to the things I know we will accomplish next year.

MAYOR'S APPOINTMENTS

- a. Library Trustees - Bruce Rosenberg, Susan Silverstein
- b. Environmental Commission Chairperson - Wendy Dabney
- c. Board of Education Liaison - Mayor Ganz, Deputy Mayor Weinstein
- d. Planning Board designee - David Bass
- e. Class II Planning Board Member - Thomas Metzler

RESOLUTIONS BY CONSENT #1-2003 COUNCIL APPOINTMENTS:

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Consent Agenda #1-2003 containing the following items was unanimously adopted:

- a. Resol. No. 1-2003 Borough Attorney
- b. Resol. No. 2-2003 Borough Auditor
- c. Resol. No. 3-2003 Tax Appraisers
- d. Resol. No. 4-2003 Labor Attorney
- e. Resol. No. 5-2003 Bond Counsel
- f. Resol. No. 6-2003 Planning Board
- g. Resol. No. 7-2003 Zoning Board
- h. Resol. No. 8-2003 Fire Officers
- I. Resol. No. 9-2003 Liaison to Fire Board
- j. Resol. No. 10-2003 Environmental Commission
- k. Resol. No. 11-2003 Senior Citizen Advisory Board
- l. Resol. No. 12-2003 Rent Leveling Board
- m. Resol. No. 13-2003 Holiday Celebrations
- n. Resol. No. 14-2003 Youth Advisory Board
- o. Resol. No. 15-2003 Property Maintenance/Facelift Committee
- p. Resol. No. 16-2003 Cable Television Board

- q. Resol. No. 17-2003 Insurance Commissioners Self Insurance
- r. Resol. No. 18-2003 Fair Lawn Historical Committee
- s. Resol. No. 19-2003 Advisory Committee on the Americans with Disabilities Act
- t. Resol. No. 20-2003 Garden Club
- u. Resol. No. 21-2003 Defender County Tax Board of Appeals
- v. Resol. No. 22-2003 Liaison to Alliance for Substance Abuse Prevention
- w. Resol. No. 23-2003 Advisors to the Senior Citizen Center
- x. Resol. No. 24-2003 Broker of Record Medical & Dental
- y. Resol. No. 25-2003 Public Advocates
- z. Resol. No. 26-2003 Pool of Experts/Alternate Public Advocates
- aa. Resol. No. 27-2003 Claims Management Service - Quality Claims Adjuster
- bb. Resol. No. 28-2003 Loss Control Services - Commerce National Risk Control
- cc. Resol. No. 29-2003 Risk Management Consulting Service - Highview Planning L.L.C.
- dd. Resol. No. 29A-2003 Municipal Court Judge

MANAGER'S APPOINTMENTS:

Acting Manager / Municipal Clerk Kwasniewski announced the following one year appointments: Steven Schechter as Prosecutor, Anthony Gallina as Alternate Prosecutor, John F. Hipp as Rent Leveling Board Attorney, Josh Levine as Public Defender and Linda Baer as Assistant Public Defender. These people have served the Borough before and have done an excellent job. She is confident that they will provide continued good service during the year 2003.

RESOLUTIONS BY CONSENT #2-2003

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, Consent Agenda #2-2003 containing the following items was unanimously adopted:

- a. Resol. No. 30-2003 Cash Management Plan
- b. Resol. No. 31-2003 Official Newspapers
- c. Resol. No. 32-2003 Tax/Assessment Interest
- d. Resol. No. 33-2003 Temporary Budget
- e. Resol. No. 34-2003 Temporary Budget - Water
- f. Resol. No. 35-2003 Annual Meeting Dates and Times
- g. Resol. No. 36-2003 Defending Tax Appeals
- h. Resol. No. 37-2003 Annual Sale of Delinquent Taxes
- I. Resol. No. 38-2003 Approval of Minutes:
 - Work Session 10/1/02
 - Closed Session 10/1/02
 - Special Meeting 10/1/02
 - Regular Meeting 10/8/02
 - Closed Session 10/8/02
 - Work Session 10/15/02
 - Special Meeting 10/15/02

Acting Manager / Municipal Clerk read the following letter from Municipal Judge Bonnie Mizdol: Honorable Mayor David Ganz and members of the Borough Council, Acting Borough Manager, Distinguished City Officials, Honored Guest and the Citizens of the Borough of Fair Lawn, I am both professionally and personally thankful and gratified that you have vested me together with my Court Administrator, Clare Cabibbo with your trust and confidence to continue forward with the work of the Fair Lawn Municipal Court for the next three years. I am especially thankful for the past three years of

unwavering support extended to me as I have carried out my duties in the Court. It is only with your continuing support and common commitment to the integrity of an efficient, fair and well ordered court system that I will be able to successfully carry out the duties and obligations of my judicial position in the upcoming term. I readily accept the position of Judge in your Municipal Court for the 2003 to 2006 term and wish to once again extend my heartfelt thanks to you, Mr. Mayor, and to the esteemed members of the Council for your efforts on my behalf. My sincere good wishes for a happy and healthy 2003 to all in attendance. Signed by Bonnie Mizdol.

Public Comments

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, the time for public comments was opened.

Keith Brown, 23-05 Ellington Road, congratulated Mayor Ganz and Deputy Mayor Weinstein on the recent re-election. He commended everyone on the Council for their time and efforts in doing this difficult job. He wished everyone a happy new year and hoped it will be healthy and safe for all.

Mr. Brown wondered if the Police Department uses Crown Victoria=s and if they were fitted with the safety precaution. He felt safety is a number one issue and the Council should do everything to make sure the Police are safe. Acting Manager / Municipal Clerk Kwasniewski stated she will check with the Police Chief.

Mr. Brown referred to Councilmember Amato=s statement about wanting people to attend the Council meetings. It always bugged him that the meetings were on the road. Mayor Ganz stated they would put that on their agenda. Mr. Brown referred to Councilmember Caan=s statement about pedestrian crosswalk signs and noticed that all of the signs on River Road are gone.

Don Oliver, 8-32 Mitchell Place, congratulated Mayor Ganz on his election to County Freeholder. He hoped that Fair Lawn does not become a weak link on his chain. He also congratulated Deputy Mayor Weinstein on his election. Mr. Oliver reminded the Council about the pedestrian cross walks on River Road. Councilmember Caan stated the Council is waiting for County approval. Acting Manager / Municipal Clerk Kwasniewski informed them the Freeholders have approved it and she is awaiting approval from the Department of Transportation.

Mr. Oliver stated it is going to be a tough year and he expects a substantial tax increase and water increase. He stated he was glad the Borough got the grants for the field lighting. David L. Ganz stated that Mr. Oliver has been in many budget meetings and has seen how diligently the Council goes over the budget sometimes cutting just \$50 in a line item. Mr. Oliver stated he knew it was a tedious job. He felt there should be belt tightening for everyone including employees in this town with some give backs in their contract negotiations.

Assemblyman Matt Ahearn congratulated Mayor Ganz on his election to Freeholder. He mentioned how much of a pleasure it was for him to be here four years later knowing that four years ago he was sitting in Deputy Mayor Etler=s place, he made the first motion for David Ganz to serve as Mayor of Fair Lawn. It is wonderful to see that continue and he knew that Mayor Ganz will do an excellent job for the Freeholders.

Assemblyman Ahearn addressed a comment by Councilmember Caan. He felt Councilmember Caan was far too modest when mentioning the Amber Alert program. There is a part of the story that he didn=t mention. Two years ago Councilmember Caan sent him an email of the Amber Alert being activated in another state. At the time he was just a candidate but sent it off to the Chairman of the State Democratic

party and that got forwarded to Assemblywoman Greenstein that ultimately become the New Jersey Amber Alert bill. That email helped moved things along. It is amazing how citizens involvement can help move the government along.

Assemblyman Ahearn congratulated Deputy Mayor Weinstein for being sworn in for his first full term. He presented him with an Assembly citation. He read the following: for Councilmember Steven Weinstein by the citizenry of the 38th New Jersey Legislative District, through their elected representative, congratulations upon your installation as Councilmember for the Borough of Fair Lawn and thank you for your dedication in representing the interest of the people.

Senator Joseph Coniglio wished everyone of them and the residents of Fair Lawn a very healthy, happy and prosperous new year. He thanked Mayor Ganz, Deputy Mayor Etlar and Deputy Mayor Weinstein because they honored him by letting him swear them in this evening. He congratulated Deputy Mayor Weinstein and is very proud and knows that he is a great addition to this governing body and he expects him to do an outstanding job for the residents of Fair Lawn. He presented a citation that read much of the same way that Assemblyman Ahearn=s did. He also presented a gift of a paper weight inscribed with congratulations from Senator Coniglio.

Mayor Ganz thanked Senator Coniglio for joining them this evening. He appreciates all the hard work he has done for not only his home Borough that is Paramus but also for the Borough of Fair Lawn.

Senator Coniglio stated they should rest assured that he and Assemblyman Ahearn will work as hard as they can to produce as many grant dollars in the future for the Borough of Fair Lawn and for the rest of the district.

Barry Winston, 19-11 Greenwood Drive read the following statement: Mr. Mayor, Deputy Mayor Weinstein, Deputy Mayor Etlar, and Council people Amato and Caan, and fellow citizens of the Borough. On behalf of the Fair Lawn Democratic County Committee I want to offer congratulations to you Mr. Mayor on your successful election victory to become Fair Lawn=s first Freeholder and to Deputy Mayor Weinstein in his first election victory this past November. He would also like to thank the voters of Fair Lawn and not just the Democratic voters but all of the voters, both Democratic, Republican, Independent and undeclared who cast their votes for the Democratic ticket which won the November election so convincingly. As the Municipal Chairman of the Fair Lawn=s Democratic Party, I share the responsibility of seeking out and recruiting individuals who want to become active and want to share the broad principles that our party stands for. So it is with great pride that I am here tonight to offer congratulations not only to my friend, Mayor David L. Ganz and Freeholder but to Deputy Mayor Steve Weinstein, Congressman Steve Rothman, Assemblyman Matt Ahearn and our all democratic council who share a passion for public service and who have really put Fair Lawn on the political map of not only Bergen County but the state of New Jersey. I also want to say to those who were and continue to be our opponents in the political process that produced these electoral victories - I respect you and welcome your participation in the process. While we will never cease to compete with you for the right to represent the people of Fair Lawn and Bergen County we will never doubt for one moment your right to do the same. And while our victory is a partisan one we will always be committed to represent all of the people not just those who voted for us. And the proof of that lies in the appointments both in the professional and volunteer that our all democratic council has made this evening. They are Republicans and Independents. They come from almost every religious and ethic background. They are Americans all. That is the strength of this democracy and is the core of what makes a community like Fair Lawn such a great place to live. So to conclude, on behalf of the Fair Lawn Democratic Municipal Committee, I wish all of our residents a healthy and happy new year and urge all who may be listening that if you want to get involved and share in the pride that I feel tonight contact the members of this Council. They will be glad to forward your interest to me. Thank you.

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, the time for public comments was closed.

Benediction by Cantor Meir S. D=Vir

Cantor D=Vir gave the benediction and then blessed all the Council members in their leadership endeavors.

Adjournment to Work Session

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the meeting was unanimously adjourned at 8:26 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

WORK SESSION JANUARY 7, 2003

Mayor Ganz called the meeting to order at 8:36 p.m.. Assistant Municipal Clerk Bojanowski read the statement of compliance with the Open Public Meetings Act.

PRESENT: Mayor Ganz, Deputy Mayor Etlar and Deputy Mayor Weinstein, Councilmember Amato and Councilmember Caan.

Also present: Acting Manager / Municipal Clerk Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Lustgarten.

Review of Tentative Agenda:

Assistant Municipal Clerk Bojanowski stated she would like to add the Rotary raffle to the Agenda for next week. It was unanimously agreed to add the raffle to the consent agenda.

Veterans and Volunteers Coalition:

Councilmember Caan updated the Council on the progress of sending letters to businesses that are not participating in the program yet. They are taking pictures two nights a week at the Jewish War Veterans. He would like to send the supplement out by February. Acting Manager / Municipal Clerk Kwasniewski reminded the Council that the coalition sunsets on January 22, 2003. Councilmember Caan stated he would like to renew the current members and add additional names. Acting Manager / Municipal Clerk Kwasniewski stated it would be added to the Consent Agenda for next week.

Committees Sunset 1/22/03:

Acting Manager / Municipal Clerk Kwasniewski stated the Fair Lawn Business Leadership Committee will sunset in March. She had contacted the Economic Development members and a few of them have responded that they would like to combine the two committees. Mayor Ganz advised it should be placed on the Consent Agenda for next week. Deputy Mayor Weinstein stated he would like to increase the number of members. Mayor Ganz advised him to discuss it in Closed Session.

Request for Street Vacation 3-44 Hartley Place:

Acting Manager / Municipal Clerk Kwasniewski stated she had received a request from Mr. Pirone who lives at 3-44 Hartley Place who has an unusual problem. On the side of his house he has an 80-foot right of way. Engineering does not see a need for it to be that large. In 1996 Mr. Pirone entered into a license agreement with the Borough of Fair Lawn to erect a fence on the easement. Acting Manager / Municipal Clerk Kwasniewski recommended vacating the easement. Deputy Mayor Etlar stated he did an on-site inspection and does not see why they shouldn't vacate the easement.

Debbie Cirignano, Weichert Realtors, stated it was very difficult to get an easement backed out.

Albert Pirone, 3-44 Hartley Place, stated the Engineering Department measured the road and the easement should only be 10 feet on each side. Attorney Lustgarten suggested removing the easement on all four sides of the street. He proposed that the Engineering Department get the metes & bounds for the property. Attorney Lustgarten advised that the property owners should be notified. Mayor Ganz stated it will be added to the January 21, 2003 Work Session for further discussion. Attorney Lustgarten advised Acting Manager / Municipal Clerk Kwasniewski to get an estimate of time and cost for the survey. If the cost is excessive he suggested they only vacate Mr. Pirone's portion. Attorney Lustgarten advised the fence agreement would have to be terminated. Mr. Pirone asked if he could state that in the sale contract. Mayor Ganz stated at a minimum they would vacate his right of way.

There was a unanimous consensus to vacate the easement at 3-44 Hartley Place subject to the cost of the survey.

Smoke-Free Policy Surveys:

Acting Manager / Municipal Clerk Kwasniewski stated she had received a memo from Health Officer Carol Wagner who would like to send a letter encouraging restaurants to be smoke-free. She would like consent from the Council that they are comfortable with the letter that will be sent to the restaurants. Acting Manager / Municipal Clerk Kwasniewski stated there was a consortium of seventy towns that have done their homework.

There was a unanimous consensus in the Health Officer sending the letter subject to Attorney Lustgarten's approval.

Meeting Schedule - Wednesdays:

Councilmember Caan stated it had come to his attention that a couple of meetings are scheduled for Wednesdays which are not good for two people on the Council. Acting Manager / Municipal Clerk Kwasniewski stated she did not realize there would be a conflict and was willing to change the meeting dates to Monday. The following meetings have been changed from June 4 to June 2, November 5 to November 6 and November 12 to November 10, 2003.

Request by Board of Education for CDBG Endorsement:

Acting Manager / Municipal Clerk Kwasniewski stated this was a normal request from the Board of Education for improvements at Edison School. She requested that the resolution be put on the Agenda for January 14, 2003.

There was a unanimous consensus to add CDBG endorsement resolution to next week=s agenda.

Miscellaneous Public Comments:

Keith Brown, 23-05 Ellington Road inquired about the Borough Manager=s position. Mayor Ganz stated he was not prepared to comment except that they had received over fifty resumes and they pared it down and met with eight individuals.

Mr. Brown wondered about extra police presence on Ellington Road. He stated that in light of recent problems it has made him feel very uneasy. He asked Acting Manager / Municipal Clerk Kwasniewski to ask the Police Chief for more police presence. Mr. Brown also explained problems they have encountered since Blockbuster Video Store has increased it hours to 1 a.m. Mayor Ganz asked if he minded adding police and increasing the budget. Mr. Brown stated that he knew the taxes will increase by 10 to 11 points. He felt the taxes should go to increase the Police Department. He felt that safety is a high priority for the residents. Mr. Brown suggested using Auxiliary Police or the County Police.

Deputy Mayor Weinstein stated the Police, Manager and Mayor Council had a business block watch meeting with suggestions and tips on how to be safe. They tried to be more creative in ways to curb crime.

Closed Session:

Upon motion of Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the following closed session resolution was unanimously adopted at 9:20 p.m. with Councilmember Amato abstaining.

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 Labor Negotiations, Tax Appeals, Personnel and 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 tax appeals upon settlement if any within thirty days of that or the adoption of a formal resolution approving settlement, relating to appointments by formal action of the Council within the next thirty to sixty days and on labor negotiations upon the finalization of negotiations a specific date unknown but within ninety to one hundred and twenty days.

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.

Adjournment:

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

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