

## Council

### Meeting Minutes - May 13, 2003

#### REGULAR MEETING WESTMORELAND SCHOOL

Mayor Ganz opened the meeting at 7:35 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 27, 2002. 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 News and Shopper. 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 Amato

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

Mayor Ganz read the following statement: Good evening. We are delighted to meet here in Westmoreland School, on behalf of the chosen Freeholders, we are presenting a memorial plaque for our fallen Police Officer Mary Ann Collura, and the formal request to fly the flag at half staff. I ask that the Borough Manager accept these and pass them on to the Collura Family.

#### ORDINANCES: FIRST READING

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

#### ORDINANCE NO. 1953-2003

BOND ORDINANCE AUTHORIZING VARIOUS RECREATIONAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, NEW JERSEY; APPROPRIATING THE SUM OF \$399,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon motion by Deputy Mayor Weinstein and a second by Council Caan, Resolution No. 169-2003 introducing Ordinance No. 1953-2003 was discussed.

Mayor Ganz stated that this ordinance is part of the Fast Track Capital Improvement program that included an expenditure of about \$214,000 for parks, which include playgrounds, backstops for various fields, fences, a riding mower, a dump truck, and \$112,000 for the replacement of trees throughout the Borough. This is one of the reasons Fair Lawn was chosen as a tree city.

There being no further discussion, Resolution No. 169-2003 introducing Ordinance No. 1953-2003 was unanimously passed.

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

ORDINANCE NO. 1954-2003

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED AFEES@, ARTICLE VI SCHEDULE OF FEES, MORE PARTICULARLY SUBSECTION 94-12 ENTITLED AMISCELLANEOUS FEES@

Upon motion by Deputy Mayor Weinstein and a second by Council Caan, Resolution No. 170-2003 introducing Ordinance No. 1954-2003 was discussed

Mayor Ganz stated these are fees that were previously in the Administrative code and in the process of revising it, they were omitted.

There being no further discussion Resolution No. 170-2003 introducing Ordinance No. 1954-2003, was unanimously passed.

ORDINANCES SECOND READING:

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Etlar, it was unanimously agreed to read the following ordinance by title and open the time for public hearing.  
ORDINANCE NO. 1948-2003

AAN 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 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION THEREFORE@

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

Mayor Ganz stated that the Council applied for a grant for bicycle racks to be placed at many locations throughout the Borough. The Department of Transportation has given the Borough a \$10,000 grant and this ordinance allows the Borough to accept it.

There being no further comment, upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Resolution No. 171-2003 adopting Ordinance No. 1948-2003 was unanimously adopted.

Upon motion by Deputy Mayor Weinstein 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. 1949-2003

AAN 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@

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

Mayor Ganz explained that this ordinance is for barrier free curb ramps in the amount of \$25,000 that are the result of a grant from the Department of Transportation. This grant will allow curb cuts throughout the Borough.

There being no further comment, upon motion by Deputy Mayor Etler and a second by Councilmember Caan, Resolution No. 172-2003 adopting Ordinance No. 1949-2003 was unanimously adopted.

Upon motion by Deputy Mayor Etler 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. 1950-2003

AAN 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 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION THEREFORE@

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

Upon motion by Councilmember Caan and a second by Deputy Mayor Elter, Resolution No. 173-003 adopting Ordinance No. 1950-2003 was discussed.

Mayor Ganz mentioned this Ordinance calls for improvements on 20th Street, Fairclough, Kipp and Romaine Streets in the amount \$45,000 as a result of a grant request made to the State Department of Transportation.

There being no further comment, upon motion by Councilmember Caan and a second by Deputy Mayor Elter, Resolution No. 173-003 adopting Ordinance No. 1950-2003 was unanimously adopted.

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

#### ORDINANCE NO. 1951-2003

AAN 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@

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

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, Resolution No. 174-2003 adopting Ordinance No. 1951-2003 was discussed.

Mayor Ganz commented that this involves the Livable Community Grant from Environmental Protection of the State and the Bergen County Open Space Trust Fund which includes \$72,000 for installation of light structure at Memorial Field and Center Rec Field, \$110,000 for Memorial Field Lighting, and \$142,500 for Athletic Field Lighting. These grants will open up some additional fields for games, which

will benefit the youths and adults of the Borough.

Councilmember Caan stated that the grants discussed this evening come to a total of \$399,500. He thanked Senator Coniglio who helped a great deal to get the funds for these grants.

Mayor Ganz also thanked the County Executive and the Board of Chosen Freeholders for approving those portions of the grant.

There being no further comment, upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Resolution No. 174-2003 adopting Ordinance No. 1951-2003 was unanimously adopted.

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

#### ORDINANCE NO. 1952-2003

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING CHAPTER 125 ENTITLED ALAND DEVELOPMENT@ SPECIFICALLY SECTION 125-43 RELATING TO OUTDOOR CAFES AND SECTION 125-85S ENTITLED AOUTDOOR CAFÉ MINOR SITE PLAN@

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

Upon motion by Councilmember Caan and a second by Deputy Mayor Etlar, Resolution No. 175-2003 adopting Ordinance No. 1952-2003 was discussed.

Mayor Ganz stated that Deputy Mayor Weinstein brought to the Council=s attention that there was significant time and difficulty to have outdoor café licenses processed. It is not necessary to go through a full site plan review once certain ordinances are complied with for any restaurant.

Deputy Mayor Weinstein stated that this is another example of the Council helping the businesses in town, many of which are residents and employee Fair Lawn residents.

Upon motion by Councilmember Caan and a second by Deputy Mayor Etlar, Resolution No. 175-2003 adopting Ordinance No. 1952-2003 was unanimously adopted.

#### RESOLUTIONS BY CONSENT #16-2003

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Consent Agenda #16-2003 containing the following items was unanimously adopted.

- a. Resol. #176-2003 - Approval of Minutes  
Work Session 1/21/03  
Special Meeting 1/21/03  
Closed Session 1/21/03  
Regular Meeting 1/28/03  
Work Session 1/28/03  
Closed Session 1/28/03
- b. Resol. #177-2003 - Refund of Overpayment of Taxes
- c. Resol. #178-2003 - Tonnage Grant Application
- d. Resol. #179-2003 - Confirmation of Fire Board Action

- e. Resol. #180-2003 - Award of Bid: Advanced Life Support, Type III, Class I, Modular Ambulance
- f. Resol. #181-2003 - Open Space Trust Fund Program - Memorial Field
- g. Resol. #182-2003 - Open Space Trust Fund Program - Athletic Field Lighting
- h. Resol. #183-2003 - Use of Walsh Pool by Fair Lawn Community School
- i. Resol. #184-2003 - Change Order: Project # 2078 Hearing Center / Aux Police
- j. Resol. #185-2003 - Professional Services - Tax Appraiser

#### MISCELLANEOUS PUBLIC COMMENTS:

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

Carolyn Boyle, 15-40 Parmalee Ave. presented a petition for Mary Ann Collura to rename Parmelee Ave. She felt this was a little something for a wonderful person.

Mayor Ganz stated that the petition asks that the name of Parmelee Ave be changed to Collura Way in honor of our fallen officer. He thanked her for this and told her it would be sent to the Manager and the Police Chief. The Council had requested that the Police Department and the PBA come up with a suitable memorial. There is strong evidence that the feeling is strong in many people from Fair Lawn that they want a street named for Officer Collura, and they will consider that when they make their formal proposal.

There being no additional comments from the public, upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the time for public comments was unanimously closed.

#### ADJOURNMENT:

Upon motion by Councilmember Caan and a second by Deputy Mayor Weinstein, the meeting was unanimously adjourned at 8:00 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

WORK SESSION OF MAY 13, 2003  
WESTMORELAND SCHOOL

Mayor Ganz reconvened the meeting at 8:10 p.m.

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

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

Police Grants:

Acting Manager/Municipal Clerk Kwasniewski stated that it comes down to whether or not the Council wanted to expand the Police Department. Chief Marshall would like to see the force expanded and this

would be a good way to do it. Councilmember Amato wondered if this grant didn't come along would they still be discussing it. Acting Manager/Municipal Clerk Kwasniewski stated they would be because the Chief is adamant that he wants to expand the department. She said she did not agree with him.

Attorney Lustgarten advised that the Buracker Report that was done a few years ago detailed when the force should be expanded. Acting Manager/Municipal Clerk Kwasniewski stated that many ideas from that report were implemented. Mayor Ganz suggested two things: 1) circulating the Buracker Report and 2) asking the Superintendent of schools if they have any interest in having a police officer in the schools. He felt this grant will cost the Borough money. A general discussion followed regarding expanding the Police Department and the costs involved.

#### New Arts/Recreation Center:

Mayor Ganz stated that he had spoken to the director of the Bergen County Improvement Authority regarding funding the construction of the new Arts/Recreation Center. He was advised the rates would be 1.25% for thirty years. Mayor Ganz advised him that the Council was not ready to finalize it yet. He wanted the consultants to come up with a financial package. He would like the architect to come back to the Council giving specifications for each proposal. Deputy Mayor Etler wondered if the Board of Education was still part of the plan. Acting Manager/Municipal Clerk Kwasniewski stated the Borough needed their land for parking.

#### Mary Ann Collura Events:

Councilman Caan informed the Council about the various events that will be taking place during the next month. The High School scholarship will be in her name. The Police put together a Memorial Committee and they have asked him to be part of it.

#### Adjournment:

Upon motion by Councilmember Caan and a second by Deputy Mayor Etler, the meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

Copyright (c) 2003-2005 by the Borough of Fair Lawn  
Questions or comments may be directed to the Web Master, Ron Lottermann  
PO Box 376, Fair Lawn, NJ 07410  
See important [disclaimer](#) and limitation of liability.

The Borough would like to thank [Computer Connections](#)  
for providing hosting services!