

Council

Meeting Minutes - May 20, 2003

WORK SESSION

Mayor Ganz called the meeting to order at 7:37 p.m.. Assistant Municipal Clerk Bojanowski read the statement of compliance with the Open Public Meetings Act.

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

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

Review of Tentative Agenda:

Acting Manager / Municipal Clerk Kwasniewski stated she would like to add a few items to the agenda which included the CERT Presentation, awarding a bid and authorizing a grant application.

Mary Ann Collura Events:

Councilmember Caan informed the Council that on May 21, 2003, at 11:00 a.m. the Bergen County Police Academy will be adding Mary Ann=s name to the wall of deceased police officers.

Councilmember Caan stated the committee has been looking to do something in Florida for the officers that were involved there. He recommended that a proclamation for each officer and each county be prepared. The date they would be available is June 12. Attorney Lustgarten felt they should ask Chief Marshall to make these officers honorary Fair Lawn Police Officers. Mayor Ganz felt a badge stating they were honorary members would be a good idea.

There was a unanimous consensus to prepare proclamations for each agency and for the officers involved along with a key to Fair Lawn.

There was a unanimous consensus to make the Florida officers honorary members of the Fair Lawn Police Department.

Councilmember Caan continued with the various dates of events being held in Mary Ann=s honor such as on May 27 - PBA Awards, June 8 - 9:00 a.m. Cliffside Park Communion and Mass benefit scholarship, June 25 - New Jersey Chiefs Annual Conference in Atlantic City and July 23 - Honor Legion Memorial meeting.

Change in Meeting Times / Locations:

Acting Manager / Municipal Clerk Kwasniewski asked that the June 2 Work Session be changed to an earlier time because the Primary Election was early the next day. Mayor Ganz suggested cancelling the June 2 Work Session and combine it with the Regular Meeting on June 10.

There was a unanimous consensus to change the meetings as suggested.

Acting Manager / Municipal Clerk Kwasniewski stated that Chief Marshall was planning a ceremony for

everyone that was involved with Mary Ann Collura=s investigation. The Chief was anticipating a large crowd and she felt the meeting should be moved to a larger location. Mayor Ganz suggested the Senior Center.

There was a unanimous consensus to hold the June 24, 2003 meeting at the Senior Center beginning at 6:00 p.m.

Mayor Ganz stated he would not be able to attend the August 19 meeting so he suggested changing the meeting date to August 26.

Sale of Well Drive Properties:

Acting Manager / Municipal Clerk Kwasniewski informed the Council that twelve property owners were interested in buying the lots. Borough Engineer Garrison redrew the map so that the area would not be landlocked. Mayor Ganz suggested she send a letter to all of the residents with a copy of the new map so that people who have said no can reconsider.

There was a unanimous consensus to sell the lots according to the Manager=s recommendation.

Garbage Collection at Eldorado Village (Apartments):

Acting Manager / Municipal Clerk Kwasniewski stated she had forwarded a letter to the Council from the Attorney for Eldorado Village. Mayor Ganz stated this has arisen from a Superior Court law. Every resident of Fair Lawn is entitled to have one recycling and two refuse containers that will be picked up by the Borough. Attorney Lustgarten stated that the Borough is prepared to pick up garbage in the same manner as the rest of the Borough.

There was a unanimous consensus to have Attorney Lustgarten respond to them in writing.

Renewal of Electronic Recycling Contract:

Acting Manager / Municipal Clerk Kwasniewski stated the current contract expires on June 30 and would she like to renew it. The Recycling coordinator had contacted three vendors and the lowest quote was \$75 per pull.

There was a unanimous consensus to renew the contract as outlined by Acting Manager / Municipal Clerk Kwasniewski.

Possible Dates for Masonic Cornerstone Laying:

Acting Manager / Municipal Clerk Kwasniewski stated the Grand Master was not available on dates she suggested. Mayor Ganz suggested the following dates: June 29, July 13 or August 10, which are all Sundays. Attorney Lustgarten suggested the ceremony take place in the afternoon.

Miscellaneous Public Comments:

No one wished to be heard.

Request to Remove Deed Restriction Maple Avenue:

Mayor Ganz apologized to Attorney Lustgarten for stepping on his toes on this one but he thought this had been brought to the Council and it had slipped through the cracks. He suggested that the Borough had done this before and have agreed to handle this on a case by case basis. He also suggested that

Attorney Lustgarten be authorized to tell Mr. Liebman on behalf of his client that he will look at in advance a prerogative writ and a consent judgement and if it is satisfactory to the Borough Attorney he is authorized to accept service and to do the process and report back to the Council. Attorney Lustgarten stated with one addition, we are going to lift the deed restriction consistent with the way it was done on the other property on Maple Avenue.

There was a unanimous consensus to authorize Attorney Lustgarten to accept service and lift the deed restriction consistent with the way it was previously done on Maple Avenue.

Mets Baseball Camp:

Mayor Ganz advised that a letter be sent to them advising them they do not have an agreement unless they comply with the Borough=s requirements. Attorney Lustgarten stated they would have to address having adequate transportation, rainy day activities, proper insurance and supplement for the pool and providing a list of names of the Fair Lawn residents. Councilmember Caan added that the Borough cannot provide a secure location. Mayor Ganz stated if the Council agreed they could use Walsh Pool it would have to be at a time when not in use, after 2:00 p.m. From 2:00 p.m. to 4:00 p.m.. Attorney Lustgarten stated he would advise no conflict time.

There was a consensus to allow the use of Walsh Pool between the hours of 2:00 p.m. and 4:00 p.m., Deputy Mayor Etler dissented.

There was a consensus for overall approval along with the conditions as outlined by the Borough Attorney and Borough Manager, Deputy Mayor Etler dissented.

Closed Session:

Upon motion of Deputy Mayor Etler and a second by Councilmember Caan, the following closed session resolution was unanimously adopted at 8:49 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 with respect to Personnel regarding potential appointment within ninety days announced by Manager if an appointment is made otherwise upon confirmation of closed session minutes that no appointment has been made within the next sixty days;

NOW, THEREFORE, IS IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the public is 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 Etler and a second by Councilmember Amato, the meeting was adjourned at 8:57 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RBC
Assistant Municipal Clerk

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