

REGULAR MEETING OF JANUARY 22, 2002  
THOMAS JEFFERSON MIDDLE SCHOOL

Mayor Ganz opened the meeting at 7:35 p.m. Municipal Clerk Kwasniewski 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 31, 2001. 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 and News. The Annual Notice identified the meeting location and the time of the Council Meetings and Work Sessions.

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

LATE: Deputy Mayor Weinstein

ALSO PRESENT: Manager Sacks, Borough Attorney Lustgarten, Municipal Clerk Kwasniewski, and Assistant Municipal Clerk Bojanowski.

MANAGER'S REPORT

Manager Sacks stated there were no changes or additions to the report.

PROCLAMATIONS: SCHOOL BOARD RECOGNITION MONTH

Mayor Ganz stated the purpose of this proclamation was to honor a group of volunteers in the Borough. He referred to those who are in a selfless service of being on the school board. They all know that the school system and the school board measure a town. Municipal Clerk Kwasniewski read the proclamation that Mayor Ganz presented the proclamation to the President of the School Board, Mr. Ed Carter. Mayor Ganz stated he was very appreciative of all of the work that Mr. Carter and his colleagues do. Mr. Carter thanked the Mayor and Council for this honor. He will make sure that they prominently display this.

ORDINANCES: FIRST READING

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. 1889-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 162 ENTITLED, "PEACE AND GOOD ORDER," BY ADDING NEW SECTIONS 162-31 ENTITLED, "BAD CHECKS" AND 162-32 ENTITLED "SHOPLIFTING" AND RENUMBERING EXISTING SECTIONS 162-31 ENTITLED, "FINES TO BE PAID INTO BOROUGH TREASURY" TO BE RENUMBERED AS 162-33 AND SECTION 162-32 ENTITLED, "VIOLATIONS AND PENALTIES" TO BE RENUMBERED AS SECTION 162-34

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan Resolution No. 51-2002 introducing Ordinance No. 1889-2002 was discussed.

Mayor Ganz stated this ordinance relates to the addition of a shoplifting offense and a bad check offense. It was suggested by the Borough Prosecutor that having a Municipal Court remedy along with a Superior Court remedy would be good for the Borough.

There being no further comments, Resolution No. 51-2002 introducing Ordinance No. 1889-2002 was unanimously passed.

Deputy Mayor Weinstein arrived at 7:50 p.m.

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

Ordinance No. 1890-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 125 ET SEQ., ENTITLED, "LAND DEVELOPMENT," SPECIFICALLY, SECTION 125-27 ENTITLED, "OBS-1 AND OBS-2, OFFICE AND

BUSINESS SERVICE ZONES," SUBSECTION A.(3)

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 52-2002 introducing Ordinance No. 1890-2002 was discussed.

Attorney Lustgarten stated this ordinance will allow professional businesses in commercial zones to sell certain items as long as they pertain to that business.

There being no further comments, Resolution No. 52-2002 introducing Ordinance No. 1890-2002 was unanimously passed.

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

Ordinance No. 1891-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 1, ENTITLED, "GENERAL PROVISIONS," MORE SPECIFICALLY, ARTICLE III, SECTION 1-17, ENTITLED, "GENERAL PENALTY PROVISIONS; MAXIMUM PENALTY"

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 53-2002 introducing Ordinance No. 1891-2002 was discussed.

Attorney Lustgarten stated this ordinance creates the general penalty code specifically related to community service. Mayor Ganz stated this will allow the judge to give out butt patrol. Attorney Lustgarten stated it would be up to the community service manager to decide what task they should perform.

There being no further comments, Resolution No. 53-2002 introducing Ordinance No. 1891-2002 was unanimously passed.

RESOLUTIONS BY CONSENT 3-2002

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Consent Agenda #3-2002 containing the following items was unanimously adopted.

- a. Resol. #54-2002 Refund of Overpayment of Taxes
- b. Resol. #55-2002 Approval of Raffles & Bingo:  
Temple Beth Sholom - bingo  
Congregation B'Nai Israel - off-premise mdse  
Fair Lawn High School PTA - off-premise mdse
- c. Resol. #56-2002 Award of Bid: Municipal Building Addition
- d. Resol. #57-2002 Extension of Emergency Water Main and/or Storm & Sanitary Sewer Repairs Contract
- e. Resol. #58-2002 Amending CDBG Agreement Fair Lawn Hearing Center Conversion
- f. Resol. #59-2002 Award of Bid: Uniforms - Fire Department and Fire Prevention
- g. Resol. #60-2002 Rejection of Bids: Land Lease & Construction of Self-Supporting Wireless Telecommunications Monopole at Memorial Park
- h. Resol. #61-2002 Establishment of the Fair Lawn Veteran and Volunteer Coalition for Services and Discounts
- i. Resol. #62-2002 Establishment of the Fair Lawn Recreational Facility Review Committee
- j. Resol. #63-2002 Appointment to the Planning Board
- k. Resol. #64-2002 Authorizing the Execution of Letter of Understanding with Supervisor's Association
- l. Resol. #65-2002 Appointments to the Fair Lawn Recreational Facility Review Committee
- m. Resol. #66-2002 Appointment of Co-liaisons to Local Emergency Planning Council
- n. Resol. #67-2002 Authorizing Execution of Consent Judgement

RESOLUTION NO. 68-2002 APPROVAL OF MINUTES:

Work Session 12/4/01  
Special Meeting 12/4/01  
Closed Session 12/4/01

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 68-2002 was approved, with Councilmember Caan abstaining.

RESOLUTION NO. 69-2002 PERSON TO PERSON TRANSFER OF LIQUOR LICENSE: SEL-RITE BAR & LIQUORS INC. TO M&M BAR & LIQUORS, INC.

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

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

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 69-2002 was unanimously passed.

RESOLUTION NO. 70-2002 PERSON TO PERSON TRANSFER OF LIQUOR LICENSE: RADBURN DELICATESSEN INC. TO RADBURN DELI & LIQUOR INC.

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

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

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 70-2002 was unanimously passed.

#### MISCELLANEOUS PUBLIC COMMENTS

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

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

#### ADJOURNMENT

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, the meeting was adjourned at 8:00 p.m.  
Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk