

## WORK SESSION OF JULY 16, 2002

Mayor Ganz brought the meeting to order at 7:40 p.m.

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

LATE: Councilmember Caan arrived at 7:50 p.m.

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

### HISTORICAL SIGNIFICANCE DESIGNATION REQUEST BY SEYMOUR KARAS:

Seymour Karas, 11 Lamring Drive, was present and delivered a petition from residents on Lamring Drive and Westmoreland Avenue asking the Council to declare Lamring Barn a historic site. He stated that according to Chapter 120 of the Borough code the Mayor and Council can, by resolution, pick particular sites and make a recommendation to the appropriate agency to declare the site a historical site. Mayor Ganz informed him that if anything was going to happen to that piece of land the owner would have to be notified. Attorney Lustgarten stated the building was not in great shape because they had considered it for the 75th Anniversary Tour. Mr. Karas stated the County gave him information on non-profit organizations applying to the County for the historic status. Mayor Ganz raised the question of whom the owners were. Mr. Karas said he believed they were heirs of the Lamrings. He has heard rumors that they have surveyed the property and he felt if the Council agreed to list it as a historical site they may be able to save it for another twelve months. Deputy Mayor Etlar wondered who would be responsible for the upkeep. Mr. Karas stated he believed application could be made to the County and they could look into seeing if the State had funds for it. Mayor Ganz said what he was asking for was an injunction by the Borough so it not be demolished. Mr. Karas said he would like to see a commission present it to the State as it does not qualify for national status. There has to be some kind of declaration before they go for funding. Attorney Lustgarten stated the property owners should be notified. They should find out who the owner is what their position is on it. He also advised the Council that they should put the Building Department on notice if any applications come in.

There was a unanimous consensus to proceed with holding hearings, notifying the property owners to see if they have any objection to this. Attorney Lustgarten advised them there would be a cost for this process.

### PRESENTATION BY JERSEY PROFESSIONAL MANAGEMENT:

Dan Mason from Jersey Professional Management made a presentation to discuss the possibility of recruiting a Borough Manager. He stated the process could take two to four months. The fee would be \$11,500. in addition the cost of the ads will be billed. Mr. Mason explained that his firm gives a guarantee for the candidate to stay one year and if they leave sooner his firm does the search again at no cost. He has found Managers for Hillsdale, Glen Rock, Chatham, Mount Olive, Randolph and currently he is working for South Brunswick, Holmdel and Moorestown. Mayor Ganz asked that a list of the towns get circulated to the Council. Mr. Mason said usually the Councilmembers get involved when they get down to three semi-finalists. He said he will meet with the Council to gather information on the type of person they are looking for. Attorney Lustgarten asked if he gets the demographics of the Borough and if the perspective people want to know about the position and the community. Mr. Mason stated they contact people who are in that type of position, once they have been selected as a semi-finalist they tend to get more interested. A discussion followed regarding the cost of advertising. Mr. Mason stated the advertising should cost \$3,000 and he will give guidance where they should advertise. Mayor Ganz thanked Councilmember Amato for bringing this firm to the Council's attention.

### EDMUNDS ACCOUNTING SYSTEM:

Acting Manager / Municipal Clerk Kwasniewski stated that CFO Eccleston had prepared a comparison report and that he will be attending the work session on August 13, 2002.

### PEDESTRIAN SAFETY TASK FORCE UPDATE:

Acting Manager / Municipal Clerk Kwasniewski stated Engineer Garrison had put together a list of things that have already been done from the committee's list. Mayor Ganz suggested the list be forwarded to the chair of the committee, Phil Plotch, to see if there are other things they want the Council to consider. Mayor Ganz thought there may be grant funds available. He also requested that the Engineer's report be put on the Borough website along with how the Borough has responded. Councilmember Caan stated it seemed to him that a few things got rolled into one, for example the crosswalks. He said the Borough has not heard from the County in response to the request that was made. Mayor Ganz asked that a follow up letter be sent to County Executive Schubert.

PROPOSAL FOR PARKING INVENTORY ALONG BROADWAY CORRIDOR:

They had received a proposal in the amount of \$28,000 from Birdsall Engineering to see how many parking spaces are available along Broadway.

There was a unanimous consensus to hire Birdsall Engineering to do a parking inventory along Broadway. A professional services resolution will be on the July 23, 2002 Consent Agenda.

PUBLIC ADVOCATE'S FEES:

Mayor Ganz stated he had heard from the Public Advocate that his bills have not been paid. Acting Manager / Municipal Clerk Kwasniewski stated those bills are being paid out of the operational budget and that the problem was resolved last year. Mayor Ganz asked that she review it to see if there are any other bills that have not been paid and report to the Council.

VETERAN'S & VOLUNTEER COALITION:

Tom Metzler was present. He stated the committee has been meeting since March and has been making progress. They need the help of the Council. A letter was sent to all of the businesses in town regarding a new program to give discounts to veterans and volunteers. As of today 23 businesses have signed up for the program. In order for this program to work they would need to issue identification cards. He passed out information on a system that was previously presented to the Council for Emergency Services personnel. There are many benefits to this system, for example, storing the photos and taking fingerprints. Attorney Lustgarten stated this machine will cover many needs. It could also provide photo ID's to Borough residents who need one. Councilmember Caan stated they were asking for funding and hoping to get a sponsor to purchase the equipment. Mr. Metzler explained it would cost \$4,114.85 which included a camera. The basic system does five different card designs. The camera and software are provided and can be tied into a laptop. The basic system comes with five hundred cards. Acting Manager / Municipal Clerk Kwasniewski suggested adding this system to the fast track bond ordinance.

There was a unanimous consensus to add this to the fast track bond ordinance together with a computer.

Mr. Metzler stated the system could use bar codes for the LOSAP program. Mayor Ganz suggested they purchase 10,000 cards.

There was a unanimous consensus to purchase 10,000 cards.

RECESS:

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the meeting was unanimously recessed at 9:20 p.m.

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan the meeting was reconvened at 9:28 p.m.

CLOSED SESSION RESOLUTION:

Attorney Lustgarten stated that previously Councilmember Amato had stated he needed to recuse himself on discussion of this matter and he would recommend that he recuse himself.

Upon motion by Councilmember Caan and a second by Deputy Mayor Weinstein the following closed session resolution was adopted, with Councilmember Amato abstaining, at 9:29 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 pending tax litigation; and

WHEREAS, these matters are ones which permit the exclusion of the public from such discussion; and

WHEREAS, public disclosure of the results of these discussions shall be made relating to pending tax litigation within twelve months but as to trial strategy never, and to disclosure to public would be by resolution or by announcement of trial determination; and

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.

Mayor Ganz reconvened the meeting at 10:25 p.m.

#### COUNCIL PARKING SPACES - VISITOR VS. EMPLOYEE SPACES:

Councilmember Caan stated rather than taking visitor spaces when he comes to Borough Hall he thought the Council should be allowed to use employee spaces. Mayor Ganz stated there is a spot for Councilmembers and offered him the use of the Mayor's space.

#### PARKING ISSUES:

Orchard Street Parking Proposed Ordinance Revision - Traffic Safety Officer Franco was present and stated he favored alternate side of the street parking around the high school when school is in session. He felt it would give relief to the residents. He does not see a need to restrict parking all the time on those streets and he did not want to create a burden to the homeowners that live there on any other day of the week or when school is not in session. Acting Manager / Municipal Clerk Kwasniewski stated she is receiving calls from residents who thought the parking restriction only applied when school was in session. Attorney Lustgarten stated the ordinance was technically defective and that language had to be changed. He recommended not making any other change than the technical correction. Traffic Safety Officer Franco stated by statute the Borough cannot put parking back on a street without the Department of Transportation's approval.

He said he liked the idea when school is in session and lifting it during the summer and on holidays. Attorney Lustgarten felt to reopen this issue would be a mistake. They requested it and you gave it to them. Mayor Ganz stated he was concerned about the number of spaces that would be lost. To take away and not give them more would be a mistake. Traffic Safety Officer Franco suggested removing Tuesday, Thursday, Monday, Wednesday along with Saturday and Sunday and adding "Daily" to all of the signs.

There was a unanimous consensus for no-parking on the east side of Orchard Street between 2:00 pm to 10:00 pm, Monday, Wednesday, Friday; 8:00 am to 2:00 pm Monday through Friday and 8:00 am to 10:00 pm on Saturday and on the west side 2:00 pm to 10:00 pm Tuesday, and Thursday; 8:00 am to 2:00 pm Monday through Friday and 8:00 am to 10:00 pm on Sunday. Attorney Lustgarten suggested that the high school be notified of this technical change.

There was a unanimous consensus to authorize the production of the signs.

Petition from Norma Avenue Residents - Attorney Lustgarten suggested inviting the Norma Avenue residents in for the August 13 work session. Acting Manager / Municipal Clerk Kwasniewski stated what they really wanted was two hour parking restrictions only when school is in session. Deputy Mayor Weinstein suggested they wait to see how the alternate side of the street parking works on Orchard Street.

Request for Exemption from Overnight Parking Rules during the Summer for college students - Traffic Safety Officer Franco thought enforcement of overnight parking should be suspended during the summer. Councilmember Amato felt it would change the nature of Fair Lawn. Traffic Safety Officer Franco pointed out that the Borough is losing green areas to widen driveways. Acting Manager / Municipal Clerk Kwasniewski stated all of these town enacted those restrictions years ago as a way of keeping it looking like a country town.

There was a unanimous consensus to take no action.

Proposed ordinance adjustments on various streets - Mayor Ganz referred to a memo and list of adjustments that needed to be done and requested that Assistant Engineer Brouca and Traffic Safety Officer do a map with colors to show the additions and deletions for the next work session.

#### PUBLIC COMMENTS:

No one wished to be heard.

#### CREATION OF ARTS COUNCIL:

Deputy Mayor Weinstein thought the idea of a not for profit organization would be good so that funds could be received from the County and businesses in town to create an Arts Council. Mayor Ganz suggested Acting Manager / Municipal Clerk Kwasniewski contact the Superintendent Watson to see if there is any interest in sharing their theater and for her to come back to the Council with their answer.

#### FUEL USAGE SYSTEM:

Councilmember Amato stated he would still like these reports electronically. He gave a hard copy of the report to the Assistant Municipal Clerk to be copied for the Mayor and Council. Councilmember Amato stated he would like to receive this report on an ongoing basis. Acting Manager / Municipal Clerk Kwasniewski will talk to the Department of Public Works.

#### PROFESSIONAL HEALTH SERVICES:

Acting Manager / Municipal Clerk Kwasniewski said the contract with Monique Davis is due for renewal. She would like to increase the rate to \$30 per hour. Ms. Davis does all of the health education programs. She recommended the renewal.

There was a unanimous consensus to renew the contract for Professional Health Services and to increase the rate to \$30 per hour.

Mayor Ganz asked the status of the Health Department. Councilmember Amato read the person asked for a leave of absence. Acting Manager / Municipal Clerk Kwasniewski stated it was not granted.

#### FILMING REQUEST - MYSTERY HUNTERS:

Acting Manager / Municipal Clerk Kwasniewski stated there was a request by Mystery Hunters to film in the Borough's sewer system. They would bring a film crew in. Attorney Lustgarten advised if they find defects in our sewer system it puts the Borough on notice.

There was a consensus, with Deputy Mayor Etler dissenting, to allow Mystery Hunters to film in the Borough's sewer system under the following conditions: 1) use only the Borough's equipment, 2) the Borough of Fair Lawn and the Mayor and Council get credit, 3) they submit a bond and it is deemed efficient, 4) they get approval from the Acting Manager, 5) they pay a permit fee, 6) the Borough will get copies of the show after it airs to be put in the Library and to be shown on Channel 66, and 7) there will be Police present during the filming.

#### HOLLOW RUN :

Mayor Ganz said he had conversation with Mr. Canastra who volunteered to mow and keep clean the park. He would like to take about seven feet from the curb and be able to park the cars. Mayor Ganz thought it might solve some of their parking problems. That area is in need of upkeep and Mr. Canastra has offered their services. Attorney Lustgarten stated this came up six or seven years ago Mayor Ganz suggested the Borough Engineer come back to the Council with a report.

There was a unanimous consensus to have the Borough Engineer look at it and to report to the Acting Manager / Municipal Clerk.

#### JIF RESPONSE:

Mayor Ganz stated he would like a letter sent to the JIF to see if they are amiable or not and would like to know the cost to the Borough if they withdrew from the JIF. He felt with that information he could make a recommendation. Acting Manager / Municipal Clerk Kwasniewski stated the JIF is not going to be amiable to the Borough leaving. Mayor Ganz said it depends on what they say. Deputy Mayor Etler said it is more than a money issue. It is a question of service and the ability to serve the Borough. Mayor Ganz stated that was true but he was interested in saving tax points. Acting Manager / Municipal Clerk Kwasniewski stated the other JIF has no track record. She will try to get the answers.

#### OPEN SPACE ROUND FOUR:

Acting Manager / Municipal Clerk Kwasniewski stated the resolutions for this will be on the Agenda for July 23.

#### RIVER ROAD PEDESTRIAN SAFETY SIGNS:

Councilmember Caan stated they were supposed to get information on the mid-block crosswalks on River Road. Acting Manager / Municipal Clerk Kwasniewski said they never received an answer from the County. She will try to get an answer from them. Mayor Ganz asked that a letter be sent to County Executive Pat Schuber asking if there is anything the Borough has to do to get this resolved. Mayor Ganz also asked that a letter go to the Commissioner of Transportation and see if they could get a response regarding the pedestrian yield signs.

#### ENGINEERING FIRE HOUSE CO. 2:

Deputy Mayor Etler said the Council had voted in favor for the expansion of the Company 2's fire house and that they approved it in the capital budget. Acting Manager / Municipal Clerk Kwasniewski said it would have to be bonded and that the Council did not ask to fast track it. Mayor Ganz thought they were only going to spend \$50,000 this year and the balance next year. Councilmember Caan thought they only had time for a study this year and do the project next year.

There was a unanimous consensus to add to the fast track bond ordinance the engineering study for the expansion of Company 2's fire house.

#### PAVERS RIVER ROAD:

Mayor Ganz stated they received a letter from Mr. Scolpino of the County Department of Public Works asking for someone from the Borough to coordinate with Gary Ascolese for an inspection of the intersections, to review the extent of the repairs required and the reasons for the failures. Acting Manager / Municipal Clerk Kwasniewski stated Borough Engineer Garrison was handling this. Mayor Ganz asked for a letter to be sent to Mr. Scolpino advising that the Borough Engineer has been designated by the Acting Manager / Municipal Clerk to coordinate this and to please contact him for any further details. A copy should be sent to County Executive Schuber.

#### BULLETIN BOARD:

Mayor Ganz stated the bulletin board on the first floor could be substantially improved if they could add pictures of the building addition and similar pictures to those on the website.

There was a unanimous consensus to add the pictures to the bulletin board.

Attorney Lustgarten stated in the past few months the bulletin board has been cluttered with junk. He wondered if anyone has the authority to put things on that board or do they have to go through the Manager. Attorney Lustgarten suggested Acting Manager / Municipal Clerk Kwasniewski clean off the board. Acting Manager / Municipal Clerk Kwasniewski believed it had to be approved by the Manager's office.

Mayor Ganz suggested photos be taken of the Council and hung on the wall in the hall opposite the letter from former President Clinton.

There was a unanimous consensus to have the portraits taken next Tuesday prior to the meeting.

#### FAST TRACK BOND ORDINANCE:

Acting Manager / Municipal Clerk Kwasniewski stated she had sent the Council a memo with specific requests from the departments. The following items have to added - \$11,000 for the ID card system with 10,000 cards; Jersey Transit has requested the Borough to install a guardrail and a fence on Plaza Lane which will cost \$25,000 according to the Borough Engineer's estimate. Attorney Lustgarten will contact New Jersey Transit to see if they can modify their requests.

There was a consensus to add the additions to the fast track ordinance.

Acting Manager / Municipal Clerk Kwasniewski asked what their time frame was for other items. Mayor Ganz advised her to come back with a recommendation when she would like to do it. Acting Manager / Municipal Clerk read the items that were in the fast track. Attorney Lustgarten asked that the ID system be taken out of the fast track because of the time frame. Mayor Ganz added other items such as Senior Center \$5,000, Youth Center \$5,000, upgrade of municipal bathrooms \$6,000, snow blower with ramps \$2,500, copier for the Legal Department, Fire Department safety gear \$20,000, new desks in the Library \$1,300, Library digital reader and printer and DVD \$6,000, Ambulance safety equipment \$5,000, Emergency Management pagers \$5,000.

There was a unanimous consensus to add those additions to the fast track ordinance.

#### ADJOURNMENT TO SPECIAL MEETING:

Upon motion by Councilmember Amato and a second by Deputy Mayor Weinstein, it was unanimously agreed to adjourn to a special meeting at 12:40 a.m.

Mayor Ganz reconvened the Work Session at 12:45 a.m.

**INSTEAD OF SPECIAL MEETINGS DURING THE SUMMER:**

Mayor Ganz suggested instead of special meetings during the summer, members of the Council should communicate with other Councilmembers through the Acting Manager to make recommendations that will be ratified at the next council meeting. Attorney Lustgarten suggested this practice be used sparingly.

There was a unanimous consensus for the Councilmembers during the summer to communicate with each other through the Acting Manager / Municipal Clerk to make proposals that will be ratified at the next council meeting.

**FEMA MONEY:**

Acting Manager / Municipal Clerk Kwasniewski remarked that she received a memo from Tom Metzler that the Borough has received \$72,000 from FEMA which they electronically transferred.

**REPORT ON TOKENS:**

Mayor Ganz reported that he had received the reverse sketch of the token with the Mayor and Council's names on it. The tokens should be arriving soon.

**GARDEN CLUB APPOINTMENT:**

Acting Manager / Municipal Clerk Kwasniewski reported she had received a letter from Jane Spindel asking that Evelyn McHugh be appointed to the Garden Club.

There was a unanimous consensus to add Evelyn McHugh as a member of the Fair Lawn Gardens Club.

**Adjournment:**

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the meeting was adjourned at 12:50 a.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

**SPECIAL MEETING OF JULY 16, 2002**

Mayor Ganz called the meeting to order at 12:40 a.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 Borough Attorney Lustgarten.

**ORDINANCES: SECOND READING**

Upon motion by Deputy Mayor Etlar 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. 1916-2002

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC" AND MORE SPECIFICALLY ARTICLE IX ENTITLED "MUNICIPAL PARKING AREAS SECTION 232-58 ENTITLED MUNICIPAL PARKING AREA DESIGNATED"**

There being no comments from the public, upon motion by Councilmember Caan and a second by Deputy Mayor Weinstein, the time for a public hearing was closed.

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, Resolution No. 240-2002 adopting Ordinance No. 1916-2002 was considered.

Attorney Lustgarten explained that this ordinance is for sticker parking at Columbia Terrace parking area contiguous to the bowling alley, the tennis courts, Pathmark and Hemlock Avenue. Mayor Ganz thanked the Council for their speed in resolving this issue.

Hearing no further discussion, Resolution No. 240-2002 adopting Ordinance No. 1916-2002 was unanimously passed.

#### RESOLUTIONS BY CONSENT #15-2002

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Consent Agenda #15-2002 containing the following items was unanimously adopted.

- a. Resol. #241-2002 - Approval of Raffles & Bingo:  
St. Anne R.C. Church Non-Draw Merchandise  
St. Anne R.C. Church On-premise 50/50
- b. Resol. #242-2002 - Use of Walsh Pool by Camp Acorn

#### ADJOURNMENT TO WORK SESSION

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, the meeting was adjourned to the Work Session at 12:45 a.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk