

REGULAR MEETING OF MARCH 26, 2002

Mayor Ganz opened the meeting at 7:30 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 Mayors Etlar and Weinstein and Councilmember Amato (late) and Caan.

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

Mayor Ganz welcomed everyone and stated there are several items to be discussed tonight. One of them was to commemorate the seventy-fifth anniversary of Columbia Bank. They have been wonderful neighbors for three quarters of a century. Tonight they had a proclamation honoring them and to change the name of the intersection of Fair Lawn Avenue and River Road to Columbia Way on March 31, 2002.

PROCLAMATIONS: Columbia Bank's 75th Anniversary

Municipal Clerk Kwasniewski read the proclamation honoring Columbia Bank's 75th Anniversary. The entire Council presented the proclamation to the president of Columbia Bank.

Autism Awareness Month

Municipal Clerk Kwasniewski read the proclamation in honor of Autism Awareness month.

Days of Remembrance

Municipal Clerk Kwasniewski read the proclamation of the events that affect many people. Congress recognized these events by declaring the week of April 7 through April 14, 2002 as Days of Remembrance week. The proclamation was presented to Blanche and Hiller Porway who are Holocaust survivors.

Mrs. Porway stated she was honored to be called upon to represent the holocaust survivors. They should not be forgotten. She hoped that her appearance would help end bigotry and hatred. This should never happen again and they must continue to recognize the survivors.

Mr. Porway stated as a survivor he felt that as an American, terrorist attacked again on

September 11, 2001. Hatred is evil. Everyone must speak out against injustice. He congratulated Mayor Ganz for his leadership.

MANAGER'S REPORT

Manager Sacks stated there were no changes to her report .

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. 1905-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING VARIOUS CHAPTERS TO REVISE FEES AND PENALTIES

Upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, Resolution No. 122-2002 introducing Ordinance No. 1905-2002 was unanimously passed.

Mayor Ganz stated this is the start of the budget process by raising fees in various areas. He encouraged attendance at the April 9 meeting when the budget will have a public hearing.

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

Ordinance No. 1906-2002

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 Caan, Resolution No. 123-2002 introducing Ordinance No. 1906-2002 was unanimously passed.

Mayor Ganz stated this ordinance allows the Borough to raise the maximum penalty to a fine not exceeding \$1,250.

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

Ordinance No. 1907-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", BY ADDING ARTICLE XI ENTITLED "PEDESTRIAN CROSSING RIGHT OF WAY SIGN"

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Resolution No. 124-2002 introducing Ordinance No. 1907-2002 was unanimously passed.

Mayor Ganz stated this ordinance came at the insistence of Councilmember Caan who recognized the initiative of the Pedestrian Task Force. The ordinance will still need state and county approval. Manager Sacks stated this had to be done by ordinance because the Department of Transportation will not allow any signs to go up without the ordinance and their approval. In the future other sites will be added. Councilmember Caan thanked the Council for moving quickly on this issue.

ORDINANCES: SECOND READING

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

Ordinance No. 1898-2002

AN 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 Etlar, 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. 125-2002 adopting Ordinance No. 1898-2002 was discussed.

Mayor Ganz stated this ordinance involves receiving \$150,000 in trust funds to restore the pathways in Radburn. Manager Sacks stated this is for phase II. Phase I was done with a Department of Transportation grant. The Borough applied for more funding so that the residents would not have to pay for it. Mayor Ganz thanked Manager Sacks for working with the Radburn Association to accomplish this project.

There being no further comment, Resolution No. 125-2002 adopting Ordinance No. 1898-2002 was unanimously approved.

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. 1899-2002

AN ORDINANCE PROVIDING FOR CERTAIN CAPITAL IMPROVEMENTS 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 Amato and a second by Deputy Mayor Etlar, 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. 126-2002 adopting Ordinance No. 1899-2002 was discussed.

Mayor Ganz explained that this ordinance relates to the \$21,190 the Borough will be receiving from the County of Bergen pursuant to the terms of the Open Space Trust Municipal Program for the walking pathways in the Radburn area. Manager Sacks stated this was part of phase II coming from the County.

There being no further comment, Resolution No. 126-2002 adopting Ordinance No. 1899-2002 was unanimously approved.

Upon motion by Deputy Mayor Etlar 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. 1900-2002

AN ORDINANCE TO AMEND ORDINANCE NO. 1857-2001 PROVIDING FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFOR

There being no comments by the public, upon motion by Deputy Mayor Etlar and a second by Deputy Mayor Weinstein, 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. 127-2002 adopting Ordinance No. 1900-2002 was discussed.

Mayor Ganz stated this ordinance relates to getting a total of \$265,000 from the County of Bergen for Auxiliary Police Barrier Free Improvements, Barrier Free Curb Cuts, Hearing Center Building Conversion, Senior Center Parking Lot, and Senior Center rehabilitation pursuant to the terms of the Federal Housing Community and Development Act. He said the Hearing Center will be the only center in the area and he is proud to be it's host.

There being no further comment, Resolution No. 127-2002 adopting Ordinance No. 1900-2002 was unanimously approved.

Upon motion by Councilmember Caan 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. 1901-2002

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, ENTITLED "ADMINISTRATIVE CODE", SPECIFICALLY ARTICLE XIII, DEPARTMENT OF PUBLIC SAFETY, MORE SPECIFICALLY SECTION 2-77 (RESERVED)

There being 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 hearing.

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Resolution No. 128-2002 adopting Ordinance No. 1901-2002 was discussed.

Mayor Ganz stated rewriting the rules and regulations for the Fair Lawn Police Department which has brought the department into the twenty first century is an important accomplishment.

There being no further comment, Resolution No. 128-2002 adopting Ordinance No. 1901-2002 was unanimously approved.

Upon motion by Councilmember Caan 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. 1902-2002

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, ENTITLED

"ADMINISTRATIVE CODE", SPECIFICALLY ARTICLE XIV, DEPARTMENT OF PUBLIC WORKS, MORE SPECIFICALLY SECTION 2-83 ENTITLED "SUPERINTENDENT" AND SECTION 2-84 ENTITLED "DIVISION OF BUILDINGS"

Manager Sacks stated this ordinance merges the Division of Buildings and Grounds into the administration of the Department of Public Works which will streamline the personnel and recognize the way it has been working for several years.

Keith Brown, 23-05 Ellington Road, wondered if anyone would be losing their job. Manager Sacks stated the supervisor of the department was retiring and would not be replaced.

There being no further 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.

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Resolution No. 129-2002 adopting Ordinance No. 1902-2002 was unanimously approved.

RESOLUTIONS BY CONSENT #7-2002

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, Consent Agenda #7-2002 containing the following items was unanimously adopted.

1. Resol. #131-2002 - Approval of Minutes:

Special Meeting 1/23/02

Work Session 2/5/02

Regular Meeting 2/11/02

Closed Session 2/11/02

Work Session 2/11/02

Closed Session 2/11/02

2. Resol. #132-2002 - Tonnage Grant Application

3. Resol. #133-2002 - Approval of Raffles & Bingo

John A. Forrest School PTA - on-premise 50/50

4. Resol. #134-2002 - Refund of Overpayment of Taxes

5. Resol. #135-2002 - Establishing Fair Lawn Business Leadership Committee

6. Resol. #136-2002 - Transfer of Funds

7. Resol. #137-2002 - Interlocal Agreement with Midland Park

8. Resol. #138-2002 - Interlocal Agreement with Elmwood Park

9. Resol. #139-2002 - Use of Walsh Pool by Fair Lawn Community School

10. Resol. #140-2002 - Use of Walsh Pool by Rising Stars Dance Academy

11. Resol. #141-2002 - Use of Walsh Pool by Midland Park Summer Recreation Program

12. Resol. #142-2002 - Professional Services - Rent Leveling Board Attorney

13. Resol. #143-2002 - Appointment to the Fair Lawn Recreational Review Committee

14. Resol. #144-2002 - Appointments to the Fair Lawn Veteran and Volunteer Coalition for Services and Discounts

15. Resol. #145-2002 - Appointments to the Fair Lawn Business Leadership Committee

Upon motion by Deputy Mayor Etlar and a second by Councilmember Caan, it was unanimously agreed to a three minute recess at 8:10 p.m.

Upon motion by Councilmember Caan and a second by Deputy Mayor Etlar, it was unanimously agreed to reconvene the meeting at 8:24 p.m.

ORDINANCES: SECOND READING

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. 1903-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC" MORE SPECIFICALLY SUBSECTION 232-11 ENTITLED "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS" AND SUBSECTION 232-13 ENTITLED "PARKING TIME LIMITED ON CERTAIN STREETS"

Mayor Ganz stated the Council is considering this measure in response to the neighbor's complaints on Orchard Street about the cigarette butts and fast food wrappers. A lot of misinformation has gone to the people. There are twenty-one spaces on one side of Orchard Street and nineteen on the other side along with a two hour parking limit. The Council recognized there was a parking problem last year. Parking spaces on Kipp, Cadmus, Bellaire were created all of whom are not being used by the students. The Council is committed to resolve this for the residents on Orchard Street. They know it is only a small percentage of students who are littering. Everyone signed the Orchard Street petition. This ordinance is not perfect. The Council realizes this by adding after school parking and clarifying when the school year begins and ends.

Deputy Mayor Etlar stated the question of parking on Orchard Street came to the Council's attention last year. The students driving to school have increased and parking is at a premium. The lots on Orchard Street are substandard lots. The distance between driveways is ten feet shorter than standard lots. The road is only thirty feet wide. The State has now prohibited smoking on school grounds and the smokers have moved across the street and trashed the area. Last year the Council passed an ordinance to open one hundred fifty spaces along Sasso Field and the surrounding streets. It is only less than a five minute walk to the back of the high school. Perhaps to solve this problem it will take more than one action on the Council's part.

Deputy Mayor Weinstein stated he appreciated the concerns of the residents. The Board of Education and the Council have tried to resolve this situation. The first step they took was the littering ordinance which would allow the Judge to impose community service. Nevertheless, the residents are still left with a littering problem. It makes sense to exchange spaces on Orchard Street for the spaces around Sasso Field. That was the second step the Council took to help alleviate this problem. Deputy Mayor Weinstein stated there were no plans to change the parking on other streets around the high school. He asked for everyone's patience as they try to work through this problem.

Councilmember Caan stated this is an issue where both sides have valid concerns. Since the state law changed this year the surrounding areas have been impacted more than anyone thought possible. Before this year the long time residents have accepted and dealt with the burden that comes with living near a high school. The new state law has made it different. Through the actions of the Board of Education, the high school and the Borough Council announcements were made to students, the front doors of the high school were closed, another area for students to smoke was found, tickets were issued for littering and loitering, tickets were issued for parking violations. The littering ordinance was just amended to mandate that a person cited for littering appear before the judge who can make community service a penalty. This ordinance would be the seventh step in trying to alleviate the problem. Several suggestions have been made including a 1000 foot smoke-free zones around the high school. This idea and all other suggestions should be discussed later. Councilmember Caan said that over the years he has worked closely with Mrs. Panella, the administration, faculty and students on many issues. He is the Rotary advisor to the Interact Club. He is on the Chamber of Commerce Scholarship Committee. He was the prime mover to get the new scoreboard at Sasso Field. Just this past Sunday they raised money for the marching band at the pancake breakfast that they held at the high school. Councilmember Caan stated let there be no doubt he knows that well over 95 percent of the students that attend Fair Lawn High School are great kids. If this ordinance gets passed, parking on Orchard Street would not be allowed during school hours. However, the ordinance does include a sunset provision so that they can review it by the end of the year to decide if they should reinstate parking. A large number of spaces are available but not being used by the students within one block from the school. The spaces are on Kipp Street and Cadmus which runs along Sasso Field, which are not limited to two hour parking. He does not see the need to ban parking on other streets. Another concern is the littering. The littering ordinance pertains to all residents. He realized the high school is getting more attention because of all of the problems that have come up. He is sure that as problems come up in other parts of town those areas will receive the same attention. Councilmember Caan concluded that it was his intention that this is not the first step of a larger plan he was only there to decide about a few parking spaces on Orchard Street.

Attorney Lustgarten stated he has lived by the high school for twenty-six years and has had no problem. What is happening on Orchard Street is not happening on Burbank Street. He stated that he had grave doubts about limiting the smoking within 1000 feet as it is not a viable alternative.

Marianne Pettineo, 39-02 Wenoah Drive, stated she was there representing the parents. She is concerned about the Borough ordinance which will restrict parking between 8:00 a.m. and 3:00 p.m. on Orchard Street. She disagrees with the Council's solution. Recently the State banned smoking on school grounds. Ms. Pettineo said she is outraged that they lock the doors. The high school has started a smoke enders program. She would like to see the Council ban smoking by minors throughout Fair Lawn. Since an officer is parked in front of the school, they can see who is smoking and issue summonses. Maybe then the students would think twice about smoking. Many feel that the actions of the Council are targeted toward the students. She asked them to take a gradual approach and have the Police ticket offenders and wait to see the effectiveness of the littering ordinance. She felt a non-smoking ordinance would help. She stated she had a fourteen-page petition that parents were signing but she did not have the petition with her.

Fire Marshal Jay Bender came in and informed the Mayor and Council that the room was over crowded.

Mayor Ganz suggested postponing the public hearing for Ordinance No. 1903-2002 for two weeks to move it to a school that would accommodate more people. Deputy Mayor Etlar disagreed. He wanted to hear what the people present had to say and that they should not delay it any longer. Attorney Lustgarten stated it was a safety issue and agreed with Mayor Ganz's suggestion to postpone it for two weeks to move it to a larger location. Not only is it unfair but it is also illegal. The statute to adopt an ordinance is very clear.

Mayor Ganz stated they would hold the public hearing on Ordinance No. 1903-2002 in two weeks, with nothing else on the Agenda except this ordinance and the ordinances on second reading. The public hearing on the budget will be another time.

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Caan Ordinance No. 1903-2002 was unanimously postponed for two weeks with Deputy Mayor Etlar dissenting.

It was unanimously agreed to recess for ten minutes at 8:50 p.m.

The meeting was reconvened at 9:00 p.m.

Mayor Ganz stated he was advised that there is a high school leadership meeting on April 9, 2002, and has been asked to change the meeting date to Wednesday, April 17, 2002. Attorney Lustgarten advised them to put the ordinance on the April 3 Work Session so that they can discuss it and if they make any changes they can reintroduce it as amended. Mayor Ganz stated he wanted the public to be able to speak. He asked to have the meeting at the largest school so that it can hold everyone.

There was a unanimous consensus to discuss it at the April 3 Work Session, introduce it at a Special Meeting on April 3 and then have the public hearing on the amended form at a school on April 17, 2002 with Deputy Mayor Etlar dissenting.

Mayor Ganz requested that the Municipal Clerk give notice to all the residents on Orchard Street and to all the people who spoke at Forrest School, PTA President Marianne Pettineo, Fair Lawn High School Principal Mrs. Panella, and the Board of Education. He also requested that Mrs. Panella notify the students. He asked that notice be sent to the newspaper, Channel 66 and the Fair Lawn website. Deputy Mayor Etlar said to notify them of the date of the work session also. Mayor Ganz asked that both be noticed. Attorney Lustgarten recommended a special meeting be noticed in case they have to reintroduce the amended version of the ordinance.

MISCELLANEOUS PUBLIC COMMENTS

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

Tzipi Jasphy, 5-36 Philips Street, who lives across the street from Thomas Jefferson Middle School complained about garbage on her property. She thinks the garbage is all over Fair Lawn. Ms. Jasphy knows that it is not only the students who litter but adults do too. She can tell by what type of garbage is thrown on her property.

Ms. Jasphy stated she was on the study for Memorial Pool and feels the improvements made so far have been wonderful. She did have one concern which was privacy in the showers. Mayor Ganz stated they would take note of that. Ms. Jasphy continued that the Ping Pong tables stay folded and are not used. Mayor Ganz stated the Council underwent much trouble to get all weather ping pong tables. He instructed Manager Sacks to check it out.

Councilmember Amato arrived at 9:10 p.m.

Ms. Jasphy wondered about the old rusty fountain and whether the Council was considering installing new fountains. Mayor Ganz stated there are other types that have a large tub with a wooden mat and asked Manager Sacks to check them out.

Dan Whalen, 7-17 Manor Avenue, stated that he came to the meeting tonight to urge the Council to terminate Manager Sacks. There have been many questionable decisions she has made citing several. There have been questions about her judgement and the issue of her credibility. He felt he could never get a straight answer from her. Mr. Whalen said Borough employees fear her. Manager Sacks stated she usually never addresses political accusations. She stated she brings many ideas to the Council some of which get adopted and some do not. When she first started working here the employees' morale and productivity was at an all time low with problems. Ninety percent of the employees feel this is the best it has been in years. She asked him not to mis-characterize the employees. Mr. Whalen responded that the Borough Manager talked about political motivation, hers were political. Ninety percent of the employees feel she lacks credibility. He thought the Council should take a serious look. Deputy Mayor Etlar he was in the building more than any other Councilmember. The employees were well satisfied with Manager Sacks. Mr. Whalen

stated the reason why the employees do not say anything is they fear there will be "hell to pay". He said these were heartfelt beliefs and not politically motivated.

Keith Brown, 23-05 Ellington Road, who has attended all the budget meetings commended the Mayor and Council for trying to save money. He wondered if it was correct that there was salary increase of 4 percent across the board. He also wanted to know if the Council gave the Judge an 11 percent increase. Mayor Ganz stated he should look at the productivity and revenue that the Court generates since the judge came here. Attorney Lustgarten stated whatever revenue the Municipal Court generates belongs to them.

Mr. Brown stated the Borough Manager talked to three Councilmembers regarding merging the Parks Department with the DPW. He wondered if the Borough Manager was violating the Sunshine Laws. Attorney Lustgarten stated that when any of the Council gets together it has to be noticed by law. If Manager Sacks talks privately with a Councilmember it is not a problem. It is not all right to get the Council's approval individually and then make a ruling. He did not know the facts. Manager Sacks stated they were not spoken to together. She spoke to them separately. She circulates the Manager's Report and each of them receives a copy of it. Mr. Brown asked who were the three Councilmembers. Manager Sacks stated it was up to them to say and that it doesn't matter. Mr. Brown stated that the Borough Manager was refusing to give him names. He also wondered about the Borough Manager contacting Eric Bernstein, an outside attorney. Manager Sacks said there was no cost to the Borough as he is a consultant to her organization. Mr. Brown wondered if the letter sent by Manager Sacks to the Department of Personnel was going to be a problem. Manager Sacks said forty five days is the layoff notice. The Borough would have to get permission from the Department of Personnel. She also said to add thirty to forty-five days pre layoff. Mr. Brown stated that at a budget meeting Manager Sacks told the Council to grow up. He felt that she needed to be reminded that she serves the Council. He suggested the Council do the right thing.

Don Oliver, 8-32 Mitchell Place, a member of the Homeowner's Association but speaking for himself, felt the Manager speaking to three Councilmembers was a violation. Mr. Oliver stated that he also knew a lot of employees in the Borough. The people are afraid to say anything. He said there are firms that do surveys of supervisors. A survey should be done and if 60 percent feel she should go then the Council should remove her.

Mr. Oliver stated he has been going through the minutes and has found a disparity of things that are still going on. He wondered about the water rates and spoke of his water bill going up. He did not see where the rate increase was discussed. He also spoke about a letter he sent to Attorney Lustgarten regarding a company banned from doing business with the Borough and now sees they are in the Manager's Report. Attorney Lustgarten did not get to it. Several years ago things were missing. There was an informal policy that the company could not work for the Borough. He will make it a priority to get to it. Mr. Oliver stated on behalf of the Homeowner's Association they wondered about hiring a meter maid to issue parking tickets. Mayor Ganz thought it was a good idea. Manager Sacks stated they did research on it and can only do limited ticketing. Mayor Ganz asked her to get the costs for a Parking Violations Officer for the next work session.

Mr. Oliver stated that the information he has been getting has been inconsistent. He thanked CFO Eccleston for getting him the palm tree invoice. He said he was very concerned and will seek outside help. He thinks there is something seriously wrong. He attended a work session the other day and the issue came up of handicap parking at Radburn School. It is a hazard where it currently is. He stated that Lisa Yourman uses it for her kids. Mr. Oliver said that Deputy Mayor Etlar chastised Ms. Yourman for using that space. Mr. Oliver felt that Deputy Mayor Etlar is an embarrassment to the Council. He suggested Deputy Mayor Etlar be removed as Deputy Mayor. He is not the person to be in that position. There was no reason to jump on Ms. Yourman like he did. It was this town that put the handicap spaces where they did. Deputy Mayor Etlar stated she was driving the car that almost had an accident. She should use better judgement. Mr. Oliver stated she is using the spot that they assigned to her. He said that Ms. Yourman has contacted the Board of Ed to move the spot. Deputy Mayor Etlar thanked him for his confidence. Mr. Oliver stated he had no confidence in him.

Joan Hughes, 12-63 4th Street, stated she was at the meeting earlier and was surprised to hear they had changed the date for the hearing on Ordinance No. 1903-2002. Mayor Ganz informed her they had agreed to move the topic to the Work Session on April 2 and to the main meeting on April 17. They will notify all residents, Mrs. Panella and anyone who spoke of the meeting location, date and time. Ms. Hughes asked if they would be allowed to speak at the Work Session. Mayor Ganz stated he had initiated a process which allows residents to speak at the Work Sessions. Ms. Hughes stated she was dismayed at the comments that have been made. She was glad that the students were not present to see that behavior. She felt some people were rude to each other. When the students were there, they were calm and set a good example. She also felt that the Council had already decided. Mayor Ganz said that was not true. The Council wants to get more information. Ms. Hughes said she wanted to see this problem solved for Orchard Street. She had hoped that if the Orchard Street ordinance needs work that the Council will not vote for it. Ms. Hughes asked if any of them ever walked with a twenty-five pound backpack. Mayor Ganz stated that Orchard Street fills at 7:30 a.m. He knows the high school parking lot is insufficient. The students are going to have to walk from somewhere. Deputy Mayor Etlar

stated he walked from Sasso Field to the back of the high school in less than five minutes.

Mrs. Hughes said she believes the school is trying to work with the residents. No one has the right to litter. She said she was upset that they locked the doors of the high school. The high school is the only school they that locked the doors not for safety but because of the neighbors. Her concern is the impact on the whole town. This issue is escalating into something it should not be. Dropping cigarette butts is not done only by the students. She talked about adults setting a good example. Most of the students want a good solution to this problem. Mayor Ganz stated at the next Work Session they will discuss it.

Lisa Yourman, 66 Nottingham Road, stated she was there because the facts were one 100 percent wrong. She brought up the handicap parking spaces in 2000. She wrote a letter, along with her attorney, to the Board of Education and to the Borough of Fair Lawn. In February of 2000 she went to a meeting with Board of Education and the Borough. She said a handicap space would have to be provided at Radburn School because both of her children are handicapped. She has only parked there on two different occasions and does not know where Deputy Mayor Etler got his information. Mayor Ganz informed her not to apologize as she is legally entitled to use that handicap parking space. Ms. Yourman stated she was enraged at Deputy Mayor Etler's comments. There is a far bigger picture that the Council has to look at. She suggested they listen to the tape. Ms. Yourman stated Deputy Mayor Etler belittled her for using the handicap spaces to pick up her children. She would like an apology.

Don Oliver, 8-32 Mitchell Place wondered if they would televise the budget hearing. Manager Sacks stated they would not. Mr. Oliver recommended that next year the budget hearing should not be done on the road.

Lisa Yourman, 66 Nottingham Road, stated she spoke to Paul Cardoza from the office of the United States Department of Education Civil Rights who said he was going to call Deputy Mayor Weinstein. Manager Sacks stated she had spoken to him. They both agreed that she had every right to use the handicap spaces. Street parking at Radburn School would leave people at a non street level entrance. They both agreed to have Radburn School make another entrance that would be safer for everyone. Manager Sacks stated if Radburn School changed the locations the Borough could help with the spaces. Deputy Mayor Weinstein stated he did not get a message from Mr. Cardoza.

James Keyes, 12-17 Orchard Street, wondered with all the extra ground around the high school if a parking lot ever been considered. Deputy Mayor Etler informed him that there was a plan drawn up that will give one hundred and fifty more parking spaces. Mayor Ganz stated the Borough offered to help the Board of Education with basic engineering services to pave the grassy area which would open up one hundred and fifty spaces. The Board of Education did not take the offer. There is a substantial cost for paving that area. Mr. Keyes continued that the garbage is not only on Orchard Street it is all over. He is surprised to hear about student rights. The students have no right to go against other people's rights. He felt the parents should put an effort into not smoking at home.

ADJOURNMENT

Upon motion by Councilmember Amato and a second by Councilmember Caan, the meeting was adjourned at 10:24 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk