

BUDGET MEETING OF MAY 7, 2002

Mayor Ganz called the meeting to order at 6:00 p.m. Municipal Clerk Kwasniewski read the statement of compliance with the Open Public Meetings Act.

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

Also present: Manager Sacks, Municipal Clerk Kwasniewski, CFO Eccelston and Attorney Lustgarten.

Construction Department - Construction Official VanHook was present. He explained that an additional plumbing inspector was added. Construction permits are up 20% and CCO's are up 39%. So far this year they have issued 153 CCO's. Last year they issued 500.

Office Supplies - This line item was reduced by \$200.

New Office Equipment - This line item was reduced by \$200.

Office Equipment Maintenance - This line item was reduced by \$200.

Printing & Stationary - This line item was reduced by \$200.

Deputy Mayor Weinstein arrived at 6:10 p.m.

Expenses - Construction Official VanHook explained that he spent much less last year because he was unable to attend out of town conferences because of his wife's illness. Hopefully this year he will be able to attend them again. He has been very involved in the Code changes in the past. If New Jersey makes the switch to the International Code there will be new demands for additional training.

Capital Budget - CONST 26.01 Office Furniture - This is in anticipation of moving his offices into the new addition.

CONST 26.02 Software - The computer system is a DOS based system which is very outdated. A system is available that would allow construction, zoning, resale and property maintenance records to be maintained on the computer. The estimate for the system is \$2360. GovExcel is the only company that makes the software that involved all the issues that he is concerned about and has any kind of track record. Mayor Ganz asked for additional information.

Finance

Contractual Services - CFO Eccelston explained that this line item is for a combination of software improvements and bond trustees fees for the new bond issue.

Expenses - This line item was reduced by \$616.

Overtime - CFO Eccelston explained that he anticipated that the payroll clerk will have to do retroactive pays if the Blue and White Collar Union settles. Some overtime is generated by year end work.

Professional Services - This line item is for the audit fee.

Legal - Attorney Lustgarten asked that consideration of his budget be deferred.

Mayor and Council

Salaries - CFO Eccelston explained that there was a time difference between Deputy Mayor Adler's leaving and Deputy Mayor Weinstein starting.

Municipal Clerk

Overtime - The Assistant Municipal Clerk earns overtime for attending Council meetings.

Copying - This line item was reduced by \$1,000.

Insurance - This line item was reduced by \$500.

Election Expenses - This line item was reduced by \$1500.

Codification Expenses - This line item was reduced by \$1000.

Mayor Ganz was excused at 6:30 p.m.

Planning Board

Contractual Services - CFO Eccelston explained that this was their estimate for any legal expenses that are not covered by the retainer. Councilmember Caan wondered if anything had been spent so far this year. CFO Eccelston will check this item and professional services to see if there is some room to reduce them.

Special - Councilmember Caan wondered if this line item could be reduced based on what they spent in the past. He suggested reducing it by \$2000. The Council concurred.

Board of Adjustment

Professional Services - Councilmember Caan wondered about the increase. CFO Eccelston explained that they actually asked for \$45,000. Manager Sacks cut it to \$20,000.

Legal & Advertising - This line item was reduced by \$1,000.

Expenses - This line item was reduced by \$500.

Insurance - CFO Eccelston explained that this category covers health insurance, eye care, workers' compensation, liability, self-insurance. Deputy Mayor Etler questioned the \$300,000 increase in group insurance. CFO Eccelston explained that the increase was 12 percent plus the cost of retirees' health insurance and the prorated cost for the replacement person. He generally leaves some excess in for changes but because they were over the CAP he had to prorate the coverages.

Reimbursement Eye Glasses - CFO Eccelston explained that if everyone but in a claim he would need \$24,000. He cut that amount in half. This line item was reduced by \$1,300.

Garbage and Trash -

Contractual Services - This is the regular contract.

Miscellaneous - This is for leaf collection, grass cuttings and yard waste.

Bergen County Landfill - This line item is for the tipping fees. The cost of getting rid of the construction materials is getting expensive. Deputy Mayor Etler noted that people are dumping who should not be dumping. They have three dumpsters now. He felt that the Council needs to review this situation very soon.

Mental Health Program - This is the same amount that the Borough has been contributing.

Celebration of Public Events - This category covers the parades and holidays.

Cadmus House - Attorney Lustgarten advised that they have not filed their Corporate Activity Report. CFO Eccelston explained that it is the Borough's building and the Borough must maintain it. This line item was reduced by \$500.

Opportunity Center - This line item had been increased in memory of Mort Hirshklau last year. It had always been \$5000. The consensus was to keep it at \$5000.

Utilities - CFO Eccelston explained that he tries to keep the amounts the same or a little less than the previous years.

Veterans Service Bureau - Deputy Mayor Etler explained that this amount goes to the Veterans Council to help fund outreach programs for the veterans.

Terminal Leave - CFO Eccelston explained that this category is for payments of accumulated sick time. He thought out of 225

employees, 90 were still eligible for terminal leave. This amount is an actual calculation.

Borough Postage Account - Councilmember Caan wondered if this amount included the increase in postage. CFO Eccelston replied that it did.

Contingency - CFO Eccelston explained that this amount can be as high as 3 percent of the budget, but he does not put that much in this line item.

Emergency Authorizations - CFO Eccelston explained that he has to increase this category to \$9200.70 because the Fire Department has submitted bills from a prior year.

Statutory Expenditures

PERS - CFO Eccelston advised that the Borough has not had a bill from the State in several years so he just puts in \$100 in case he needs it. He thought that might change next year because of the State's budget problems. The bill use to be around \$300,000.

Social Security - This line item will be reduced after CFO Eccelston does all the calculations.

Unemployment Fund - The Borough is self-insured for unemployment. He transfers funds into this account to pay their own claims. The crossing guards collect unemployment when school is closed.

LOSAP PROGRAM - This is the Borough's contribution to the LOSAP program. CFO Eccelston explained that last year they had one-third of the five year prior years portion. This year it is the one-third plus the \$500 for each person who is eligible. It will increase each year.

Passaic Valley Sewer Commission - The amount charged is based on flow.

CFO Eccelston indicated that he would like to adopt the budget by the first regular meeting in June. The amendments to the budget must be published and then a public hearing on the amendment must be held. He thought they needed one more session for a wrap-up.

Councilmember Caan presented a list of questions.

Road Repair - Department Materials - Councilmember Caan notes showed a cut of \$3,000. Municipal Clerk Kwasniewski indicated that is what her notes showed as well. .

Fire Department - New Department Equipment - Councilmember Caan thought they were going to see how much of this line item could go into the capital budget. CFO Eccelston indicated that he has sent two letters and called the Fire Chief once but he has not gotten a response.

Expenses - Councilmember Caan showed an increase of \$200. That item will be increased.

Police Dispatch - Councilmember Caan thought there was an outstanding question on overtime.

Police - New Equipment Department - Councilmember Caan thought the line was going to be reduced by \$2,000. CFO Eccelston and Municipal Clerk Kwasniewski showed a decrease of \$1,000.

Contractual Service - A more accurate figure was submitted so that this line item was reduced by \$6,700.

Public Assistance - Councilmember Caan thought they were going to calculate a cut in wages and also the health insurance since the position was not going to go from part time to full time. CFO Eccelston stated that he has subtracted \$9100 from wages. He will also make the cut in Social Security.

Mayor Ganz returned at 7:20 p.m.

Municipal Court - CFO explained that he reduced salaries by \$32,900.

Overtime - Councilmember Caan had an increase by \$5,000. CFO Eccelston and Municipal Clerk Kwasniewski had \$3,000 but Mayor Ganz also had \$5,000. The line item was increased by \$5,000.

Councilmember Caan presented information on leasing police cars instead of purchasing them. Manager Sacks stated that today she received an analysis by the Police Department that shows it is actually \$100,000 more to lease.

The Council agreed to have a budget wrap-up on May 28 at 6:00 p.m.; to adopt the resolution to amend the budget on May 30 at 8:00 a.m.; to hold the public hearing and to adopt the budget on June 11.

ADJOURNMENT - Upon motion of Councilmember Amato and a second by Councilmember Caan, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AE
Municipal Clerk

WORK SESSION OF MAY 7, 2002

Mayor Ganz called the meeting to order at 7:40 p.m. Municipal Clerk Kwasniewski read the statement of compliance with the Open Public Meetings Act.

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

Also present: Manager Sacks, Municipal Clerk Kwasniewski and Attorney Lustgarten.

Proclamation - Salute to Israel Parade - Municipal Clerk Kwasniewski read the proclamation.

Review of Tentative Agenda - 5/14/02 - There were no changes.

Presentation by Edmunds Associates - John Fry and Jeff Holz of Edmunds & Associates Inc. made a presentation. CFO Eccelston was also present. Mr. Fry stated they have become the most successful vender of financial systems in New Jersey with 297 municipalities running their system. They have 35 staff members and provide training and technical support. Their help desk is staffed from 8:00 a.m. to 5:00 p.m. Monday through Friday. All the data are exportable. All the files are open data basis. It is a Windows environment. Support of remote users is possible through PC Anywhere or the Internet depending on the technology the Borough uses. It is a client server product written in java. It is transaction based and date sensitive. The system will maintain up to 10 years of the current fund and more on capital funds for things that have a perpetual life. Changes to their products are client driven. It is a fully integrated product so the budget system and the revenue system are integrated into the general ledger. Everything works together.

Mr. Holz explained security allows the Council to access the system to do look ups and print reports. He showed samples of the reports that can be generated by the system. He showed several screens. Under the State contract it would cost \$25,000 for the software but he did not know the cost for the hardware. On going maintenance is 20 percent of the purchase price after the first year. He recommended electronic requisitioning which allows the Departments to enter purchase orders on the computer with up to three levels of approvals. It saves time. It works well where the Departments do all of the specifications. It is tied into the budget line. It will stop a department from entering a requisition if there is no money in the line item. Departments only have access to their own accounts.

Councilmember Amato wants to be able to see things in the system on his own. He wants read only access and the ability to print reports. Mr. Holz stated that a terminal server provides access into the Internet service which costs approximately \$5,000. They could also use PC Anywhere. They see the screen although they do not really have the software on their computers.

CFO Eccelston was not sure that he wanted on line requisitioning because of the internal control problems and the varying levels of expertise in the departments. The present system can do that but he does not want to use it. Mr. Holz pointed out that there are multiple levels of security.

They do not run parallel systems. They provide the training so that the system is up and running. Councilmember Amato asked for a recommendation of a town that would be comparable to Fair Lawn so that they could look at the system. Mayor Ganz asked for an estimate for a 12-user system starting from scratch.

Request from Sunrise Rotary for 5K Run - Kevin Budds and Daniel Rodis were present. They are looking to start a 5K Run on New

Year's Day. They had received permission last year but were not able to put it together. They are expecting to run it in inclement weather. The consensus was to agree to the concept provided the Mayor and Council receive a plan with specifics.

Attorney Lustgarten advised that the Bergen County Bar Association does an annual run. They may be able to give the Rotary some helpful information. Municipal Clerk Kwasniewski will send them the information they presented last year. Mayor Ganz suggested that they come back with a definite plan that the Council can consider.

Public Comments on Items on the Agenda - Don Oliver, 8-32 Mitchell Place asked if it were possible to move this item to later in the evening.

Jane Diepeeven, 14 Ryder Road wanted to know what the Fair Lawn Historical Quilt was about. Mayor Ganz asked Municipal Clerk Kwasniewski to send her a copy of the e-mail he received on the quilt.

Memorial Pool - Manager Sacks advised that Superintendent Frey is making preparations being optimistic that the pool will open. She wants a fall back plan if they cannot open. She wants to make sure that the campers have some type of swimming. Only 60 campers have registered. The fall back plan is to bring the campers to Walsh Pool by using the Board of Education buses.

Mayor Ganz wondered if the emergency hardship application is not approved in time for Memorial Pool to be filled for Memorial Day weekend, could they fill Walsh Pool. Manager Sacks indicated they could fill Walsh Pool. Mayor Ganz suggested that they offer the use of Walsh Pool to all residents free until the regular season opens.

The Council agreed.

Manager Sacks pointed out that the Community School and the Rising Stars Dance Academy will also be using Walsh Pool. Camps have morning swim lessons and then a recreation swim in the afternoon. They may have to do one three-hour swim. Superintendent Frey is working on the schedules. Attorney Lustgarten recommended bringing the campers back to Memorial Park to alleviate the congestion at Walsh Pool. Manager Sacks stated that if the buses are available they will go back to Memorial. Mayor Ganz asked Manager Sacks to find out if there are any additional amenities needed at Walsh Pool before the camp program starts.

Water Emergency Task Force Application for Hardship Exemption - Mayor Ganz recommended applying for the exemption. He has spoken to all of the local legislators who have assured him that they will do their best to bring the application to the appropriate authorities in Trenton.

The consensus was to submit the application. Manager Sacks will circulate the completed application.

Request for Internet Transaction Files Status Report - Councilmember Amato reported that on April 2 Manager Sacks stated the files would be available four weeks from the issuance of the purchase order. He received a note from Ron Lotterman stating that the files would be coming soon. It has now been six weeks and he is still waiting. Manager Sacks stated that the vendor has not even been paid yet although they have received the purchase order. They have started working on the program so they should be ready to send the files shortly.

Communication Expenses - Councilmember Amato advised that he received February and March logs from Asst. Engineer Brouca. He still does not have a great deal of information.

Manager Sacks advised that Asst. Engineer Brouca is doing that along with his other duties. It takes him an hour to an hour and a half for each file. Councilmember Amato did not think it was that difficult to transmit the data.

PetroVend Visit/Fuel Dispensing Procedures - Councilmember Amato stated that some of the Councilmembers were interested in having the vendor present. Manager Sacks pointed out that the vendor met with Superintendent Maslo. She stated that Councilmember Amato spoke to the vendor. She was not supposed to make any follow-up contact. Obviously Councilmember Amato is trying to make the case that she does not give him the information or if she does, it is not in a timely fashion. Councilmember Amato reported that he contacted the vendor who had no interest in meeting with the Council. The vendor had met with Superintendent Maslo and made some suggestions.

Councilmember Amato asked for a copy of the tape of the April 2 meeting. Attorney Lustgarten suggested that they move onto the substance of this issue. Councilmember Amato stated that some of the Councilmembers wanted to meet with the representative. Deputy Mayor Weinstein and Councilmember Caan wanted to meet with him. Mayor Ganz spoke to the representative and he is satisfied the system is able to meet each accounting goal that Councilmember Amato has requested. Councilmember Amato stated that they could attempt to get the representative here. Mayor Ganz stated that the representative is in Maine and he cannot come

on a Tuesday night. Deputy Mayor Weinstein added that he had suggested that they find out what it would cost for the representative to attend the meeting.

Attorney Lustgarten pointed out that the representative has told the Mayor and the Superintendent of the DPW that the system can do what the Borough wants. He thought it was immaterial to have the vendor come. The real issue is whether there are things that the system is not currently doing that would be beneficial to add to the existing accountability. He recommended that Manager Sacks have Superintendent Maslo summarize what the system can do that it is not currently doing. The council can then decide if they want to add those items. Mayor Ganz stated that the system crashed in each of the last two years so the data is incomplete. He suggested that they have the reports run. Councilmember Amato pointed out that the report he ran in November showed zeros. Deputy Mayor Etler stated that he found out that each department has a code to enter when there is no odometer.

Councilmember Amato would like to see the report that shows miles per gallon for all vehicles in the Borough in April. Attorney Lustgarten stated that if the reports do not contain the data he felt was appropriate, he should circulate a memo detailing what is missing then the Council can see

The consensus was to accept Attorney Lustgarten's recommendation.

Renewal of Professional Loss Control Consulting Services - Manager Sacks reported that a proposal had been received from Commerce Risk National for loss prevention services including safety meetings, right to know training, right to know inventory and blood borne pathogens. She recommended renewing the contract. The proposal was for an increase of about 10 percent.

The consensus was to renew the contract.

Request to Vacate Right-of-way Vision Properties of Fair Lawn I, LLC - Manager Sacks advised that the attorney for Vision Properties and the surveyor were not reading the plans correctly. The right-of-way is not the Borough's. The Borough Engineer pulled out the historical information and discovered that they were misinterpreting it. They no longer have any interest in the property. She will confirm that in writing.

Dates for Meeting re School Budget - Attorney Lustgarten stated that by May 19 the Council must have met with the Board of Education and adopted a resolution. He explained what the resolution must contain. It was agreed that Municipal Clerk Kwasniewski would arrange a meeting for May 14 at either 8:00 a.m. or 6:00 p.m. at Edison School. Alternative dates of May 13 and 15 at either 8:00 a.m. or 6:00 p.m. were proposed.

Results of Increased Littering Enforcement - Manager Sacks reported that Chief Marshall advise her that all personnel have been advised to pay attention to problem areas including the High School and River Road. It is difficult to enforce the littering ordinance since the officers must witness the actual littering violation in order to issue a summons. Sporadic foot patrol assignments have been issued. Mayor Ganz wanted to know how many tickets have been issued for littering, but Manager Sacks did not know.

Mayor Ganz stated that while he appreciated the Chiefs view on this matter, he felt that if police officers were visible on Orchard and Berdan, the students will not litter. If the Chief is unable and unwilling to do more than put a foot patrol then he suggested to the Manager that she station DPW workers during lunch hours and after school to clean up the litter. Councilmember Amato felt strongly that enforcement is the answer. Mayor Ganz stated that they cannot tell the Chief what to do. Attorney Lustgarten stated that Council can establish a policy, which the Council has already done, making littering a priority, but the allocation of manpower is the province of the Chief.

Manager Sacks stated some of the police officers have suggested getting another property where the teenagers can go. They want to move them away from the residents property. Attorney Lustgarten stated that unless they are breaking the law, the students have as much right to be on the sidewalk as anyone else. An officer telling someone to leave and an officer suggesting without intimidation that they move are two different things.

Mayor Ganz indicated that he had signed the lease with the Board of Education. He asked Municipal Clerk Kwasniewski to get the lease to Superintendent Watson's office for the Board's signature.

Deputy Mayor Etler felt the police department should be more alert. This is a huge quality of life issue that has to be paid attention to. Deputy Mayor Weinstein stated the teachers at other schools were assisting in resolving this problem by moving the students. Mayor Ganz did not think the administration will do that because they believe it is outside their authority. He suggested that the Council prioritize this and from now until the end of the school authorize Manager Sacks to put two DPW employees there during the lunch hours and after school to pick up the cigarettes after they are dropped. Deputy Mayor Etler disagreed. Councilmember Amato stated that on April 2 the Council discussed hiring a person to give out tickets. He asked what happened. Manager Sacks stated that they were going to have someone take pictures. The School administration was livid. They threatened law suits. Instead

she added more police but as soon as the police leave the students are back littering. If she could contain the litter in one area and then clean it up, the problem would be alleviated.

Attorney Lustgarten pointed out that the DPW employees can sign a complaint. Deputy Mayor Etlar disagreed with allowing the students to litter and then having the DPW employees pick it up. Councilmember Amato did not think it would work but he was willing to vote for it. Manager Sacks thought the union would file an action about signing complaints. Attorney Lustgarten noted that while the Chief needs to see that the ordinance is enforced but with the amount of resources he has the Council needs to be realistic. The Council is trying to find a balance between Borough resources, allocation of clean up and relief for the homeowners. No perfect solution exists. The Mayor is suggesting a balance. He suggested that for some period of time during lunch hours and after school there should be a physical police presence. Manager Sacks stated that the police are there quite often but if they get a call they have to respond to it. Deputy Mayor Weinstein thought the names and addresses of the offenders should be sent to the police and the High School principal. Manager Sacks thought they may not be able to get the names since they have no police powers. Attorney Lustgarten thought there has to be a threat of enforcement and real enforcement.

The consensus was to have the DPW personnel patrol the area picking up litter and giving tickets with Deputy Mayor Etlar dissenting.

Fair Lawn Historical Quilt - Mayor Ganz received an e-mail which he thought looked interesting. Attorney Lustgarten explained that this organization is trying to make a historical quilt for each city in the nation by September 11, 2002. They are looking for permission to proceed with making the quilt. The proceeds would go toward a scholarship for a young person in the Borough. They solicit from the businesses who purchase a patch for \$159. The quilt is a combination of historical items and patches from businesses. Attorney Lustgarten pointed out that the Council should be wary of giving anyone permission to solicit on behalf of the Council.

The consensus was to have the Municipal Clerk respond that they are welcome to proceed but they cannot solicit in the name of the Borough.

Public Comments on the Items on the Agenda Continued - Steve Rickett, 14-13 Berdan Avenue, indicated that the residents know the Council has worked hard to help resolve this problem. He objected to the Borough Attorney protecting the violator's right. Mayor Ganz stated that the Borough Attorney is really protecting the Borough.

Attorney Lustgarten stated that the constitution has to be protected. He is not protecting the rights of violators. He said it is not legal to move people off the street who are not violating the law. A person smoking a cigarette is not violating any law. They are protecting the rights of citizens who have not broken any law. If they litter, then they should get a ticket.

Mr. Rickett did not understand why the Board of Education and the High School cannot work with the Council. The Board of Education does not cooperate. Attorney Lustgarten disagreed indicating that the Board of Education and the Borough have just executed a lease. Dialogues between Deputy Mayor Weinstein and the Superintendent and the Principal have been going on for weeks.

Mr. Rickett indicated that the littering from lunch is less but the cigarettes are just as bad as in September. Attorney Lustgarten thought they needed to give the process a little more time. In July and August the students will be gone. By September all the pieces will be in place. Deputy Mayor Etlar added that there should be a new parking lot for sixty cars. They are trying to increase police patrols and to get the students to use the new spaces. The signs will be going up on Orchard Street.

Mr. Rickett mentioned that the homeowner by the corral is upset because she feels that her property values will be decreased by paving that area. Manager Sacks stated that when the Borough paves an area next to residential property they put in a green buffer which will soften what the home owners will have to look at. Hopefully, the Board of Education will do that. Councilmember Caan stated that once the lease is signed by the Board of Education the High School will hold an assembly to explain the guidelines that are in place.

Lloyd Dorfman, 12-16 Fairclough Place wondered if a student under the age of 18 leaves the school property and gets injured is the school liable for his safety. Attorney Lustgarten replied that while on school property the school is responsible but not once the child leaves school grounds. They are not the guardians of the children. The School Board can institute a closed campus if they choose.

Don Oliver, 8-32 Mitchell Place questioned whether the parking enforcement officer is still under consideration. Mayor Ganz stated there was no point since if the person is a police hire, they are under the Police Chief's jurisdiction. The Council cannot assign him to a location or task.

Mr. Oliver then asked about the 1000 foot no smoking zone around the schools. Mayor Ganz replied that the issue becomes enforcement. Attorney Lustgarten added that he was not sure that the local municipality has the authority to establish those zones. The Federal government has pre-empted this issue.

Sal Feola, 12-23 Lexington Street stated that the litter on his street has increased. He will be sending the Council pictures. The police have not been out there as vigorously as the Manager has indicated. It is difficult to enforce littering. He thought the police could do something if the students were obstructing the right-of-way. He has pictures of 15 to 20 students and the police did not get out of the car. They will move when they see the cops getting out of the car. They have only given out two littering tickets. He felt the same number of cars will be parking even if the parking lot is built. He expects that he will be back in October.

Mayor Ganz asked him to give the changes a chance for the next seven weeks. He suggested that Mr. Feola ask the neighbors if they are willing to change the parking and the Council will consider it.

Mr. Rickett concluded that Orchard is better because they have moved cars.

Mayor Ganz wondered why they received a memo that the Superintendent of the Department of Public Works cannot install signs on Orchard Street. Manager Sacks stated apparently the ordinance is not that clear. She is recommending that they install the signs that prohibit parking from 8 to 2 and then amend the language about alternate side of the street parking. Attorney Lustgarten stated that the ordinance is clear on the 8 to 2 parking ban and that should be signed. The Traffic Safety Officer advised that the language is permissive and it should be prohibitive. The ordinance will be amended. Manager Sacks stated that there is no money for the signs since they are still operating under the temporary operating budget. She is going to have the Chief Financial Officer revise the temporary operating budget. She wants them to do the signs, but she wanted assurances that the Council will approve the revision to the temporary budget.

The consensus was to take it out of the Council budget to get the signs done.

Closed Session Resolution - Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Etlar, the following closed session resolution was unanimously adopted at 10:45 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 labor negotiations, personnel and pending litigation 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 relating to labor negotiations within three to four months except for negotiation legal strategy; relating to personnel by formal resolution of the Mayor and Council within 30 to 60 days and relating to pending litigation within 30 to 60 days except for legal strategy;

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

ADJOURNMENT - Upon motion of Councilmember Amato and a second by Councilmember Caan the meeting was adjourned at 11:30 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AE
Municipal Clerk