

REGULAR MEETING OF OCTOBER 22, 2002

Mayor Ganz opened the meeting at 7:35 p.m. Assistant Municipal Clerk Bojanowski 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 January 26, 2002. 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 Councilmembers Amato and Caan.

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

Mayor Ganz stated good evening and welcome to our October 22 Council Meeting. He was delighted to see all of them there tonight. There are so many people to honor with so little time. There are many Certificates of Merit and Presentations.

PROCLAMATIONS: Jewish War Veteran's and Its Ladies Auxiliary Poppy Drive Week

Assistant Municipal Clerk Bojanowski read the proclamation. Mayor Ganz presented the proclamation to members of the Jewish War Veterans.

Bible Week

Assistant Municipal Clerk Bojanowski read the proclamation.

Make a Difference Day

Mayor Ganz stated there are many people in this room tonight who have by their own contributions to the community, not only this week and this month and this year but throughout their lives made significant differences to each of us. This not only refers to the Chiefs of the Fire Departments and the members of the Fire Department but also to the Boy Scouts, Girl Scouts and the Brownies, and frankly everyone has the potential to make a huge difference throughout the community. Assistant Municipal Clerk Bojanowski read the proclamation.

United Nations Day

Mayor Ganz stated he was particularly proud to make this proclamation because almost thirty years ago he worked in Rome for the Food and Agricultural Organization of the United Nations which is its oldest independent agency. The United Nations debates and tries to stave off war and it is a very worthwhile goal. He asked that the Proclamation be delivered to Mr. and Mrs. Schukman. Assistant Municipal Clerk Bojanowski read the proclamations.

PRESENTATION OF CERTIFICATE OF MERIT TO THE GIRL SCOUTS AND BOY SCOUTS

Mayor Ganz and the Council presented Certificates of Merit to the Girls Scouts and Boy Scouts for the help they gave in the End DWI program.

PRESENTATION OF COMMENDATIONS TO MUTUAL AID AGENCIES:

Mayor Ganz remarked that these commendations are extremely heartfelt from the Council. About three weeks ago this evening a terrible fire enveloped the Radburn Building on Plaza Road. The mutual aid organizations from many surrounding towns and communities were of invaluable assistance to the Borough over the next several days helping to contain and fight this fire successfully. He said all of the Council was extremely appreciative of the fact that the men give of their time as volunteers within their communities. He found it astonishing that they were willing to give of their time so generously and selflessly to help the residents of the Borough of Fair Lawn. Mayor Ganz expressed his gratitude to Chief Bernabeo and his men for all they did. He thanked them on behalf of a very grateful Council. Mayor Ganz felt these Certificates of Merit were very unusual because they had a medal with a design of the Radburn Building on them. So now the responders will have a permanent reminder of the building in medallic form. Commendations went to Allendale Fire Department, Box 54 Teaneck, Elmwood Park Fire Department, Garfield Fire Department, Glen Rock Fire Department, Hawthorne Fire Department, HoHoKus Fire Department, Lodi Fire Department, Maywood Fire Department, Midland Park Fire Department, Paramus Fire Department, Ramsey Fire Department, Ridgewood Fire Department, River Edge Fire Department, Rochelle Park Fire Department, Saddle Brook Fire Department, Waldwick Fire Department, Central Bergen Coordinator and NORCOM Coordinator; Paramus and Saddle River Valley Heavy Rescue, the Bergen County Police, Glen Rock EMS, Hawthorne EMS, Lodi EMS, Midland Park EMS, Ridgewood OEM, St. Joseph's ALS and Valley Hospital ALS.

PRESENTATION OF CERTIFICATE OF MERIT TO NEAL WIGOD

Mayor Ganz presented a Certificate of Merit to Neal Wigod who was a young man passing by the fire and saw that the firemen needed something cold so he went and got them ice cream at Hagen Daaz.

PRESENTATION OF AWARDS - FAIR LAWN RECREATIONAL FACILITIES REVIEW COMMITTEE SLOGANS CONTEST

Deputy Mayor Weinstein thanked the Recreational Facilities Review Committee for all of their help. He asked the committee members to come forward to give out the awards. He stated that he felt Fair Lawn was a wonderful town to live in.

Mayor Ganz stated they had a Proclamation for each person who participated in the contest. He offered congratulations to all of them speaking for the Council. He told them to be proud of the slogan they submitted. The Proclamations were presented to each participant. The winning slogan was "Fair Lawn, a great place to visit, a better place to live" submitted by Jake Janso, the second place slogan was "Fair Lawn: A Community That Cares" submitted by Andrew Small and the third place slogan was "Fair Lawn: It's Our Community - It's Our Family" submitted by Nicholas Magarelli.

MANAGER'S REPORT

Mayor Ganz stated the reports were on the table. Acting Manager / Municipal Clerk Kwasniewski stated there were no changes or additions to the report.

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. 1927-2002

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 125, ENTITLED, "LAND DEVELOPMENT," SECTION 125-37 SWIMMING POOLS, TENNIS COURTS AND SIMILAR PRIVATE RECREATIONAL FACILITIES

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

Upon motion by Deputy Mayor Etler and a second by Deputy Mayor Weinstein, Resolution No. 330-2002 adopting Ordinance No. 1927-2002 was discussed.

Attorney Lustgarten stated this ordinance amends the type of fencing required for a swimming pool, hot tub / spa and similar recreational facilities. Mayor Ganz stated this change came at the suggestion of the Construction Code Official.

There being no further comments by the public, upon motion by Deputy Mayor Etler and a second by Deputy Mayor Weinstein, it was unanimously agreed to close the time for public hearing.

There being no further discussion, Resolution No. 330-2002 adopting Ordinance No. 1927-2002 was unanimously passed.

Upon motion by Deputy Mayor Etler 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. 1928-2002

AN ORDINANCE CREATING THE COOPERATIVE PARKING PLAN FOR THE BOROUGH OF FAIR LAWN IN DISTRICTS OTHER THAN SPECIAL IMPROVEMENT DISTRICTS

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan Resolution No. 331-2002 adopting Ordinance No. 1928-2002 was discussed.

Attorney Lustgarten explained the purpose of this ordinance was to expand the cooperative parking plan in areas other than River Road. Mayor Ganz stated the Planning Board has recommended that copies of this ordinance be given out to anyone that applies. He suggested the application be available on the Borough's website.

David Drahouzal, 24-07 Fair Lawn Avenue, representing the Dutch House, questioned the possibility of placing metered parking on public streets. Mayor Ganz stated it was not necessarily true. The purpose of this ordinance was to allow for additional parking spaces. Mr. Drahouzal stated he was concerned that it would force cars into his lot when the shoppers go into other businesses. Mayor Ganz stated he would ask the Construction Code Official to consider his concern. Mr. Drahouzal stated he did not think this was a good idea. Mayor Ganz stated he would refer this to the Building Department and ask that the Dutch House be notified of any parking issues.

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

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, Resolution No. 331-2002 adopting Ordinance No. 1928-2002 was unanimously passed.

RESOLUTIONS BY CONSENT #23-2002

Upon motion by Deputy Mayor Etler and a second by Councilmember Caan, Consent Agenda #23-2002 containing the following items was unanimously adopted, with Deputy Mayor Weinstein abstaining.

a. Resol. #332-2002 - Approval of Minutes:

Regular Meeting 8/20/02

Work Session 8/20/02

Closed Session 8/20/02

b. Resol. #333-2002 - Refund of Overpayment of Taxes

c. Resol. #334-2002 - Approval of Raffles & Bingo:

St. Leon Armenian Church Off-premises 50/50

d. Resol. #335-2002 - Award of Bid: Snow Plowing and Removal

13. PUBLIC COMMENT

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

Howard Hyde, 13-07 Ellis Avenue, wondered about the discussion that took place at the August 13 Work Session when the Council authorized the Construction Code Official to work overtime on weekends to check on garage sales. He questioned how much money has been spent. Acting Manager / Municipal Clerk Kwasniewski stated that no money has been spent because the person has been unable to work weekends.

Leon Wender, 7-22 Manor Avenue, stated he was still shaken over what happened to the Radburn Building. He thanked Mayor Ganz for the Certificate he received for participating in the Senior Olympics. Mr. Wender said he was surprised to see the traffic calming devices on the street. He felt traffic regulations must be enforced. Mr. Wender stated his other concerns were the pool algae, overgrown weeds on his neighbor's property, and the sidewalk on River Road between Park and Harrison needs to be patched. Councilmember Caan responded that the traffic calming devices were there to warn drivers that a crosswalk is coming up. Mr. Wender felt they were going to cause an accident because pedestrians should cross at the corner.

JoMarie Sacchinelli, 23-17 Ellington Road, stated she came before the Council in May and is upset that she was never told about the Environmental Committee. The liaison to the Environmental Committee never told the committee about her concerns. She said the committee is concerned about the problem she is having with Jersey Farmer's Market. She did not understand why she had to find out from someone else. Mayor Ganz stated they are not the people to contact the state is the proper place. Attorney Lustgarten stated the committee is an advisory committee not a consulting committee. They do make recommendations to the Planning Board and Zoning Board. Ms. Sacchinelli asked if the Borough has retained PMK Associates for Environmental issues and wanted to know why outsiders were brought in. This has interfered with their lives. She felt the Council should adopt an ordinance that would protect the residents.

Martin Hays, 29 Iris Circle, Glen Rock, felt the bus stop on Route 208, is misplaced. In his opinion the bus stop is not just for Nabisco employees. He wrote to New Jersey Transit asking that the bus stop be moved to Maple Avenue. New Jersey Transit told him the power rests with the Borough. Mayor Ganz asked that a copy of the letter be given to the Municipal Clerk to investigate and get back to him. He suggested that letters be sent to Nabisco, Market Basket, Audi and other businesses in that area.

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

14. ADJOURNMENT

Upon motion by Councilmember Amato and a second by Deputy Mayor Etler, the meeting was adjourned at 9:11 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk