

REGULAR MEETING OF APRIL 24, 2001

Deputy Mayor Adler 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 27, 2000. 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: Deputy Mayors Adler and Etlar, Councilmembers Amato and Dobrow.

Also present: Acting Manager Rod Marshall, Borough Attorney Lustgarten, Municipal Clerk Kwasniewski and Assistant Municipal Clerk Bojanowski.

ABSENT: Mayor Ganz and Borough Manager Sacks

MANAGER'S REPORT

No changes or additions were made to the report.

PROCLAMATIONS: DAY OF PRAYER
NAIW WEEK

Municipal Clerk Kwasniewski read the proclamations. Deputy Mayor Adler presented the NAIW Week Proclamation to Ms. Beardsley who was present.

ORDINANCES: FIRST READING

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

Ordinance No. 1852-2001

AN ORDINANCE AUTHORIZING THE BOROUGH OF FAIR LAWN TO SELL CERTAIN PROPERTY LOCATED IN THE BOROUGH OF FAIR LAWN, AND KNOWN AS LOT 37 IN BLOCK 1405, TO A CONTIGUOUS PROPERTY OWNER

Upon motion by Councilmember Amato and a second by Councilmember Dobrow, Resolution No. 130-2001 introducing Ordinance No. 1852-2001 was discussed.

Attorney Lustgarten explained that this ordinance will allow the Borough to sell a substandard lot to a contiguous property owner. The deed restriction will make certain that they cannot subdivide the lot.

There being no further discussion, Resolution No. 130-2001 introducing Ordinance No. 1852-2001 was passed.

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

Ordinance No. 1853-2001

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, MORE SPECIFICALLY CHAPTER 125, ET SEQ., ENTITLED, "LAND DEVELOPMENT", SPECIFICALLY, SECTION 125-80, BY ADDING NEW SUBSECTION 125-80.K

Upon motion by Councilmember Amato and a second by Councilmember Dobrow, Resolution No. 131-2001 introducing Ordinance No. 1853-2001 was discussed.

Attorney Lustgarten stated this ordinance was adding a new section to the Land Development requiring that fees have to be paid to the Public Advocate before they a Certificate of Occupancy can be issued.

There being no further discussion, Resolution No. 131-2001 introducing Ordinance No. 1853-2001 was passed.

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

Ordinance No. 1854-2001

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, MORE SPECIFICALLY CHAPTER 125 ENTITLED "LAND DEVELOPMENT" ARTICLE IV ENTITLED "SUPPLEMENTARY ZONING REGULATIONS" SUBSECTION 125-32 ENTITLED "NONCONFORMING LOTS, USES AND STRUCTURES"

Upon motion by Deputy Mayor Etlar and a second by Councilmember Dobrow, Resolution No. 132-2001 introducing Ordinance No. 1854-2001 was discussed.

Deputy Mayor Etlar stated this ordinance applies to applications for add a levels. The ordinance requires at least twelve feet between the dwelling on the adjoining property and the addition. Attorney Lustgarten stated he concurred with Deputy Mayor Etlar. The existing ordinance did not create the minimum distance from the dwelling.

There being no further comments, Resolution No. 132-2001 introducing Ordinance No. 1854-2001 was passed.

RESOLUTIONS BY CONSENT #9-2001

Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow, Consent Agenda #9-2001 containing the following items was unanimously adopted.

a. Resol. #133-2001 Approval of Minutes

Special Meeting 3/6/01

Closed Session 3/6/01

Work Session 3/6/01

Closed Session 3/6/01

Regular Meeting 3/13/01

b. Resol. #134-2001 Refund of Overpayment of Taxes

c. Resol. #135-2001 Award of Bid: Project 2085 Roadway Improvement 2001

d. Resol. #136-2001 Extending the Term of the Contract for Well Rehabilitation #2076

e. Resol. #137-2001 Extending the Term of the Contract for Printed Supplies

f. Resol. #138-2001 Change Order Barrier Free Curbs and Ramps

g. Resol. #139-2001 Award of Bid: Radio Repair and Maintenance

h. Resol. #140-2001 Appointment to Environmental Commission

MISCELLANEOUS PUBLIC COMMENTS

Upon motion by Councilmember Amato and a second by Councilmember Dobrow, it was unanimously agreed to open the time for public comments.

Charles Thomson, 40-02 Morlot Avenue, stated his house is on the corner of John Street and that he has lived in Fair Lawn since 1960. He and his wife had hoped to remain in Fair Lawn into their golden years. A problem has now arisen with the addition of a bus stop in front of their house. The bus stops in front of their house at 6:00 a.m. and continues every fifteen minutes throughout the day. Three months ago he had contacted Officer Franco who is working on the problem.

Myrna Thomson, 40-02 Morlot Avenue, stated Officer Franco said it had to be put on the Agenda and that was on February 22. Right now he is working on an alternate spot for the bus stop. She explained how difficult it is for her and her husband because the buses idle outside for several minutes. She first called New Jersey Transit who said it was up to the Borough of Fair Lawn. Mrs. Thomson went to speak to Officer Franco, then she met Joanne Kwasniewski who explained to them that they could come to this meeting to speak with the Mayor and Council. Mrs. Thomson said it was very disturbing when the bus wakes them at 6:15 a.m. Then they find people standing in their driveway. She wants to know how they can rush this along. Councilmember Amato wondered where John Street was in relationship to Saddle River Road. He also wondered if there were no buses before the construction of the Routes 4 & 208 interchange. Mrs. Thomson said she found out these bus routes were permanent.

Mr. Thomson stated the change in bus routes was because of the construction and the way Saddle River Road is being done.

Mrs. Thomson stated they had made suggestions to New Jersey Transit. They in turn have taken photos. She said the people getting on the bus in front of her house were the same ones who used the bus stop that was formally on Saddle River Road in

front of Columbia Savings Bank. Ms. Thomson suggested moving the bus stop from in front of their house to in front of the Louisiana Grill. She said Officer Franco said he would try to move the bus stop.

Chief Marshall stated that Officer Franco was working on it. He suggested having Officer Franco at the next work session. He also said he would have Officer Franco contact them within the next few days.

Borough Attorney Lustgarten stated the next work session will be May 1, 2001 at 7:30 p.m. Deputy Mayor Adler stated they will get an update where Officer Franco is at this time.

Peter Straub, 16-42 11th Street, said he had concerns about people speeding on his street. He has lived there for the last fourteen years. In the past he has spoken to the Chief about this problem and they took care of it. The speeding has resumed in the morning and evening rush hours. Chief Marshall asked him for exact times. Councilmember Amato wondered how long this has been going on. Mr. Straub stated it has been going on for a long time but has gotten worse. He said that recently there was a near miss and he is concerned because children are on his block.

Mr. Straub also stated he had some complaints about Cablevision's rates. Borough Attorney Lustgarten explained that Cablevision sets its rates and the Borough has no input into it. The Borough can receive complaints however and has had similar complaints before. Cablevision has a non exclusive agreement with the Borough so other cable companies can come into town. He suggested that Mr. Straub complain to Cablevision and to call the Legal Department for the address of the Cable Board in Newark. Deputy Mayor Etlar stated the only real competition for Cablevision is satellite dishes. He suggested Mr. Straub use a satellite dish. Mr. Straub stated he thought the town was responsible for the fees. Deputy Mayor Etlar stated the Borough only received a franchise fee.

Deputy Mayor Etlar asked if they could change the date of the dedication of Memorial Park from May 12, 2001. Deputy Mayor Adler asked Municipal Clerk Kwasniewski to prepare a memo to the Mayor and Council regarding changing the date.

There being no additional comments from the public, upon motion by Councilmember Amato and a second by Councilmember Dobrow, the time for public comments was unanimously closed.

ADJOURNMENT

Upon motion by Councilmember Amato and seconded by Deputy Mayor Etlar it was unanimously agreed to adjourn at 8:05 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk