

## REGULAR MEETING OF FEBRUARY 27, 2001

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 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: Mayor Ganz, Deputy Mayor Adler, Councilmembers Amato, Dobrow and Deputy Mayor Etlar.

Also present: Borough Attorney Lustgarten, Municipal Clerk Kwasniewski and Assistant Municipal Clerk Bojanowski.

Absent: Borough Manager Sacks

## SALE OF BOROUGH OWNED PROPERTY

Mayor Ganz announced the sale of Lot 21 in Block 3517 calling for an opening bid of \$7,050.00. Only one bidder was present.

Mr. Shotmeyer bid \$7,050.00. Hearing no further bids, Mayor Ganz closed the time for bidding. Mayor Ganz announced Mr. Shotmeyer was the winner of the bid. Mr. Shotmeyer gave Municipal Clerk Kwasniewski a check for \$750.00 and received an acknowledgment of sale.

## PROCLAMATIONS: READ ACROSS AMERICA DAY MULE DEER AWARENESS DAY

Municipal Clerk Kwasniewski read the proclamations.

## MANAGER'S REPORT

Mayor Ganz stated the Manager's Report was on the table and there have been no changes or additions.

## ORDINANCES: FIRST READING

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

Ordinance No.1842-2001

## AN ORDINANCE TO AUTHORIZE THE LICENSING OF SIDEWALK SALES IN THE BOROUGH OF FAIR LAWN

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 76-2001 introducing Ordinance No. 1842-2001 was discussed.

Mayor Ganz thanked Deputy Mayor Adler for the fine work of bringing this matter to the Council's attention. He also pointed out that the Mayor and Council would be meeting at the Forrest School for public discussion of these ordinances.

There being no further discussion, Resolution No. 76-2001 was unanimously passed.

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

Ordinance No. 1843-2001

## "AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 1981, BY AMENDING CHAPTER XII, ENTITLED "WATER", SUB-SECTION 12-4.2, "WATER RATES"

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 77-2001 introducing Ordinance No. 1843-2001 was passed.

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, it was unanimous agreed to read the following ordinance by title.

Ordinance No. 1844-2001

AN ORDINANCE TO AMEND ORDINANCE NO. 1553-94 ENTITLED "AN ORDINANCE GRANTING MUNICIPAL CONSENT AND A NON-EXCLUSIVE RENEWAL FRANCHISE TO CABLEVISION OF NEW JERSEY, A JOINT VENTURE, TO UPGRADE, OWN MAINTAIN AND OPERATE A CABLE TELEVISION SYSTEM IN THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN AND STATE OF NEW JERSEY" TO EXPAND THE NUMBER OF MEMBERS ON THE CABLE TELEVISION BOARD

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 78-2001 introducing Ordinance No. 1844-2001 was discussed.

Mayor Ganz explained that this ordinance is to expand the number of members on the Cable Television Board to add additional people with more knowledge.

There being no further discussion, Resolution No. 78-2001 was unanimously passed.

#### ORDINANCES: SECOND READING

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

Ordinance No.1840-2001

"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 from the public, upon motion by Deputy Mayor Adler and a second by Deputy Mayor Etler, it was agreed to close the time for public hearing.

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 79-2001 adopting Ordinance No. 1840-2001 was discussed.

Mayor Ganz asked Borough Attorney Lustgarten to explain the purpose of this ordinance. Borough Attorney Lustgarten said it was a vehicle for the Borough to accept and spend the money from the Department of Transportation.

There being no further discussion, Resolution No. 79-2001 adopting Ordinance No. 1840-2001 was unanimously passed.

Upon motion by Deputy Mayor Adler 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. 1841-2001

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE VIII "TRAFFIC", SUBSECTION 232-50 "BUS STOPS"

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

Upon motion by Deputy Mayor Adler and a second by Councilmember Etler, Resolution No. 80-2001 adopting Ordinance No. 1841-2001 was discussed.

Mayor Ganz explained that this ordinance will establish a bus stop on the eastbound side of Fair Lawn Avenue and Saddle River Road with a sunset period of eighteen months.

There being no further discussion, Resolution No. 1841-2001 was unanimously passed.

## INTRODUCTION OF 2001 BUDGET BY TITLE ONLY

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 81-2001 was discussed.

Mayor Ganz offered the following comments. Tonight, the Council has introduced the Manager's budget for the 2001 calendar year, a budget that the Council will examine at length in the coming four weeks. This year's budget proposed by the Manager utilizes a stable rate of taxation, which includes expenditures of approximately \$28.7 million compared with \$26.6 million last year. This represents stable tax growth of less than \$3 a week for the average homeowner in Fair Lawn, or approximately \$144.40 for the average home.

The Council initiatives of last year that are being implemented or continued this year in the Manager's budget include keeping the Senior Center open seven days a week, compared with five or six days just a few years ago when he joined the Council.

Several weeks ago, the Council strongly recommended that the Manager give consideration to adding more School Crossing Guards to help our young people get to school safely, and this budget that she has prepared contemplates three new guard positions.

Building of commercial property in the Borough has increased substantially, and the Council authorized creation of a Public Advocate to speak for the homeowner, and unrepresented neighbors, for both the Planning and Zoning Boards. The Manager's budget funds the positions and anticipates a busy year of advocacy on some key quality of life issues.

Last year, the Council directed that Memorial Pool be opened early, and that it close late. The results were self-evident when we had near hundred degree temperatures around Memorial Day, when the kids are usually in school and the pool not filled. It was filled and in the nice, new sand - our beautiful pool site - our neighbors swam. This year's budget from the Manager presumes that the weather will be nice early, and a Memorial Day opening is planned. It also contemplates a warm September, and the Manager's budget contemplates Memorial Pool staying open on weekends through the end of September.

We anticipate, with the closing of the Grand Union, that there will be greater needs on the part of seniors for transportation to other supermarkets, and this Manager's budget has the mini-bus operating every half hour to Pathmark, Shop-rite and beyond.

The Police Department is up to full strength and the Manager's Budget anticipates six new police cars this year for spruced-up street patrols.

The capitol budget, which is included because we have down-payment requirements in the current municipal budget, is an ambitious one. The Council has already fast-tracked a number of items that will be highly beneficial to the residents of Fair Lawn with highly visible rewards to our community. This includes a new ambulance for the Ambulance Corps years after it had been promised, new carpeting for the Library, a convenient outside book drop for the Library that will be able to be used without ever leaving the car, soundproofing at the pistol range, road resurfacing, improvements at the Senior Center, rehabilitation of tennis courts (continuing a multi-year program begun last year), addition of new bleachers on the sports field, hundreds of new trees for replacement, a new garbage truck, and many other items.

As I said at the start, this is the Manager's budget. The Council will be looking at it carefully over the next several weeks. We will have budget hearings for the public on March 27 and invite you to attend and ask questions.

Your Borough Council intends to try and give maximum service to Borough residents for the minimum amount of taxes that each of us is required to pay. We'll look to pare the Manager's Budget where we think services or items are excessive or unnecessary, and if, for example, we find that there's a need for extending mini-bus services even more, we can (and won't be afraid to) add to the budget. The ultimate aim is a quality of life we can all afford and be proud of.

There being no further comment, Resolution No. 81-2001 was unanimously adopted.

## INTRODUCTION OF 2001 SID BUDGET BY TITLE ONLY

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 82-2001 was discussed.

Mayor Ganz stated this is the budget that was prepared by River Road Improvement Corp. They will be here on March 27, 2001 to answer any questions that may come up.

There being no further comment, Resolution No. 82-2001 was unanimously adopted.

## RESOLUTIONS BY CONSENT #5-2001

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Consent Agenda #5-2001 containing the following items was unanimously adopted.

- a. Resol. #83-2001 Approval of Minutes  
Regular Meeting 1/9/01  
Work Session 1/9/01  
Closed Session 1/9/01  
Work Session 1/16/01  
Special Meeting 1/16/01  
Closed Session 1/16/01
- b. Resol. #84-2001 Approval of Raffles & Bingo:  
Fair Lawn High School PTA off-prem mdse
- c. Resol. #85-2001 Dedication by Rider Off-Duty Police

## MISCELLANEOUS PUBLIC COMMENTS

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

Ronald McPhee, 12-10 Burbank Street, voiced his concerns about the Board of Education's spending. Mayor Ganz asked him to write a letter to the Mayor and Council detailing this matter.

Leon Wender, 7-22 Manor Avenue, felt there was inadequate protection for the Senior Citizens who parked their cars at Memorial Pool during a recent trip. On their return they found their cars damaged. Mayor Ganz stated he has spoken to Borough Manager Sacks about this and effective immediately they will allow the cars to park behind Borough Hall.

Mr. Wender spoke about neighboring communities polluting the Saddle River. He also stated his concerns about the Borough purchasing trees wondering what the town would be doing about a leaf pick up and the odors they cause. Mr. Wender also wanted to know why the Borough goes out and purchases trees. Mayor Ganz replied that the Borough plants hundreds of trees and is unable to grow all of them. Mr. Wender felt there were pros and cons on this issue. He felt while the trees make the town look good, leaf disposal is a problem. Mayor Ganz informed him that the tub grinding has stopped and there have been no complaints this past season about the odor.

Mr. Wender stated he was opposed to anything that would make the Senior Citizens pay more taxes.

There being no further comments from the public, upon motion by Deputy Mayor Adler and a second by Deputy Mayor Etlar, the time for public comments was unanimously closed.

## COUNCIL MEETING DATES

The following dates were decided for Budget Meetings - March 6, 2001 at 6:00 p.m., March 20, 2001 at 6:00 p.m. and March 27, 2001 at 6:00 p.m.

## CLOSED SESSION RESOLUTION - PERSONNEL

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 personnel; 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 upon the conclusion of these matters by the Governing Body of the Borough of Fair Lawn with the exception of litigation 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.

Mayor Ganz reconvened the meeting at 8:45 p.m.

#### LETTER OF UNDERSTANDING FOR CCO'S IN THE B4/B5 ZONE

Deputy Mayor Etlar stated that the owners of the buildings are finding it very hard to rent their spaces because of the requirement for a CCO. One landlord has asked for a letter of understanding that Borough will be redrafting the ordinance. Mayor Ganz advised that the ordinance should be in effect in mid-March.

It will be on the agenda when it is ready.

#### ADJOURNMENT

Upon motion by Deputy Mayor Adler and seconded by Councilmember Amato it was unanimously agreed to adjourn at 8:50 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk