

REGULAR MEETING OF JANUARY 9, 2001

Mayor Ganz opened the meeting at 7:40 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 "News Beacon" 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 Record, and 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, Councilmembers Amato, Dobrow and Etlar.

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

ABSENT: Deputy Mayor Adler

RESOLUTIONS BY CONSENT #2-2001

Upon motion by Councilmember Dobrow and a second by Councilmember Amato, Consent Agenda #2-2001 containing the following items was unanimously adopted.

a. Resol. #40-2001 Approval of Minutes:

Work Session 11/21/00

Special Meeting 11/21/00

Closed Session 11/21/00

Regular Meeting 11/28/00

b. Resol. #41-2001 Refund of Overpayment of Taxes

c. Resol. #42-2001 Ratifying Covenants of Compliance

d. Resol. #43-2001 Professional Services Barrier Free Improvements at Auxiliary Police Building

5. Resol. #44-2001 Professional Services Hearing Center Conversion Project

RESOLUTION No. 45-2001 Appointment to the Zoning Board of Adjustment

Upon motion by Councilmember Etlar and a second by Councilmember Amato, Resolution No. 45-2001 was unanimously passed.

RESOLUTION No. 46-2001 Appointment to the Planning Board

Upon motion by Councilmember Etlar and a second by Councilmember Amato, Resolution No. 46-2001 was discussed. Mayor Ganz stated he was delighted that Mr. Sedaka was joining the Planning Board as Alternate II which he felt showed the spirit of bi-partisanship.

There being no further discussion, Resolution No. 46-2001 was unanimously passed.

RESOLUTION No. 47-2001 Change Fund for ATM Machine

Upon motion by Councilmember Etlar, and a second by Councilmember Amato, Resolution No. 47-2001 was discussed. Mayor Ganz wondered if the amount of \$5,000 was adequate. Manager Sacks stated the amount is sufficient so that the machine will not have to be replenished every day.

There being no further discussion, Resolution No. 47-2001 was unanimously passed.

RESOLUTION No. 48-2001 Approval of Raffles & Bingos:

Radburn School PTA

Upon motion by Councilmember Etlar, and a second by Councilmember Amato, Resolution No. 48-2001 was discussed. Mayor Ganz noted that Municipal Clerk Kwasniewski omitted a section of the resolution which stated that she certified to the Council that said applicants have submitted satisfactory proof in accordance with the Statute Rules and Regulations. Borough Attorney Lustgarten responded that the application has not been submitted to the Municipal Clerk yet and therefore she cannot certify it to the Council. Mayor Ganz asked if the Municipal Clerk needed to certify it before the State. Borough Attorney Lustgarten stated she could do it administratively.

There being no further discussion, Resolution No. 48-2001 was unanimously passed.

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.

No one wished to be heard.

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

ADJOURNMENT TO WORK SESSION

Upon motion by Councilmember Amato and seconded by Councilmember Etlar it was unanimously agreed to adjourn at 7:50 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC

WORK SESSION OF JANUARY 9, 2001

Mayor Ganz reconvened the meeting at 8:05 p.m.

PRESENT: Mayor Ganz, Deputy Mayor Adler (late), Councilmembers Amato, Dobrow and Etlar.

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

Capital Budget

Police - Chief Marshall, Captains Serrao and Sudol and Officer Cannici were present.

POL 9.22 Pistol Range Noise Abatement Project - Captain Serrao advised that consultants have looked at installing acoustical baffling on the panels in the building and acoustical louvers on the building. He is now working on obtaining contractors to do the actual work. They cannot guarantee that the decibel level will be reduced but they expect that the work will bring it down to between 60 and 65 decibels which are acceptable. Councilmember Amato wanted to know where he could see the contractors work. Captain Sudol pointed out that not many ranges exist in this area but he will ask.

Deputy Mayor Adler arrived at 8:15 p.m.

The Council felt this project was an important one to fund.

POL 9.21 Office Equipment - These funds will purchase two industrial paper shredders.

POL 9.02 Multi-Media Computer System - Mayor Ganz wanted to know if any of the items were compatible with the emergency services equipment and if what they are replacing can be handed down to another department in emergency services. Officer Cannici advised that they are not PC's. They are just terminals. Manager Sacks added that D.M.Data makes a fire component and the police component so she wants the Fire Department to use them although they have asked to recreate an entire dispatching system. Councilmember Amato noted that to interface another system with the current police department system or the upgrade would be more expensive in the end. He explained that the Police Department's existing system is a communication system that is not reusable. Chief Marshall advised that the mobile data computers in the patrol cars are no longer being made and in the future probably cannot be repaired. This project would allow the interface and wireless transfer of information from the patrol cars with the police system.

The file server must be replaced. The estimated cost is \$31,000. This will allow wireless communication. The information will

automatically come up on the screen. Eleven were sufficient because that is the average number of cars on patrol.

Chief Marshall noted that Summit was not pleased with DMData's fire component.

Multi-Media Digital Projector and Laptop - Mayor Ganz thought the cost was a little high.

RFS Film scanner and Document Imaging - Mayor Ganz wanted to do it for the major departments in the Borough. He thought it would be an excellent investment, but not just for the Police Department. Manager Sacks noted that they could include the Municipal Clerk's office for \$13,000. Municipal Clerk Kwasniewski pointed out that the cost would be higher because someone is needed to do the imaging. Mayor Ganz noted that they will be discussing adding a person to assist the Zoning Board, perhaps that person can also be trained to do this function. He asked Manager Sacks to put together a proposal to include the major departments.

The consensus was for the Manager Sacks to put together a proposal to include the major departments in a document imaging system.

POL 9.03 Digital Camera and Computer Printer - Mayor Ganz expressed concern about the evidentiary issues involved with the use of the digital camera. Officer Surrao advised that the prosecutor has said there is no problem using a digital camera. He added that the Sheriff's Department is called for any major incidents. The Department takes pictures of accident scenes, damage to Borough property and evidence. He believes that it will be less expensive than using the throw away cameras they currently are using.

POL 0.05 Chairs - These chairs are used seven days a week, twenty-four hours a day. They are on the State contract for \$900 each.

POL 9.21 Typewriters - Nine typewriters need to be replaced. Not all their documents can be done on the computer.

POL 9.18 Speed Monitoring Awareness Radar Trailer - Councilmember Etler wondered why they need this piece of equipment. Chief Marshall explained that it is solar powered all-weather trailer mounted radar unit. It can read and announce the speed and print messages. It is solar powered so there is no need to run the vehicles battery. Glen Rock has a similar unit that the Police Department has borrowed. He would place it where they receive the most complaints, i.e., Ellington Road. He would not put an enforcement unit with the radar. He thought it might be a procedural problem. It has been proven that they do slow people.

Legal Department - Although the Legal Department had offered to defer the purchase of a typewriter, the consensus was to purchase the typewriter this year.

Fast Track Items - Manager Sacks noted that several high priority items need to be fast tracked. Mayor Ganz listed tree replacements, wood chipper, asphalt hot box, street signs, Finance Officer computer, firing range sound reduction, rehabilitation of Room 201, the speed monitoring radar trailer and the lock box for the Library. Councilmember Etler said he favored all the items but the speed monitoring radar trailer. Mayor Ganz noted that people in many areas including the ABCDE streets have repeatedly asked for enforcement.

This unit will have widespread use. Councilmember Amato asked if the Council had approved a consultant's report for Ellington Road. Manager Sacks advised that the Council had not wanted a separate traffic study done for that area. They discussed it tangentially with Ms. Gruel but the Council did not decide on her proposal. Councilmember Amato felt they should get the equipment. He then asked for an explanation of the request to replace CFO Eccelston's computer. CFO Eccelston explained that he uses a lap top with the monitor and keyboard. He is just getting the CPU.

Manager Sacks explained that the lock box for the Library will be located right next to the Borough's lock box for taxes. They will bolt it into the ground. The custodian will open it and roll the books over to the Library. Attorney Lustgarten thought it was a good idea, but not a good location. He expressed concern that people would be stopping and blocking the exit. He recommended finding another location. It will be used on a daily basis instead of a quarterly basis like the taxes and water bills. Manager Sacks insisted that normally it is not a problem. She has never seen a backup of cars. Mayor Ganz suggested checking with the Traffic Officer. Manager Sacks noted that it will hold 400 books. Councilmember Amato favored it but would like to know the size so he can envision it next to the tax collection box.

The consensus was to include the tree replacements, wood chipper, asphalt hot box, street signs, Finance Officer's computer, firing range sound reduction, rehabilitation of Room 201 and the lock box for the Library.

Mayor Ganz asked Manager Sacks to provide all the details concerning size and location including a schematic and traffic flow.

The consensus was to include the speed monitoring radar trailer with Councilmember Etler dissenting.

Clerk for the Zoning Board of Adjustment - Mayor Ganz noted that the work for the Zoning Board has increased substantially so it has become more important that the Board have a different type of professional staff. The Board secretary is a volunteer while the Planning Board has a paid secretary. It is a function of the Borough to run that and have a paid position that the Manager appoints. The person should be able to do secretarial work. It is going to need someone whom they can train to operate an imaging system if the Borough Clerk and the Manager get involved with that program. It is not a full time position. Councilmember Etler agreed but thought there was other work in that office that could be done. Manager Sacks concurred indicated that they could use a full time person for the clerical work for the Zoning Board and property maintenance. The other advantage is that if there is a full time person, they can help the applicants anytime. Mayor Ganz stated that this person would attend all meetings in the evening and would be responsive to the requests for the engagement of special experts, the planners or architects, coordinating with the Board Attorney regarding escrows and doing whatever correspondence is required. The secretary of the Board would continue to take the proofs of service. Councilmember Etler wondered if the Board needed as secretary as a Board member. Mayor Ganz noted that it is not required but thought it was a good idea. He asked the Manager to come back to the Council with a proposal delineating the division of responsibility, salary and a means of assuring that this person will be responsive to the Board and not the Construction Official for that part of the job. Councilmember Etler did not think that could be a caveat since the Construction Official knows what is going on at the Zoning Board.

Deputy Mayor Adler expressed concern that the Council does not have knowledge of what is going on at the Board on some very serious issues. The minutes are not very informative. Manager Sacks advised that she has asked the Assistant Zoning Officer to start sending the Council the agendas, minutes and resolutions so they can have a general idea.

Cell Tower Ordinance - Mayor Ganz wondered if there was a way to remove from the jurisdiction of the Boards granting a variance so that only the four sites in the ordinance can be used. Attorney Lustgarten replied that applicants have the right to apply for a variance. Mayor Ganz wondered if the Council can sue the Board if the Council did not like a variance they granted.

Memorial Park Skate Rink - Mayor Ganz asked for a status report. Manager Sacks advised that they flooded the skating area but unfortunately there were not enough successive cold days for freezing. Mayor Ganz stated there were fifteen consecutive days in December when it was below 32 degrees so children could have been skating; parents would have been pleased and at least one person is displeased that the Council's directive and the Manager's directive was not followed. He will bring this item up at every meeting until it is rectified. He is also contemplating what budgetary measures can be taken. Councilmember Etler concurred. Deputy Mayor Adler felt the skating should have been on the agenda to be done in December. Mayor Ganz pointed out that the Manager directed that this was to be done. Manager Sacks added that she told them the circumstances under which it should have been. It is not that difficult. The fire department floods it. They just have to get guards and if that was a problem she would have been the guard.

Closed Session Resolution - Upon motion by Councilmember Dobrow and a second by Councilmember Amato the following closed session resolution was unanimously adopted at 10:00 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 personnel; and

WHEREAS, these matters are ones which permit the exclusion of the public from such discussion; and

WHEREAS, public disclosure of the results of these discussions shall be made relating to personnel by appointment within 60 days;

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 10:05 p.m.

Cable Advisory Board - The Mayor and Council wanted to increase the membership of this Board. Attorney Lustgarten recommended that the membership be increased to nine.

The consensus was to increase the membership to nine. The ordinance will be introduced at the next meeting.

Municipal Clerk Kwasniewski advised that this Board had been created with the franchise renewal so it was not in the Code. She

requested that it be included.

The consensus was to include it in the Code.

Alternates to the Environmental Commission - The Council wanted to add alternates to the Environmental Commission.

The consensus was to introduce an ordinance adding alternates to the Environmental Commission with staggered years (one for one year term and one for a two-year term) and then both two year terms. This ordinance will introduced at the next meeting.

ADJOURNMENT - Upon motion of Deputy Mayor Adler and a second by Councilmember Amato meeting was adjourned at 10:10 p.m.

Respectfully submitted,

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