

REGULAR MEETING OF OCTOBER 10, 2001

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 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 Etlar, Councilmember Weinstein.

ABSENT: Councilmembers Dobrow and Amato.

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

Mayor Ganz stated the words that they recited in the Pledge of Allegiance have a brand-new meaning to each of us today. He asked for a brief moment of silence in honor of all of our troops who are fighting to preserve freedom, liberty and justice for all of us. He announced that Councilmember Dobrow was in the hospital and the Council wished her a speedy recovery.

Mayor Ganz stated he received a letter from the Assistant County Engineer advising that after many requests made by the Council the County Executive has asked their Department of Public Works to re-review requests made by the Fair Lawn Borough Council to design a traffic signal intersection at Fair Lawn Avenue and Chandler Drive. To do this a series of items must be done. The County of Bergen is requesting some commitment from the Borough that will have a financial impact. Manager Sacks will discuss that impact later.

Mayor Ganz said he also received a letter advising that Friday, October 12 at 7:00 p.m. the student government of Fair Lawn High School is holding a service to put some perspective and some meaning on the events of this past September 11.

PROCLAMATIONS: "WORLD POPULATION AWARENESS MONTH"

Assistant Municipal Clerk Bojanowski read the proclamations.

Councilmember Amato arrived at 7:40 p.m.

ORDINANCE: FIRST READING

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

ORDINANCE NO. 1874-2001

AN ORDINANCE TO AMEND ORDINANCE NO. 1871-2001 ENTITLED, "AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC" MORE SPECIFICALLY SUBSECTION 232?11 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS"

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 296-2001 introducing Ordinance No. 1874-2001 was discussed.

Mayor Ganz stated he had two versions of this ordinance, one is a shorter version that adds the hours of 8:00 a.m. to 10:00 a.m. and the other one is a more lengthy one that appears to delineate a number of locations on Dorothy Street. Attorney Lustgarten stated this was an amendment to an ordinance that was already adopted which set forth the restriction but not the time of the restriction. Manager Sacks stated she had sent both versions to the Council because they had already discussed adding the time restrictions but had not discussed the specific locations. There will be no parking in front of the homes of those residents who do not want the parking but will be permitted in front of the homes of those residents who wish it. This ordinance would be a little bit more responsive to the requests that the Council received. She recommended they introduce the longer version with the locations and time restriction.

There being no further discussion, Resolution No. 296-2001 introducing Ordinance No. 1874-2001 was passed.

RESOLUTIONS BY CONSENT #18-2001

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Consent Agenda #18-2001 containing the following items was unanimously adopted.

- a. Resol. #297-2001 Approval of Minutes:
Regular Meeting 8/21/01
Work Session 8/21/01
- b. Resol. #298-2001 Approval of Raffles & Bingos:
John A. Forrest School PTA on-premise 50/50
- c. Resol. #299-2001 Refund of Overpayment of Taxes
- d. Resol. #300-2001 Condemn and Denounce the Terrorist Attack of September 11, 2001
- e. Resol. #301-2001 Authorize Extension of Co-Mingled Recyclables Contract

MISCELLANEOUS PUBLIC COMMENTS

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

Leon Wender, 7-22 Manor Avenue, stated he had received no satisfaction regarding his complaints about Memorial Pool. He left a message at the Borough Manager's office that algae was growing in the water and the sand. They never acknowledged his call. He felt there were not enough life guards on duty at Memorial Pool during the end of the season. The Borough could have hired more guards with the money they spend on trees. Mr. Wender continued that they never took care of the "no parking - no standing" sign. Manager Sacks stated there was no standing at all times and the Police were enforcing it. In regard to the call that was never returned she stated that every call was logged in and there was no call from Mr. Wender. She instructed him that if he does not receive a call back from her to call her again. She also said that the algae is checked year round. Mr. Wender wondered if they will post signs. Manager Sacks stated they will put up signs but they can drop people off and pick them up. She said they did have complaints from some Senior Citizens who said they get their ride from that area and they want to be able to be picked up, they do not want to walk all the way around to the parking lot. Mr. Wender said it was a matter of 200 feet. He is a Senior Citizen and can walk it so should the other people. He did not see anyone with a wheelchair. He also wondered why a crew was working pouring concrete and making walkways at Memorial Pool on the Jewish New Year. He felt it was a direct violation of people's religion.

Claude Bienstock, 4-21 Dorothy Street, complained that the staff at Memorial Pool was rude to him. He felt these employees should be polite and respectful. Over the years he has taken a lot of abuse and feels he should not have to take it. Mr. Bienstock stated he had another problem. He recently appeared on Cablevision to get publicity for a show called "No Limits." He contacted The Shopper but they would not publicize the show. He felt they deprived the Fair Lawn residents because it was an important show and they would have been interested. He wanted to know if they had any influence to get The Shopper to publicize the show. Mayor Ganz informed him they had no influence but will pass his concern to Manager Sacks.

Howard Marks, 2-23 Ferry Heights, stated he had called the FBI and Homeland Security regarding locksmiths not being licensed in New Jersey. He suggested people get a key directly from the lock company. Mr. Marks stated the FBI confirmed that some Paterson residents celebrated the attacks on the World Trade Center. He is concerned about the lack of patrols. He told the FBI that Fair Lawn is vulnerable. He found it unnerving the lack of response from the Police Department when he had his locks picked. Mr. Marks said he contacted the Department of Transportation about where they are working on Route 4 regarding the bike path that goes under the bridge. Deputy Mayor Etlar stated the bike path goes under the bridge and continues to Pehl Park. Mr. Marks said he told the County about the land being sold by the Red Mill.

Susanne Williams, 16 South Broadway, stated she was at the last public meeting regarding the bus stop and was told to come back tonight for a decision. Manager Sacks informed her it was scheduled for the next work session and that the Municipal Clerk notified you to come to the October 16 Work Session. The Traffic Safety Officer will be coming to that meeting. Mayor Ganz stated the Municipal Clerk is on vacation and the acting Municipal Clerk is present. The meeting will be across the hall on Tuesday the 16th.

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

Mayor Ganz stated at this time they were going to defer the Closed Session motion.

Mayor Ganz stated they should be considering the financial issue with respect to the traffic light at Chandler Drive and the County commitment.

Manager Sacks stated the County has told the Borough that they are ready to take the next step regarding the Borough's request to put a traffic signal at Chandler Drive and Fair Lawn Avenue. The County has asked if the Borough would commit to doing the engineering plan. If the County approves the plan the Borough would have to commit to do the engineering including the survey work and the design work. She stated they searched through bond ordinances and found there is sufficient funding for it to be done. She wanted to know if they still want to improve this intersection. If so, they will start on the traffic plan. Mayor Ganz stated at the time Fair Lawn Commons was built it was his understanding that there were funds set aside by them with the Planning Board for a limited period that could be used for this benefit. He wondered if those funds were still available. Manager Sacks stated it was \$150,000 toward construction. The County has them allocated. Mayor Ganz said he was talking about escrow funds that the Planning Board required from the developer. Manager Sacks stated she checked with the Borough Engineer who was on the Planning Board then and he said there was no commitment made to the Borough for the engineering and surveying cost. They made the commitment only for the construction cost. Manager Sacks stated the estimated cost was less than \$35,000 including engineering and design. Mayor Ganz stated this was not only an important principle but it is something this Council and prior Council's have fought for over a period of years. Evidently the County has finally been convinced of the need for a traffic light.

The unanimous consensus was to have the Council commit the resources of the Borough for this project.

CLOSED SESSION RESOLUTION

Upon motion by Councilmember Amato and a second by Deputy Mayor Etlar, the following closed session resolution was unanimously adopted at 8:11 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; 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 when a formal contract is reached except for strategy; and

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 by Deputy Mayor Etlar and seconded by Councilmember Weinstein the meeting was adjourned at 9:21 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk