

REGULAR MEETING OF OCTOBER 23, 2001
HELD AT RADBURN SCHOOL

Mayor Ganz opened the meeting at 7:35 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 Etlar, and Councilmembers Amato and Weinstein.

ABSENT: Councilmember Dobrow.

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

Mayor Ganz stated 5th graders from Radburn School were present to lead the Pledge of Allegiance. He said because the 5th graders were there the order of business would be switched around. The Council is going to take questions from the students.

PROCLAMATIONS: POPPY DRIVE WEEK

Municipal Clerk Kwasniewski read the proclamation. Mayor Ganz presented it to the Jewish War Veterans with best wishes.

EMERGENCY MANAGEMENT WEEK

Municipal Clerk Kwasniewski read the proclamation. Mayor Ganz stated the Emergency Management group in Fair Lawn are unheralded professionals not only for their work during Tropical Storm Floyd but also for the work done at Ground Zero. The proclamation was presented to Ira Marks.

MAKE A DIFFERENCE DAY

Municipal Clerk Kwasniewski read the proclamation. Mayor Ganz requested it be sent to them.

JIM HILE

The presentation of this proclamation was postponed until November 27, 2001.

PIETRO CARMINE TOLLIS

Municipal Clerk Kwasniewski read the proclamation. Mayor Ganz presented it to Pietro Carmine Tollis who was present in the audience with his family. Photos were taken with Mayor Ganz and Mr. Tollis' family.

PUBLIC COMMENTS BY THE RADBURN SCHOOL 5TH GRADERS

Upon motion by Deputy Mayor Etlar and a second by Councilmember Weinstein, it was unanimously agreed to open the time for public comments from the Radburn School 5th graders.

Jake Berowitz, 5 Burlington Place, asked how the Mayor and Council were going to keep the kids safe in Fair Lawn. Mayor Ganz stated the Police Department has expanded patrols and they have assigned several Police Officers to foot patrol in many different places. The Emergency Management people have been making sure the schools are a safe place to be.

Sari Weinstein, 20-15 Radburn Road, asked why there were handicap parking spaces by the kindergarten area. She thought it was very dangerous. Mayor Ganz told her the Traffic Safety Officer recommended it and feels it is safe for the people who have to use it.

Lauren Kravits, 39-13 Knott Terrace, asked what was the highest number of Councilmembers they can have. Councilmember Amato told her five.

Ariel Press, 15 Allen Place, asked why there were video cameras at the meeting. Mayor Ganz stated the video cameras were there because the Council adopted a policy to allow the live broadcast of Council meetings. When the meetings are on the road

they are not equipped to broadcast them live because that requires cabling for the cameras. They will broadcast the meeting on Channel 66 unedited.

Aisha Prodani, 16 Barry Place, asked how did they become Councilmembers. Mayor Ganz stated he would let Deputy Mayor Etler explain. Deputy Mayor Etler said you have to want it, feel it and work hard to get it. You have to run in an election. Councilmember Weinstein added that if you get appointed like he did you will work extra hard to prove yourself.

Jennifer Belferman, 22-32 Radburn Road, asked Mayor Ganz how he became Mayor. Mayor Ganz stated it is different in this form of government compared to other towns. The Council elects the Mayor and the Mayor only needs to get three votes.

Anne Lustgarten, 5th grade teacher at Radburn School, stated she was proud of the questions the children asked as they were good questions. Councilmember Amato asked if any of them would like to be a Councilmember. No one answered.

There being no additional comments, upon motion by Councilmember Amato and a second by Deputy Mayor Etler, the time for public comments by the Radburn School 5th graders was unanimously closed.

LENGTH OF SERVICE AWARDS TO EMPLOYEES

Manager Sacks stated a few months ago Mayor Ganz and she talked about the low turnover of employees within the Borough. She said Mayor Ganz thought of these awards as a way of saying thank you. The public does not see a lot of the Borough employees. Mayor Ganz read the following names with the number of years of employment: Gus Westergaard 35 years; Anthony Roskowsky 32 years; Joyce VerVoorn 31 years, Matthew Croughan 29 years; Roland Conte 29 years; Wayne Bojanowski 28 years; Eleanor Coles 28 years; Robert Kneer 28 years; Carole Barclay 28 years; Douglas Helmers 27 years; Wayne Ballerini 27 years; Stephen Len 26 years; Bruce Raymond 26 years; George Brouca 25 years; Jack Biamonte 25 years; Robert Asony 25 years; Robert Milliken 24 years; Barbara Levy 23 years; Richard Mangan 23 years; Walter Sudol 22 years; Peter White 22 years; Kent Barberra 22 years; Harry Ringressy 22 years; John Ietto 22 years; Rodman Marshall 22 years; Henry Michalski 22 years; William Yirce 22 years; Jeffrey Wallack 22 years; George Frey 21 years; Richard St. John 21 years; Robert Boyle 21 years; Helena Davin 21 years; Helen Metelow 21 years; Alfonso Vanderbeek 21 years; Robert Young 21 years; Barry Eccleston 21 years; Hiram Taylor 21 years; Walter Neill 21 years; Sylvia Tedona 21 years; Anthony Serrao 21 years; George Berghout 20 years; Ray Turton 20 years; Lauren Patterson 20 years; Louis Evangelista 15 years; Joseph Cook 15 years; Stephen Wassel 15 years; Richard Schultz 15 years; Carmine Moscatello 15 years; John Annazone 15 years; Glen Callons 15 years; George Parapar 10 years; Scott Homa 10 years; Joseph Raymond 10 years; Allan Strasser 10 years; Denise DePalma-Farr 10 years; Frank Bartlett 10 years; Jason Faber 10 years; Martin Peterson 10 years; Raul Sosa 10 years; Peter Palmer 10 years and Gary Cianci 10 years.

MANAGER'S REPORT

Manager Sacks stated there were no changes or additions to the report.

ANNOUNCEMENT

Mayor Ganz stated he had received a letter from Joseph Tedeschi, Manager of the Fair Lawn Community School, asking if the Borough would help sponsor "An American Concert of Thanksgiving" to honor the Police Officers, Fire Department and all emergency service volunteers Saturday, November 24, 2001.

The unanimous consensus was to participate in this event.

Mayor Ganz stated Channel 66 will be broadcasting "Inside Borough Hall with Bob Gordon" who will be interviewing Mark Sedaka and Dan Whalen.

ORDINANCES: FIRST READING

Upon motion by Deputy Mayor Etler and a second by Councilmember

Amato, it was unanimously agreed to read the following ordinance by title.
Ordinance No. 1875-2001

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, SPECIFICALLY CHAPTER 30, ENTITLED, "PERSONNEL" MORE SPECIFICALLY ARTICLE II, ENTITLED "SEXUAL HARASSMENT POLICY TO DELETE SAID ARTICLE II AND REPLACE IT WITH ARTICLE II, ENTITLED "HARASSMENT POLICY"

Upon motion by Deputy Mayor Etler and a second by Councilmember Weinstein, Resolution No. 302-2001 introducing Ordinance

No. 1875-2001 was passed.

ORDINANCES: SECOND READING

Upon motion by Councilmember Weinstein 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. 1873-2001

AN ORDINANCE TO AMEND ORDINANCE NO. 1850-2001 ENTITLED, "AN ORDINANCE ESTABLISHING A COOPERATIVE PARKING PLAN FOR THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT IN THE BOROUGH OF FAIR LAWN" AND SPECIFICALLY SCHEDULE "A," SUBSECTION 1. OF SECTION 4

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

Upon motion by Deputy Mayor Etlar and a second by Councilmember Amato, Resolution No. 303-2001 adopting Ordinance No. 1873-2001 was discussed.

Attorney Lustgarten stated this ordinance was an amendment to the cooperative parking plan. The amendment will open up parking spaces and encourage people to come to Fair Lawn.

There being no further discussion, Resolution No. 303-2001 adopting Ordinance No. 1873-2001 was passed.

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

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"

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

Upon motion by Councilmember Amato and a second by Deputy Mayor Etlar, Resolution No. 304-2001 adopting Ordinance No. 1874-2001 was discussed.

Mayor Ganz stated this is a housekeeping ordinance to deal with the prior ordinance which had the specified hours left out. Attorney Lustgarten stated this ordinance reflects the Dorothy Street resident's concerns regarding parking on their street.

There being no further discussion, Resolution No. 304-2001 adopting Ordinance No. 1874-2001 was passed.

RESOLUTIONS BY CONSENT 19-2001

Upon motion by Councilmember Amato and a second by Deputy Mayor Etlar, Consent Agenda #19-2001 containing the following items was unanimously adopted with Councilmember Weinstein abstaining on Item A.

a. Resol. #305-2001 Approval of Minutes

Work Session 9/4/01

Special Meeting 9/4/01

Closed Session 9/4/01

b. Resol. #306-2001 Award of Bid: Snow Plowing and Removal

c. Resol. #307-2001 Approval of Raffles & Bingos:

Knights of Pythias on-premise 50/50

Knights of Pythias on-premise merchandise

d. Resol. #308-2001 Professional Services: LOSAP

e. Resol. #309-2001 Award of Bid: Solid Waste Collection

MISCELLANEOUS PUBLIC COMMENTS

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

Claude Bienstock, 4-21 Dorothy Street, wondered if anything was done regarding the complaints he made at the last meeting. Manager Sacks stated she contacted the Parks Department who indicated that there were several complaints made about Mr. Bienstock's activities and that they had to call the Police because of his activities. Mr. Bienstock stated he was not abusive or nasty to them. He finds there are a lot of bottles, papers in pool area when open and just wants the pool to look cleaner. He felt they should enforce the rules. The workers should wear badges and stronger security should be in place.

Dan Whalen, 7-17 Manor Avenue, thought the fifth graders leading the pledge of allegiance and asking questions was terrific. He thanked Mayor Ganz for mentioning the Bob Gordon show - "Inside Borough Hall" with Mark Sedaka and himself. He learned today the show almost did not make the air tonight. Manager Sacks stated the question was raised whether presenting the show that seemed one-sided was appropriate for the Borough. The issue was whether it was improper for the Borough to allow the show since it is a governmental station and are held to higher standards. She did not want to do anything that was improper or offend anyone. She consulted Attorney Lustgarten who advised her airing it was okay as long as equal access was granted to the opposing party. She took issue with the very fact that it was questioned and took issue of the rumors that have seemed to circulate within a matter of hours. She was particularly concerned that a citizen cannot raise these issues and then the Borough is criticized for looking into those issues and trying to balance these things. She felt that was of greater concern. It is running tonight and they are comfortable about doing it. The Council was not aware of this issue. She did not consult with them. Mr. Whalen asked if she gave any instructions to Fair Lawn TV not to run this show prior to consulting with the Borough Attorney. Manager Sacks stated she did tell them to hold off airing the show. Mr. Whalen wondered how she knew it was "one-sided" and was she aware that David Ganz and Allan Caan were given the opportunity by former Democratic Mayor Bob Gordon to appear on the show. Manager Sacks stated she did not know and had to look into it. She spoke to Bob Gordon who explained he had offered equal access to both parties.

Attorney Lustgarten explained there was a flurry of phone calls starting at 9:00 a.m. this morning. He had spoken with Bob Gordon and was familiar with the background of the show. He wanted to make sure that everyone had equal access. He was satisfied that the program was questions and answers and not advocating for or against an individual's candidacy. He wrote the opinion to the Manager that he did not see any legal impediment for letting this show air.

Mr. Whalen asked Manager Sacks if it were true that she had no idea that they invited both the Mayor and his running mate to appear on the show. Manager Sacks stated she did not know until later when Bob Gordon explained it to her and it sounded fair. Mr. Whalen asked what the legal costs for the Court Administrator's case were. Mayor Ganz stated it was around \$5,600.

Leon Wender, 7-22 Manor Avenue, asked when they will start the work on the additional fifty two parking spaces. Manager Sacks informed him the area has been cleared of trees and the contractor has laid out plans for paving. Mr. Wender wanted to know the estimated time of completion. Mayor Ganz told him they would complete the work by next month. Mr. Wender stated the sand at Memorial Pool is encrusted with algae. Manager Sacks stated she will take a look at it and if there is an algae problem she will have it corrected. Attorney Lustgarten stated they dredge the pool in the spring and the area will be cleaned. Manager Sacks stated if there is an algae problem the Parks Department may be able to treat it before the spring time. Mr. Wender continued that he has seen people without badges at the pool. Mayor Ganz thought the workers at the pool do a good job. They approached him one time when his badge was not easily seen. Mr. Wender stated he thought the personnel should be more diligent. He feels they are nasty.

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

ADJOURNMENT

Upon motion by Councilmember Amato and seconded by Councilmember Weinstein the meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk