

WORK SESSION OF APRIL 11, 2000

Mayor Ganz called the meeting to order at 7:35 p.m. Municipal Clerk Kwasniewski read the statement of compliance with the Open Public Meetings Act.

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

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

PROCLAMATIONS: NATIONAL VOLUNTEER WEEK, CANCER CONTROL MONTH, NATIONAL COIN WEEK

Mayor Ganz presented certificates to representatives of all emergency service departments. Volunteers are the glue that holds Fair Lawn and the country together. It is the critical difference between democracy and other places in the world who do not have volunteers. He expressed his thanks and gratitude to all the volunteers.

Request to Reconstruct Retaining Wall - Manager Sacks advised that Dr. Maurie Sacks, 9 Reading Terrace (Block 3607.01, Lot 20) wants to replace an old rail road tie retaining wall with a masonry wall and to replace a chain link fence with shrubbery. It is on the Borough's footway so the Council has to grant permission. There are no utilities there and Engineering knows of no reason not to permit the work. Attorney Lustgarten pointed out that the license agreement will contain a provision that the Borough can take it down and that the resident must get the required permits.

The consensus was to authorize the license agreement.

Coffee with the Council - Manager Sacks asked the Council to consider having a Sunday afternoon coffee at the Senior Citizens Center so the residents can meet the Council informally. Attorney Lustgarten felt that the coffee would have to be sunshined and minutes would be required.

The consensus was to hold a Sunday afternoon coffee.

Scheduled Police Awards Presentation - The Police Awards presentation will be held on May 23, 2000.

Fair Lawn Chamber of Commerce - The Chamber of Commerce would like to move the Farmer's Market to Van Riper Ellis Church Monday afternoons. Attorney Lustgarten wondered if that property is zoned for commercial use. The sponsoring agency is not the owner of the property. Having the Chamber enter into an agreement with the Chamber may be possible.

Attorney Lustgarten advised that changes have been regarding Fair Lawn Day. It is no longer going at Memorial Pool but has been moved back to Radburn. They have resolved the insurance issue.

Suzie Novielli and Karen Lundquist of Advertising Alliance Inc. who is the promoter of the event were present to discuss their latest plans for Fair Lawn Day. They asked for the support of the Mayor and Council. Karen Lundquist explained that it is their 17th year in business. They do the fair in Ridgewood. They send out the contracts to the exhibitors, the advertising, the promotion and the set up. They proposed October 14 and 15. Councilmember Etlar expressed concern about rerouting traffic on a Saturday. He was amenable to having it on a Sunday.

Deputy Mayor Adler noted that the purpose of the Fair is to bring people to the community so they can see the business community and come back. While rerouting traffic is inconvenient, it is only one weekend out of the year. It could highlight and promote the business district and the Council should consider that. Councilmember Dobrow felt that if the Police had no objection, she would have no objections. Councilmember Amato did not have a problem with detouring traffic for one weekend.

Manager Sacks presented a map showing the rerouting of traffic by the Traffic Officer. She also presented the floor plan for the Fair. Closing it down for two days will be costly. The clean up will have to be Saturday night on overtime. On Saturday they will need more police to direct traffic. They would be paying overtime for at least an eight-hour shift. Sunday would only be half a day and they would not need as many people so overtime will be less.

Manager Sacks will contact the County as soon as the Council decides which days the Fair will be held. Fair Lawn Avenue was closed for the Memorial Day Parade and the 75th Anniversary parade.

The consensus was to endorse the concept of using Fair Lawn Avenue and Plaza Road for the Street Fair with Councilmember Etlar dissenting.

The consensus was to consider two days subject to finding out the expense with Councilmember Etlar only in favor of one day.

Manager Sacks advised that it will cost an additional \$15,000 to hold it two days. She thought it would only cost \$5,000 for one day. Mayor Ganz asked for number of police officers that would be used so that he could have exact costs. Joyce Caratozzolo noted that it cost \$1200 for the policing for two days eight hours each day. Manager Sacks pointed out that the last Fair did not involve as much rerouting of traffic or the clean up. She did not pay for the auxiliary police.

Ms. Lundquist advised that a typical gross is \$15,000 which pays for the expenses of the fair. Any profit is split between the Chamber and herself. The cost to run a street fair is between \$5,000 and \$10,000.

The consensus was to have the Manager request permission from the County to close off the street Saturday and Sunday to have a Street Fair. Manager Sacks did not think the County would object because the rerouting plan solves all the issues they would raise.

Ms. Novielli advised that they cannot commit to any of the policing. Ms. Lundquist advised that she and the Chamber will assume the responsibility for the clean up.

Manager Sacks will prepare a cost estimate for the Council so they can decide. This item will be on next week's agenda.

Naming of Street (Block 3723, Lot 12) - Manager Sacks advised that she received a request to name the street La Grosso Court. The Borough Engineer had no problem but it is a Council decision. Mayor Ganz pointed out that a street with a similar name already exists. Mayor Ganz suggested that the street be named Hirschklau Lane.

The consensus was to have Manager Sacks ask Mrs. Hirschklau if she had any objections and if Mrs. Hirschklau agreed, they would name the street accordingly.

Naming the Batting Cages - The consensus was to name the batting cages in honor of Peter Mehl and Kenneth Strauss respectively.

Vegetative Yard Waste Removal - Manager Sacks advised that the Superintendent Maslo solicited quotes and recommended that the Borough enter a five-year contract with Environmental Renewal. Attorney Lustgarten thought the Borough should not agree to guarantee any minimum amount of yard waste taken away. There should also be a clause that if the Borough needs to reduce its operation the Borough could terminate the contract on notice.

The consensus was to accept the proposal as modified by Attorney Lustgarten.

Revisions to Zoning/Land Use Ordinance - Councilmember Etlar proposed changes that would ensure that everyone who comes before the Planning Board must give notice to everyone within 200 feet and must appear at a public meeting of the Planning Board. The Board has been waiving that requirement for food handlers' licenses. He has not discussed this proposal with the Planning Board. Mayor Ganz thought they should refer this to the Planning Board for

their position. Attorney Lustgarten advised that he had recommended to Councilmember Etler that he bring this to the Council. A draft ordinance was prepared. Ultimately any ordinance adopted by the Council will have to go to the Planning Board for their statutory review. Councilmember Etler noted that they are classifying a food handler's license as a minor site plan so that the Planning Board can waive these requirements. He wanted that stopped.

The consensus was to refer this proposal to the Planning Board for a speedy review.

Ellington Road Neighbors - The Ellington Road residents and those on the neighboring streets will be invited to the May 16 work session.

Pedestrian/Bicycle Safety Task Force - Philip Plotch, several members of the Task Force and the RBA Group were present. Mr. Plotch presented and summarized their report. Their task was to identify problems and to make recommendations which Mr. Plotch reviewed.

Manager Sacks advised that the upgrading of the street lights has been done. CDBG money will pay for the curb cuts along Fair Lawn Avenue. Ladder striping of the cross walks is part of the spring program. She recommended that the report be sent to the County for their review and comments.

The consensus was to accept the report with thanks and to refer it to the Borough Manager to staff it out as appropriate and to send a copy to Gary Ascoles, Bergen County Engineer.

Bill Yirce, 39 Westwood Terrace; Amy Plotch, 17 Bancroft Place; Michael Miller, 22-19 Radburn Road; Jennifer of RBA Group, Michelle Metz 4 Ascroft Place, Felice Koplik, 6 Reading Terrace; Larry Koplik, 6 Reading Terrace; Ira Huttner, 345 Owen Avenue; Leon Wender, 7-22 Manor Avenue; Kim Peterson of NJ Transit and Louise Orlando, 12 Arlington Place were present.

Upon a motion by Deputy Mayor Adler and a second by Councilmember Dobrow the meeting was open for public comment on this issue.

Bill Yirce stated that a great deal of time was spent by this committee. He did not agree with some of the recommendations. He thought a good start was improving the lighting and painting.

Mrs. Plotch read an e-mail from Gigi Minsky asking that the Council begin to implement the recommendations.

Michael Miller wanted to make Fair Lawn a friendly place to bicycle and walk.

Michelle Metz favored the improvements.

Felice Koplik felt safety was the most important thing to keep in mind.

Larry Koplik noted that the width of Fair Lawn Avenue becomes a factor. He thought the opportunity existed now to improve pedestrian and bicycle safety. The Borough should take advantage of the State initiatives to make improvements.

Leon Wender felt that ladder striping will be a major improvement. He stressed the enforcement is the key.

Roy Ross, 14-11 Radburn Road applauded the work of the committee but expressed concern about several items. He suggested a traffic warrant study be done for a traffic light at Fair Lawn Avenue and Radburn Road.

Ira Huttner advised that he has been a committee member since its inception. The committee had a particular bent regardless of practicalities or sound engineering judgments. He submitted a written statement. Some ideas are good. However, it is not an engineering report so many things are glossed over and have not been looked at for engineering impact. Some improvements may cause more problems than presently exist.

Louise Orlando, a member of the committee from the beginning said she was a signatory on the letter with Mr. Huttner because she shared his concerns. Radburn Association has sent a letter setting forth their concerns and the things they support. She thought they were going to look at the corridor and figure out the problems and suggest solutions. She did not understand that there were certain things that they were supposed to look at to make Fair Lawn Avenue something it is not which is a link between Paterson and Route 17. She asked the Council to use its judgment to make Fair Lawn safer but also to let professionals make their recommendations. She thought there were preset solutions. She did not think the recommendations were right for Fair Lawn. She did not think the proper traffic studies were done. She did not think the committee had the expertise to make some of the recommendations. She agreed with widening and boldly painting the crosswalks.

Sam Wolosin appeared for the Environmental Commission who favors the study. They agree with it in principle and hope it goes forward.

Jane DiPeeven, 14 Ryder Road, thought the study was good. She felt the remarks made by Mr. Hutner and Ms.Orlando were thought provoking. She asked that they not cut trees down and install tree grates around them.

A representative of the RBA Group advised that the process involved in the studies takes a problem statement, identifies certain issues, comes up with potential solutions and then creates a concept plan. The next step is to evaluate it and then move it into preliminary design. It is up to the Borough to take the next step and decide what the Borough wants to do next.

Deputy Mayor Adler thanked Mr. Plotch for his hard work. She disagreed with some of the issues which will take more planning and more discussion. The Council will not just move forward because it was suggested.

Upon motion of Deputy Mayor Adler and a second by Councilmember Dobrow the time for public comment was closed.

Councilmember Dobrow thanked the members of the Task Force.

Closed Session Resolution - Upon motion by Councilmember Amato and a second by Councilmember Etlar the following closed session resolution was unanimously adopted at 9:30 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 anticipated litigation, personnel and attorney/client privilege; and

WHEREAS, this matter permits the exclusion of the public from such discussion; and

WHEREAS, public disclosure of the results of this discussion may be made by the governing body of the Borough of Fair Lawn if litigation commences within 30 days after the termination of said litigation and upon formal appointment by the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since the matter set forth is one which permits the exclusion of the public.

Mayor Ganz reconvened the meeting at 10:00 p.m.

Parking Issues for the Park Hill Condo, Plaza Road Co-op and Radburn On-Street Parking, - Manager Sacks advised that the Traffic Officer has done a survey of the area. He felt that if they permit on-street overnight parking, it would only be safe on Plaza Road between Howard Avenue and High Street and on Fair Lawn Avenue between Abbott Road and Craig Road. The County does not have a problem with it if the Borough wants it. Mayor Ganz noted that the Council must decide if they want to do it and then decide how to regulate it.

Councilmember Etler indicated that he was philosophically opposed to it. He felt that it is not in the best interest of the Borough. Councilmember Amato concurred. He felt it would change the nature of the community. He was strongly opposed to it. Councilmember Dobrow concurred with both Councilmembers. She thought it would definitely change the feelings people have that Fair Lawn is a very protected town. She did not think it was to the advantage of the safety of the Borough. Councilmember Amato thought there would be requests from other areas. Deputy Mayor Adler felt that people will be upset if they give one group special privileges. It is a policy decision on whether there should be overnight parking. Mayor Ganz noted that parking is the key issue in Fair Lawn. Many people came to the Zoning Board for relief because they did not have enough room for their cars. The Zoning Board decided that this was not the vision Fair Lawn wanted to have. It does create a hardship but the solution is for people to seek long term rental spaces. He was not inclined to change the parking.

Upon a motion of Councilmember Etler and a second by Councilmember Amato the meeting was open for public comment on this issue.

John Walters, 15-26 Abbott Road, representing Park Hill Condo Board of Directors stated that the units were built when the zoning did not make provision for the amount of cars people have today. He pointed out that there is on-street parking at Eldorado Village.

Councilmember Etler pointed out that there is limited space in the Borough. If there is parking on the street, the street cleaners cannot get through. People will not bother putting their cars in the driveway. He would not like to see cars left on the street. He does sympathize with them but preserving the character of Fair Lawn is vital.

Councilmember Amato noted that things have changed in many areas of the Borough. Many residential homes have the same problems. He feels strongly about not allowing on street parking over night.

Mr. Walters indicated he understood the Council's desire to preserve the quality of life but this is a problem that will not go away or get better. He applauded the Council for their hard work and dedication.

Fay Berlin, 23-08 Howard Avenue, stated that single family can add on or make their driveways larger they do not have that ability. Many people living there have only one car but cannot find a space because there is just not enough space. Each person gets a sticker. Sometimes Eldorado Village people park there. There are more cars than they can handle. The Board has tried to find other places for overnight parking without any success. The Medical Building did not want them and the Church wanted too much money.

Joan Domas, 15-17 Plaza Road noted that there were not enough spaces.

Mr. Walters added that there are 142 units with only 125 parking spaces.

Attorney Lustgarten noted that this issue comes up periodically. It has been the consistent philosophy of the Council that most of the residents do not support overnight parking. It is an unsolvable problem unless the Council changes its philosophy.

Mayor Ganz wanted to know if they explored any engineering solutions.

Ms. Berlin replied that for the money they would have to spend they would not get very many parking spaces. Mayor Ganz thought there was a solution but it is going cost the Association money. He would be willing assist them with discussions with the landlord of the Medical Building or the Church of Radburn. The Council favors cooperative parking agreements.

Mr. Walters thanked them for taking the time to address this issue.

School Bus Ordinance - Mayor Ganz did not think the ordinance from Wayne addresses any of the Borough's issues. He had some very specific issues including does the premises have to be paved; if it has to be paved does it have to

have seepage pits; does the premises have to be striped for the buses; does the premises have to be striped for cars; what is a reasonable number of buses that it should or could properly be limited to; what is the reasonable number of cars it should be limited to prevent jockeying for positions and what fee to charge for the license. Manager Sacks was asked to send the questions to the Engineer and to the Planning Board for the bulk requirements for a parking lot for school buses and what zones would those regulations be for. Mayor Ganz wanted this done in a timely fashion.

Tattoo Ordinance - Health Office DePalma-Farr was present. Attorney Lustgarten advised that he reviewed draft number three of ordinance 1792-2000 that is the result of discussions the Manager and Health Officer had with representatives of a tattoo parlor. The Health Officer had explained the rationale for the decision. There were several policy calls to make which they reviewed.

Page 4, paragraph d. - the consensus was to add "apprenticeship" before training.

Page 4, paragraph g. - the consensus was to delete the requirement for a background check.

Page 5, paragraph C. - the consensus was to add "no ownership rights in any license or renewal thereof" to the first sentence.

Page 6, paragraph A. - the consensus was to delete the headnote "AGE"; add definition of personal identification.

Page 7, paragraph B. - the consensus was to add the language "I have presented to the operator the following forms of identification which I represent, warrant and guarantee are truthful and correct and are identification that relates to me."; to add that the operator will list the forms of identification presented and add the certification used by the court.

Page 9, paragraph G. - the consensus was to delete "so called" and change the word "cleaned" to sanitized.

Page 12, paragraph b. - the consensus was to delete it.

Page 12, paragraph c. - the consensus was to add "tattoo" to the phrase guest artist.

Page 15, paragraph E - Attorney Lustgarten wondered if the Center for Disease Control and Prevention should be retained in this paragraph. Mr. CDC makes statistics and give it to OSHA. CDC is not a health organization but a control center that keeps records. Manager Sacks added that CDC is not a regulatory agency. OSHA is the regulatory agency that has certain requirements of the industry. CDC has certain protocols that they recommend. Health Officer DePalma-Farr recommended using the OSHA requirements. The consensus was to accept the Health Officer's recommendation.

Page 15, paragraph E (2) - the consensus was to delete "who knowingly is".

Page 17, paragraph B - Attorney Lustgarten recommended labels being submitted to the Health Officer. Mario however, stated that no labels show the ingredients or non-toxicity. Deputy Mayor Adler suggested that they obtain a letter from the manufacturer that the dyes are not toxic. Attorney Mashel indicated that his client is willing to make the representation but he does not want to provide a certification from the manufacturer. They would provide whatever source materials available. After a lengthy discussion, the consensus was that the Borough Attorney will draft an appropriate clause with Councilmember Etlar dissenting.

Page 20, paragraph B - the consensus was to delete this paragraph.

Page 20, Section VII - the consensus was to change the headnote to "Inconsistency" and to add a partial invalidity clause.

The consensus was that the Council will rescind Ordinance No. 1792-2000 as introduced and introduce a new ordinance with the amendments at the meeting of April 25, 2000. Attorney Mashel advised that there is no recognized apprenticeship within the industry. Attorney Lustgarten noted that they tried to gather as much information as possible to create a balance of the health and safety of the community and the ability of someone to operate a business. He took issue with the representations that there is no bleeding or puncturing of the skin because they were not true. The Council has the responsibility to draft an ordinance that will prevent any spreading of disease.

Pool Experts for the Public Advocate - This item was deferred.

Public Advocates - Mayor Ganz made the following a statement: Today, Fair Lawn becomes the first Bergen County community to have its own Public Advocates for the Planning Board and Zoning Board of Adjustment. I am pleased to announce that the Council has achieved consensus to name Philip Tornetta as public advocate to the Zoning Board and John Molinelli as the public advocate to the Planning Board. The Council stated its concern "that the applicants, and the objectors, establish a proper record of the reasons for the granting, modifying, or denying any application for a variance, or for other relief permitted under the Land Use Law or local ordinance," and we also noted that the interests of the public are sometimes not capable of being properly or fully raised by pro se objectors. In modern times the public sector, a Public Advocate, where instituted, has been a successful and valuable guarantor of citizens' rights. By impartial and independent investigation of citizens' complaints, it has provided an informal and accessible avenue of redress.. Two bipartisan appointments were made by the Council on Tuesday, April 11, a week after our meeting at the Lyncrest School, the site of the third "government to the people" program instituted by the Council as a means of taking the Council meetings to various sections of the Boro.

Philip A. Tornetta, a lawyer from Wyckoff, was named Public Advocate for the Zoning Board of Adjustment. A registered Republican, Tornetta has served as municipal attorney for the township of Wyckoff since 1996, and previously served as the Municipal Prosecutor for the same town. He also has been municipal prosecutor in Fort Lee for the past eight years. Previously, he was associated with law offices in Bergen and Passaic counties where he focused his attention on land use and zoning matters, real estate, and a general civil practice. Earlier in his career, he was a sergeant on the City of Hackensack police force. Tornetta is a 1984 graduate of Touro College School in Huntington, N.Y., and earlier received a B.S. degree in criminal justice from the William Paterson College.

Named as Public Advocate for the Planning Board is John Molinelli of Woodcliff Lake, a cum laude graduate of the New York Law School, New York City, and prior recipient of a B.A. degree in political science from Rutgers University. A lecturer in Land Use law at the Bergen County Bar Foundation annual Land Use Symposium, Molinelli has served as primary, special, or associate counsel to the Woodcliff Lake Planning Board, the Norwood Board of Adjustment, Wood-Ridge Planning Board, Wood-Ridge Zoning Board and Saddle Brook Zoning Board. Molinelli, a Democrat, also is a member and vice chairman of the Board of Directors of Care Plus of N.J., formerly the Mid-Bergen mental health center, a member of the Board of Directors of the Community Mental Health Foundation in Fair Lawn, and a former law clerk to a Superior Court Judge in Bergen County. Active in bar association activities, he has been a member of the Board of Trustees of the Bergen County Bar Association since 1973, and is currently secretary and a member of their executive board.

The public advocate for the Board of Adjustment and the public advocate for the Planning Board are appointed the Borough Council for a one year term and report administratively to the Borough Attorney, though they are also responsible to the Borough Manager. The Public Advocate may appear before their board, and various courts, to represent and advocate the public interest - not individual interests - in proceedings of substantial importance. The determination of this is "in his or her sole discretion..." Each advocate is paid \$5,200 annually by the Borough. To the extent that such public advocate is required to review applications, prepare documents, or otherwise perform services, it is at the cost and expense of the applicant.

Computers - Councilmember Amato indicated that he wanted to receive documents through e-mail. Manager Sacks noted that not everyone has e-mail. Councilmember Amato asked for the agendas from the beginning of the year and the minutes from February by e-mail. Municipal Clerk Kwasniewski advised that she will send it to him but that it takes time. Manager Sacks added that his requests have resulted in some Department Heads having to gather the information and send it to him. It takes time because some older data is not even on the computers. If it is something that the staff does not create, it cannot be e-mailed. The requests should be going directly to the Manager so she can set priorities. Councilmember Amato indicated that in the future he will send the requests to her but he wanted everything e-mailed to him.

ADJOURNMENT: Upon a motion of Deputy Mayor Adler and second by Councilmember Dobrow the work session was adjourned to a special meeting at 11:30 p.m.

Respectfully submitted,

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

SPECIAL MEETING OF APRIL 11, 2000

Mayor Ganz reconvened the meeting at 11:30 p.m.

PRESENT: Mayor Ganz, Deputy Mayor Adler, Councilmembers Amato, Dobrow and Etler.

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

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 hearing.

Ordinance No.1797-2000
(Resolution No. 128-2000)

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

Upon motion by Councilmember Etler and a second by Councilmember Amato, Resolution No. 128-2000 introducing Ordinance No. 1797-2000 was discussed.

Don Oliver, 8-32 Mitchell Place, asked if the salaries listed were for twelve months. Manager Sacks replied that they were.

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

Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow Resolution No. 128-2000 introducing Ordinance No. 1797-2000 was unanimously passed.

INTRODUCTION OF 2000 BUDGET BY TITLE ONLY

Upon motion by Deputy Mayor Adler and a second by Councilmember Etler, Resolution No. 129-2000 was considered.

Mayor Ganz read a statement regarding the budget explaining the many programs and improvements they will be funding.

There being no further comments, Resolution No. 129-2000 was unanimously adopted.

INTRODUCTION OF SID BUDGET BY TITLE ONLY

Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow, Resolution No. 130-2000 was considered.

Councilmember Etler did not think that the budget was informative. He questioned each item. Mayor Ganz thought the questions were good and that he could ask the River Road Improvement Corporation to answer them at the public hearing on this budget.

There being no further comments, Resolution No. 130-2000 was unanimously adopted.

RESOLUTION No. 131-2000 Award of Bid: Barrier Free Ramps and Curbs

Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow, Resolution No. 131-2000 was unanimously adopted.

RESOLUTION No. 132-2000 Award of Bid: Supply, Delivery & Grade of 14,000 Tons of Beach Sand

Upon motion by Councilmember Amato and a second by Councilmember Dobrow, Resolution No. 132-2000 was considered.

Attorney Lustgarten stated that the bidding laws require awarding a bid to the lowest responsible bidder but the bid submission has to conform to the specifications and has to be the type of material that the Borough is interested in awarding. In this case there is a degree of fineness to coarseness in the various samples submitted. It was the judgement of the Superintendent of Recreation and the Manager that the sample submitted by AABAR met the requirements of the type of sand required as to texture, color, degree of fineness and is compatible with the Council's idea to bring residents back to Memorial Pool. That bid was not the lowest mathematical bid, but was the lowest bid for the type of sand that the Borough wants to have for the Pool.

Mayor Ganz asked if any of this sand could be used at Walsh Pool, but Manager Sacks advised that this was only enough for Memorial Pool.

Hearing no further discussion Resolution No. 132-2000 was unanimously adopted.

ADJOURNMENT:

Upon motion of Deputy Mayor Adler and a second by Councilmember Amato the meeting was adjourned at 11:50 p.m.

Respectfully submitted,

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

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