

**REGULAR MEETING OF JUNE 7, 2000
HELD AT RADBURN SCHOOL**

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, notice of the moved meeting of the Borough of Fair Lawn was published in the "The Record" issue of May 17, 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, The North Jersey Herald and News, and The Shopper. The Annual Notices identified the meeting location and the time of the Council Meetings and Work Sessions.

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

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

ABSENT: Councilmember Amato

Mayor Ganz stated at this time they would normally rise for the Flag Salute, but tonight Cub Scout Pack 60 from Warren Point School would lead the flag salute. At that time Cub Scout Pack 60 presented the flags. Mayor Ganz thanked them for the presentation.

RESOLUTION No. 180-2000 In Recognition of Glen Roselli

Upon motion by Deputy Mayor Adler and seconded by Councilmember Dobrow, Resolution No. 180-2000 was unanimously passed.

PROCLAMATION: SILVER BEAVER AWARD

Municipal Clerk Kwasniewski read the proclamation. Mayor Ganz presented it to Glen Roselli commending him for the time he spends volunteering to the Cub Scouts in this community.

Mr. Roselli thanked his immediate Supervisor, Ron Grant and also Joe Maslo for making a good work environment.

RESOLUTIONS BY CONSENT #11-2000

Upon motion by Deputy Mayor Adler and a second by Councilmember Etlar, Consent Agenda #11-2000 containing the following items was unanimously adopted.

a. Resol. #181-2000 Approval of Minutes:

Work Session 4/11/00

Special Meeting 4/11/00

Closed Session 4/11/00

Work Session 4/17/00

Closed Session 4/17/00

Special Meeting 4/17/00

Regular Meeting 4/25/00

b. Resol. #182-2000 Award of Bid: Tree Trimming

c. Resol. #183-2000 Award of Bid: Tree Removal with Stumps

d. Resol. #184-2000 Approval of Raffles & Bingos

Warren Point School - on-prem mdse

Warren Point School - on-prem 50/50

North Jersey Hockey Assn., Inc. - off-prem mdse

e. Resol. #185-2000 Extension of Ductile Iron Pipe, Fittings and Valves Contract

f. Resol. #186-2000 Authorizing Execution of Agreement with Bergen County for Installation of Traffic Control Signals, Intersection Plaza Road and Morlot Avenue

g. Resol. #187-2000 Renewal of Liquor Licenses 2000 - 2001

h. Resol. #188-2000 Lapsed Club Liquor License - Fair Lawn Lodge 1863 BPO Elks

i. Resol. #189-2000 Award of Bid: Alternate - Mobile Trailers Units

MISCELLANEOUS PUBLIC COMMENTS

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

Ann Lustgarten, 12-28 Burbank Street, and a 5th grade teacher at Radburn School, had several of her students present who wished to ask the Mayor and Council questions.

Eric Levin, 42-39 Herrold Drive, asked what was the hardest thing they have done as a Councilmember. Deputy Mayor Adler replied the hardest thing she has done was the passing of the budget. She had to understand everything that went on in the Borough. She felt it was an enormous responsibility. Councilmember Etlar stated learning the system and the way the government runs. Councilmember Dobrow stated she has been doing this for over 20 years. Over the years it has been a lot but she has enjoyed it.

Eric Levin asked Attorney Lustgarten what was the hardest thing he has done as a Borough Attorney.

Attorney Lustgarten stated that it was an ongoing problem that he has to make sure the whole Council agrees on the topic at hand. The Mayor and Council have to act collectively.

Joy Albarracin, 30-33 Heywood Avenue, asked what kind of branch of government the Borough of Fair Lawn was. Mayor Ganz explained it was a combination of executive and legislative powers. It could be compared to the Federal government.

Victoria Turitz, 26-01A Warren Road, asked if they could make one improvement to Fair Lawn what would it be. Deputy Mayor Adler said she would expand the children's room in the Library and make a bigger parking lot. Councilmember Etlar stated he would enlarge the municipal building and build a new arts center. Councilmember Dobrow stated she would make improvements at the library. Mayor Ganz stated he would do whatever was required so that someone would come to the Council and thank them.

Eric Levin presented a gift to the Council which was a can of decaffeinated coffee so that Attorney Lustgarten would not be worked up after the meeting.

Charles Kanefke, 12-08 20th Street, stated he would like to compliment the Council on the River Road improvements and the general condition of the town. He also said the Scouts have been looking for projects and Fair Lawn has encouraged them. He continued with concerns about the Old Library Theater. In the past it was a nice venue for blue grass, country and various other types of music. He asked if it was possible to make a night life with it. Mayor Ganz explained that this issue came up last year in regard to the Arts Center. The Council hired an architect who found it would cost one million dollars to repair it. They have not made any determination yet. The River Road Special Improvement Corporation is attempting to bring other types of business to the area. Mr. Kanefke stated that parking is desperately needed. The Old Library Theater is a unique building.

Leon Wender, 7-22 Manor Avenue, felt that the Borough wasted the money on new sand at Memorial Pool, especially when he has seen babies and children eating on the sand and also being in dirty diapers. He also questioned where the trailers were and about having to be seven feet off the ground. Mayor Ganz explained if it was new construction they would have to be built seven feet above the flood level. He informed Mr. Wender that the trailers are expected to be delivered by the middle of July.

Mr. Wender stated he owns a house that is over seventy years old and is fine. He does not understand why these buildings have to be razed. He suggested having the buildings waterproofed. He continued stating the Borough should do away with outside services, the Borough employees should be doing this work. He asked that existing ordinances be enforced. He would like to see the cross walks painted as soon as possible. He felt the Farmer's Market on Mondays was ridiculous. Mayor Ganz informed him that this is what the farmer's requested.

Mr. Wender suggested the polls be open at 6:00 a.m. instead of 7 a.m. on Election Day. Mayor Ganz explained it was the State law and that he would pass the comment on to Assemblyman Felice. He asked Municipal Clerk Kwasniewski to send a letter to the Assemblyman, copying Mr. Wender.

Don Oliver, 8-32 Mitchell Place and a member of the Fair Lawn Homeowners Association, asked how many Borough employees there were. Manager Sacks told him there were 250, with seasonals and part-timers. Mr. Oliver asked when the trailers are due to be delivered. Manager Sacks informed him between July 2nd and July 5th. Mr. Oliver inquired if the trailers were being built in New Jersey. Manager Sacks told him they were being built in Illinois and they will be shipped complete.

Mr. Oliver mentioned that during discussion that took place about the Pistol Range Councilmember Amato asked for the costs of the gun club or other individuals using the range. Manager Sacks stated the report was being prepared. Mayor Ganz stated Captain Sudol was getting expert advice on the sound proofing.

Mr. Oliver thought that if the Council looked into the cost of the gun club using the facility they should also look into clubs that use the Arts Center.

Mr. Oliver suggested that the dead tree on Mayfair & Nicholson Drives be taken down. He suggested they get someone to take it down. He also indicated there was a tree by the baseball field at Thomas Jefferson School that is dead and should be removed. Mayor Ganz asked Manager Sacks to find out who the tree belongs to.

Mr. Oliver spoke about the trucks speeding on Ellington Road and how there were no Police presence. Mayor Ganz stated that the number of summonses have increased on the alphabet streets.

Mr. Oliver inquired about the status of the cabling of the Council Chambers. Mayor Ganz informed him that he was working on the protocol. Mr. Oliver thanked Lt. Cook for assisting him in getting Lt. Yirce to make a presentation to the Cub Scouts about bicycle safety. He thanked the Mayor and Council for making Memorial Pool look the best it has ever been. He also felt that Walsh Pool was also looking good.

Sarah Turitz, 26-01A Warren Road, wondered why the Council has never put a traffic signal in at the intersection of Fair Lawn Avenue and Abbott Road. Mayor Ganz informed her it was a County Road and that the Councils in the past have asked the County to put a light in and they have refused.

Esther Alperin, 30-10 Gentner Road, one of the students from Radburn School, asked the Mayor how he would keep guns out of the hands of children. Mayor Ganz replied that the Fair Lawn Council cannot regulate that. There are requirements that must be met within the State. People are required to be licensed. He felt guns should have child-proof locks on them.

Phil Plotch, 17 Bancroft Place, thought that bringing the government to the neighborhoods was a great idea and a good symbol of democracy. He thanked the Mayor and Council for getting the meetings to the people.

Charles Kanefke, 12-08 20th, asked what was the point of having temporary trailers at Memorial Pool. Mayor Ganz explained the FEMA requirement to have buildings raised seven feet above the flood plain. The temporary trailers are not considered permanent structures which allowed the Borough to get around that requirement. Deputy Mayor Adler added that even if the Borough did certain types of renovations to the existing buildings they would have to abide by the FEMA requirements. Councilmember Etlar stated these trailers are modular units. They are completely off the ground, skirted around the perimeter and should look very nice.

Mr. Kanefke said his concern was Lake Memorial. The water has been up to the school at certain times. Mayor Ganz explained that the trailers have quick disconnects on them for the sewer, electric and water.

Don Oliver, 8-32 Mitchell Place and a member of the Fair Lawn Homeowners Association, stated he has always heard about County Roads and wondered what are the ramifications if the Borough went ahead and installed a light without their approval. Attorney Lustgarten explained that any traffic light that is installed has to be approved by the State. The State will not approve it unless the County signs off on it. The County has stated the intersection does not warrant a light.

Mayor Ganz explained the number of traffic signals along with the train crossing would create a dangerous situation. The Council had asked for a light at Chandler Drive which they felt was needed more. Attorney Lustgarten stated if the County wanted to install a traffic signal they would enter into an interlocal agreement with the Borough. The State will not intervene.

Leon Wender, 7-22 Manor Avenue, informed the Council that there was a cast iron housing unit, which he thought denoted when a train was coming, on Fair Lawn Avenue that needed to be repaired. Manager Sacks explained it was the State's responsibility, but the Borough Engineer can look at it.

Charles Kanefke, 12-08 20th Street, asked if it was possible that this green cast iron pole had been in an unrepaired state. Manager Sacks deferred to the Superintendent of the Department of Public Works who was in the audience.

Joseph Maslo, 47 Wayne Road, Superintendent of the Department of Public Works, stated they were talking about PSE&G's gas vent pipe. PSE&G has been working on it and the cement around it has been chopped up.

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

RECESS TO WORK SESSION

Upon motion by Deputy Mayor Adler and seconded by Councilmember Etler, the Public Meeting was recessed to a Work Session at 8:25 p.m.

Mayor Ganz called the Work Session to order at 8:25 p.m.

Public Advocate Ordinance/Salary Ordinance - Mayor Ganz advised that the Public Advocate in the Scholastic Bus matter before the Zoning Board of Adjustment has a conflict. The Council agreed to appoint Ronald Mondello for that case only. The salary ordinance for the public advocate contemplates a single attorney so needs to be changed. Attorney Lustgarten explained that Ordinance No. 1804-2000 amends the public advocate ordinance to allow for an alternate public advocate, changes the method of reimbursement and adds a mechanism for reimbursing the public advocate if the applicant's escrow is not sufficient to cover his payment. Ordinance No. 1805-2000 establishes the salary of \$90.00 an hour. The Council should also adopt two resolutions that he explained. Resolution No. 175-2000 establishes a list of alternate public advocates and the traffic and engineering experts. Resolution No. 192-2000 appoints Ronald Mondello as the Alternate Public Advocate in the one matter before the Zoning Board.

Rate for Experts Used by Public Advocate - After a short discussion the Council agreed that the rate should not exceed \$125.00 an hour for the engineering and traffic study experts.

Memorial Pool - No Charge for June Weekends - Manager Sacks advised that the pool will be free because of the cold weather on Memorial Day to give the residents an opportunity to try the pool. Mayor Ganz added that there will be no refunds to anyone who has already purchased a pool tag. Manager Sacks pointed out that the paid membership generally begins June 24. Attorney Lustgarten felt that while this was an administrative action, a consensus was needed from the Council.

The consensus was that the pool would be free for the weekends in June.

ADJOURNMENT OF WORK SESSION - Upon motion of Deputy Mayor Adler and a second by Councilmember Etler the Work Session was adjourned at 8:35 p.m.

RETURN TO REGULAR MEETING

Mayor Ganz reconvened the Regular Meeting at 8:35 p.m.

ORDINANCES: FIRST READING

Upon motion by Deputy Mayor Adler and seconded by Councilmember Etler, it was unanimously agreed to read the following ordinance by title.

Ordinance No.1804-2000

AN ORDINANCE AMENDING ORDINANCE No. 1781-2000 ENTITLED "AN ORDINANCE CREATING THE POSITION OF PUBLIC ADVOCATE TO THE PLANNING BOARD AND PUBLIC ADVOCATE TO THE ZONING BOARD OF ADJUSTMENT, AND OTHER PURPOSES"

Upon motion by Deputy Mayor Adler and a second by Councilmember Etler, Resolution No. 190-2000 introducing Ordinance No. 1804-2000 was unanimously passed.

Upon motion by Councilmember Etler and seconded by Deputy Mayor Adler, it was unanimously agreed to read the following ordinance by title.

Ordinance No. 1805-2000

AN ORDINANCE AMENDING ORDINANCE No. 1786-2000 ENTITLED "AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY, AS AMENDED"

Upon motion by Deputy Mayor Adler and seconded by Councilmember Etler, Resolution No. 191-2000 introducing Ordinance No. 1805-2000 was unanimously passed.

RESOLUTION No. 175-2000 Professional Services Experts

Upon motion by Deputy Mayor Adler and a second by Councilmember Etler, Resolution No. 175-2000 was passed.

RESOLUTION No. 192-2000 Appointment of Alternate Public Advocate

Upon motion by Deputy Mayor Adler and seconded by Councilmember Etler, Resolution No. 192-2000 was passed. Attorney Lustgarten stated that Ron Mondello should receive a copy of the ordinance and the resolution. Mayor Ganz stated that all of the Boards and Agencies should also be copied. He asked Municipal Clerk

Kwasniewski to handle getting the copies to Mr. Mondello so that it alleviates any misunderstandings.

ADJOURNMENT

Upon motion by Deputy Mayor Adler and seconded by Councilmember Etler, it was unanimously agreed to adjourn at 8:45 p.m..

Respectfully submitted,

Marilyn B. Dugan, RMC
Assistant Municipal Clerk