

WORK SESSION OF MARCH 14, 2000

Mayor Ganz called the meeting to order at 7:30 p.m. Assistant Municipal Clerk Dugan 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, Assistant Municipal Clerk Dugan, Attorney Lustgarten and CFO Eccleston.

Upon motion by Deputy Mayor Adler and a second by Councilmember Etlar, it was unanimously agreed to reorder the Agenda to make the Chester Street Property first.

Chester Street Property

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

Derek Bastinck, 8-61 Forrest Street, said his property abuts the Chester Street property. He distributed and read the petition which is attached as "Schedule A". Mr. Bastinck said this area has been the same way for seventy five years and has been used as a playground.

Mayor Ganz asked if the Council decided not to sell the property, would the residents like a park setting with benches and landscaping.

Mr. Bastinck said the water table is high and the area is soggy. He said he grew up in this town when there were more open spaces to play in. Open land is scarce. He felt that the Borough had enough housing. He could have gotten over 100 signatures if he had enough time. There wasn't one person that refused to sign the petition. The residents are all concerned about open space. He felt the Mayor's suggestion for the park benches was a good one.

Richard Mecionis, 8-62 Forrest Street, a forty year resident, wanted to convince the Council not to sell. Many residents in that area were born there and still reside on the same street. He indicated that about twenty years ago he had rotor rooter in because there was water in front of his house and every once in a while it gets backed up. He would like rotor rooter to come in and clean the line again. Mayor Ganz informed him to contact Manager Sacks. Manager Sacks asked him for his phone number.

Carl Rotelli, 8-44 Chester Street, stated he has lived there for thirty four years. He felt it should have been made into a park years ago. He suggested they leave it as it is or make it into a park since there is nowhere for the kids to play.

Rich Diorio, 8-55 Chester Street, stated he would rather see it as a park. The Borough has lost a great deal of open areas.

William Helfrish, 8-59 Chester Street, stated he bought his house four years ago and would like to see it remain as is.

Harold Waldo, 8-65 Chester Street, concurred.

Frank Sebest, 8-47 Forrest Street, also wanted it left as open space.

Ira Levine, 0-17 29th Street, attorney for Peggy and Martin Devaney. He said he understood the resident's concerns. His client would like to bid on it. The property should be put on the tax rolls of the Borough. There would be another lot that would be left vacant for the children to play on. It seems to him that selling this piece of property to build one or two houses would not alter the area. Things like this will only improve the area. He continued that the Council has a tough job. The property is not dedicated park area. Whoever buys that piece of land will have to abide by the Zoning Board and Planning Board.

Harold Van Der Wall, 8-39 Forest Avenue, stated that the Fair Lawn Commons, kids who live there need a place to go as there are a lot of homes in that area.

Peggy Devaney, Franklin Lakes, New Jersey, stated she and her husband were interested in buying this property. She was just trying to bring her son back to Fair Lawn. She did not want to move out of Fair Lawn. She said they are not trying to overdevelop the area. She just wanted a chance to bid on this property.

Martin Devaney, Franklin Lakes, New Jersey, said he was the one who sold his original house on Forrest Street. He thought he was doing the right thing for his family. He does not believe he would be limiting the kids who play on it. He felt that it would bring the value up with a new house. He said they have looked at other houses and that this was a solution to their problem.

Carl Rotelli, 8-44 Chester Street, stated that as of now, there are three houses for sale in that area. He said that the only place that was playable was that lot.

Rich Diorio, 8-55 Chester Street, asked about the bidding process.

Attorney Lustgarten informed him there would be a minimum bid price at an open auction.

Rich Mecionis, 8-62 Forrest Street, wondered about the new laws regarding building within 200 feet of a brook.

Ira Levine explained the dimensions of the property.

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

Councilmember Etler stated he knew the area well and that this is a quality of life issue. He wondered what would be gained by putting this property on the tax roll. Deputy Mayor Adler stated that while she had sympathy for the Devaney family, she is concerned about every little piece of land that is left undeveloped. She is used to kids playing outside and thinks that this piece of property should be dedicated to the children of the neighborhood.

Upon motion by Councilmember Etler and a second by Deputy Mayor Adler it was unanimously agreed to not put the Chester Street property up for bid and to authorize the Recreation Department to include benches and landscaping in this years budget.

Attorney Lustgarten stated the Council has made a policy call and the surrounding neighbors will be notified.

Proclamation: Women's History Month 2000

Assistant Municipal Clerk Dugan read the proclamation. Mayor Ganz presented the proclamation to Jane Spindel of the League of Women Voters.

Knights of Pythias Use of Borough Facilities

Manager Sacks stated the Knights of Pythias would like to use the Borough facilities on May 21, June 11, and September 24, 2000. She informed the Council that it was done by resolution last year.

The consensus was to put a resolution on the next meeting agenda.

The meeting was convened at 8:00 p.m. for a five minute break.

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato it was unanimously agreed to reconvene the meeting at 8:05 p.m.

Fireworks

Manager Sacks stated this was being done the same way as last year. Attorney Lustgarten said this was a biddable item and three quotes are needed. Manager Sacks stated it was extraordinary unspecifiable and in an artistic nature. Attorney Lustgarten suggested she read the bid law. Mayor Ganz suggested Manager Sacks get three quotes and the bid will go to the lowest quoter. Manager Sacks informed them this is the way they have always done it. Attorney Lustgarten stated it was not a professional item and is under the bid threshold therefore the Borough needs to get three quotes.

The consensus was unanimous to have Manager Sacks get three quotes.

Traffic Study - Harristown Road

Manager Sacks said she had asked the Police to do a traffic study on Harristown Road. There does not seem to be a problem with the stop sign. She sent a memo to the County with a copy of the report from the police.

The consensus was to have the State complete their own investigation, including traffic counts and report their findings to the Borough Council.

Mayor Ganz asked the Deputy Clerk to notify the residents of Columbia Heights that the Council will get back to them when they hear from the State.

Municipal Court Credit Cards

Manager Sacks stated that CFO Eccleston had gotten a rate from Columbia Savings of 2% for accepting credit cards. There was a discussion of whether they should accept credit cards or install an ATM machine. They also discussed whether the ATM machine kiosk should be manned or unmanned. CFO Eccleston suggested they get a start on it so that they could use it both ways and be able to get a hold on it to see how the usage is going. Manager Sacks said the contract for the ATM machine would be ready in about two and a half weeks.

The consensus was to hold off on the credit cards for six months.

Proposed Ordinance - Municipal Court Fines

The consensus was to approve the schedule as is. Attorney Lustgarten stated before being adopted, it should be sent to General Code for their comments.

The consensus was to send the ordinance to General Code for their review and comments.

Mayor Ganz suggested introducing it at the next meeting. Language from Attorney Lustgarten is to be added to the first section of the ordinance.

Lackland Storage Performance Bond

Manager Sacks stated the Borough Engineer has determined that all the issues have been satisfied and the performance bond can be released. A resolution will be on the next agenda to return the performance bond to Lackland Storage.

Board of Education Liaison Committee Meeting Agenda

Manager Sacks asked if anything needed to be put on this Agenda. Deputy Mayor Adler said the meeting was March 22, 2000.

Jitney Service

Manager Sacks stated she had sent a memo to the Mayor and Council explaining the cost of starting this service and that it will have to be subsidized by taxes. She suggested not starting this service this year.

The consensus was to not start the jitney service this year.

Parking at Schools on Election Day

Manager Sacks said she sent her recommendation. Attorney Lustgarten stated any change has to be done by Ordinance. He suggested she draft the ordinance and then have the Police review it. It would not be intended for poll

workers. He said the ordinance would specify the elections.

Renewal of Contract with Ridgewood for Health Officer

Manager Sacks informed them it would be the same price as last year, \$6,000. She recommended the term expire on December 31, 2000 so that it would be for the calendar year.

The consensus was to accept and take the income from Ridgewood until December 31, 2000.

Closed Session Resolution - Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow the following closed session resolution was unanimously adopted at 8:35 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 pending litigation; 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 upon formal appointment by the Mayor and Council this date or if no appointment is to be made there will be no disclosure.

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 9:10 p.m.

Walsh and Memorial Pools

Hearings on Walsh and Memorial Pool will be held on March 28th. Mayor Ganz asked that a notice be sent to Columbia Heights residents and to also put it on the Website, the cable channel and to post it at the Library.

RRIC Shared Parking Program /George Street Parking Lot

Don Smartt and Bob Landzettel, President of the RRIC, were present to discuss the parking problems that plague the River Road area. A parking authority was discussed as was the Borough having to take responsibility for the parking areas. Attorney Lustgarten questioned the need for the Borough to be responsible for maintenance, security, lighting and striping of the parking spaces, etc. Mayor Ganz thought there was a blurring of the lines of who would be responsible. Councilmember Etlar stated he has a problem with the Borough having such tremendous responsibility. Attorney Lustgarten felt the Borough should know the costs. Mr. Smartt stated the Borough should help with the funding to get more information such as reports and studies.

Mr. Smartt stated these were all philosophical questions. They had been working the last seven years to bring in more business. He suggested the Borough change the ordinance to have a unique business environment here.

Mayor Ganz said he felt the River Road Special Improvement District could do this less expensively and more efficiently than the Borough. He suggested the Council read the email he sent which he asked be included in the minutes and is hereby attached as "Schedule B".

Deputy Mayor Adler asked if the tenants had a right to buy spaces if the owner of the building did not sign on the with cooperative parking agreement.

Mayor Ganz asked that this subject be put on another work session, approximately two weeks from now with the River Road people not being present. He also asked Mr. Smartt to get the draft agreement in an electronic form.

Use of Municipal Building

Manager Sacks advised that the Fair Lawn Democrats asked to use a Borough building on March 23, 2000. Attorney

Lustgarten informed them of a form that should be used when someone is requesting to use any of the Borough buildings. Manager Sacks said she already had the form. The consensus was to use the form.

It was unanimously agreed to allow the Fair Lawn Democrats to use the Council Chambers on March 23, 2000.

Financial Reports Relating to Budget

Councilmember Amato stated he had met with CFO Eccleston and Manager Sacks to become familiar with the system. The State will not require municipalities to transmit electronically for at least five years. He spoke about the various reports. He wanted to know what the capital debt would be long term.

CFO Eccleston stated he could price the long term debt but it would not be on an individual project basis. He explained the budgetary impacts. Councilmember Amato said they need to know this as they go through the budget process. He asked Manager Sacks what the procedure was to pay the bills. Manager Sacks explained the system. CFO Eccleston also explained the voucher system. Councilmember Amato said he would like to see the account number on the voucher to see where it comes from to track expenses. He said he would like to see this done electronically. CFO Eccleston said it could not be done. There is a tremendous amount of paperwork involved. He has what they want but it is hard copy and not available in the format he wants. Councilmember Amato said the problem was that he could not see what the departments were spending. CFO Eccleston informed him that they get monthly reports which shows the budget appropriation and what is paid. He explained the encumbrance system and that a safeguard is built in.

School Bus License Fee

Mayor Ganz spoke about the number of parking spaces, whether the facility should be paved and striped. It should be lined for definable spaces. He gave the issue a three week timetable. Attorney Lustgarten stated he was working on it.

Flood Assistance Coordinator Additional Duties

Manager Sacks stated that more responsibilities could be assumed by that person. Civil Service listed the title as Administrative Support Specialist. She suggested combining the two titles until December 31, 2000 so that the Council can review it at that time. The money is in the budget. Attorney Lustgarten stated that Council's in the past have asked for justification. Councilmember Etlar felt they should move on this. He has a good reputation.

Manager Sacks felt that most of the Council was not aware of the person who retired that did a whole lot more. The work that was being done by that person is not being done now. She feels this individual is talented and could pick up where things were left off.

Attorney Lustgarten stated that the Flood Assistance Coordinator ordinance had a sunset provision in it. Manager Sacks said he would be coming in to a temporary position. Attorney Lustgarten asked what happened to the dispatcher position. Manager Sacks informed him it was filled with a full time person at an entry level salary. Attorney Lustgarten felt this move would add one and a half full time employees.

The consensus was to extend this position as a temporary position to the end of the year.

Attorney Lustgarten informed them it had to be done by ordinance. It was suggested the new ordinance be introduced on March 21, 2000, retroactive back to March 1, 2000, rescinding the ordinance that was previously introduced.

Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow the work session was unanimously recessed to a Special Meeting at 10:50 p.m.

Upon motion by Councilmember Amato and a second by Councilmember Etlar, the Work Session was adjourned at 11:20 p.m.

Respectfully submitted,

Marilyn B. Dugan, RMC
Assistant Municipal Clerk

SPECIAL MEETING OF MARCH 14, 2000

Mayor Ganz reconvened the meeting at 10:50 p.m.

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

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

ORDINANCES: FIRST READING

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

Ordinance No.1794-2000

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO THE BOROUGH'S POOL AND TENNIS COURTS, ALL LAWFUL AND PUBLIC PURPOSES, BY AND IN THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$1,491,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,420,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, Resolution No. 97-2000 introducing Ordinance No. 1794-2000 was unanimously adopted.

Manager Sacks congratulated the staff, especially CFO Eccleston and Superintendent Frey for working so hard to get this accomplished. CFO Eccleston added the bond counsel did an excellent job producing the ordinance so quickly.

ORDINANCES: SECOND READING

Upon motion by Deputy Mayor Adler and a second by Councilmember Etlar, it was unanimously agreed to postpone the adoption of Ordinance No. 1793-2000 until March 28, 2000.

Ordinance No.1793-2000
(Resolution No. 98-2000)

AN ORDINANCE TO AMEND ORDINANCE NO. 1772-99 ENTITLED "AN ORDINANCE TO AMEND CHAPTER II ENTITLED "ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, MORE SPECIFICALLY SECTION 2-8.6 OFFICE OF EMERGENCY MANAGEMENT TO CREATE THE TEMPORARY POSITION OF FLOOD ASSISTANCE COORDINATOR" TO EXTEND THAT POSITION

ADJOURNMENT - Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow, the meeting was adjourned to a Closed Session at 11:10 p.m.

Closed Session Resolution - Upon motion by Deputy Mayor Adler and a second by Councilmember Etlar the following closed session resolution was unanimously adopted at 11:11 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 personnel; 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 upon formal appointment by the Mayor and Council this date or if no appointment is to be made there will be no disclosure.

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.

Respectfully submitted,

Marilyn B. Dugan, RMC
Assistant Municipal Clerk