

Work Session - July 13, 1999

Mayor Ganz called the meeting to order at 7:40 p.m. Municipal Clerk Kwasniewski read the statement of compliance with the Open Public Meetings Act.

PRESENT: Mayor Ganz, Councilmembers Dobrow, Tedeschi and Trawinski.

ABSENT: Deputy Mayor Ahearn.

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

Closed Session Resolution - Upon motion of Councilmember Trawinski and a second by Councilmember Tedeschi, the following Closed Session Resolution was unanimously adopted at 7:40 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 desire to discuss tax appeals; and

WHEREAS, these matters permit the exclusion of the public from the discussion of these matter; and

WHEREAS, public disclosure of the results of these discussions will be made within seven days.

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 above is one which permits the exclusion of the public.

Mayor Ganz reconvened the meeting at 7:45 p.m.

Change Order re Printing of 75th Anniversary Booklets - Manager Sacks advised that they will bid the printing of the 75th Anniversary Booklets since neither she nor the Borough Attorney were comfortable with using a change order. She advised that they will need a Special Meeting to award this bid immediately following July 26, 1999 when bids will be received.

Broadway Redevelopment Planner - Mayor Ganz noted that there have been rumors about massive condemnation, heavy traffic and buffering. A proposal to redevelop Broadway was presented in 1993. At that time the decision was made to focus on River Road. There are problems with Broadway including a lack of parking which contributes to the inability to attract and keep businesses. It must have a face lift and improved parking. The proposal before the Council tries to address both of those problems. He did not want to let Broadway die. He wanted to give badly needed services to the residents of Warren Point and the south Broadway area. He stressed that there is no agreement with Treeco.

Several weeks ago the Council engaged a professional planner to make a recommendation. This evening the Council is considering asking the Planning Board to determine whether this is an area in need of redevelopment. In any redevelopment the residents and tenants are important. He hoped the Planning Board would conduct hearings and then make recommendations to the Mayor and Council. He intended to ask the Council to hold a Special Meeting later this summer in the Warren Point area to obtain input from the neighbors.

The Council has already received a general proposal from Treeco. He would like them to make a specific proposal at the next Council meeting. This proposal is an initiative for the residents of Fair Lawn. He proposed that the meeting be open for public comments. The Council concurred.

Councilmember Tedeschi indicated that he shared the Mayor's desire to improve Broadway, but the issue is the process. People are present because the people have a right to know when they can affect change and have input not after the fact. The only developer the Council has spoken to is Treeco. The last time Treeco came the Council did not even know they were coming only the Mayor and the Manager were aware of it. The Council is paying for a planner's report that the Council has not yet seen but the Manager told the planner to prepare a proposal for Phase II. He read a memorandum from the Manager that delineated the properties referenced in the resolution regarding Broadway although those properties are not on Broadway.

Councilmember Trawinski echoed Councilmember Tedeschi comments. He added that he appreciates that the Council is now doing in public what he asked the Mayor to do in public in April. He thought it was possible that the public would not have been included if all of these people had not shown up this evening. When they talked about the possible use of this statute for River Road and Shoprite they did it in public and asked three developers to make a proposal that resulted in Shoprite moving more quickly. He expressed concern that Treeco has already been chosen to do a development. One planner told the Council that he was not sure Broadway would fit the criteria of redevelopment under this statute. He suggested that this is the reason that planner was not hired.

He read a statement the press had declined to print.

Councilmember Dobrow indicated that there was no agreement with Treeco.

Mayor Ganz asked if the Council had any objection to inviting Treeco to the next Council meeting. Councilmember Trawinski had no objection and suggested placing a copy of the proposal in the Library for the public to review before that meeting. Councilmember Tedeschi objected to that suggestion because he thought the Council should listen to the public before listening to a developer who is going to gain from it. The planner is supposed to contact residents and the businesses in the area but no one has been contacted. Councilmember Dobrow had no objection to inviting Treeco.

Attorney Lustgarten read the memorandum of July 7, 1999 detailing the reasons for holding the discussions with Treeco in Closed Session.

Councilmember Dobrow commented that Fair Lawn had gone to court three times this year because of Councilmembers Tedeschi and Trawinski. They did not agree with the attorney's opinion. Those cases were lost. She proposed Treeco because she had spoken to Englewood where the project has been successful. She felt they were right in conducting the meeting because the attorney's guidelines have always been correct. The Council will continue to conduct the business in a legal way and in the best way for the people of Fair Lawn. Broadway has to be fixed and the time is right.

Councilmember Tedeschi read what occurred in 1993. He questioned the need for having Treeco make projections if no agreement has been reached with them. Councilmember Trawinski commented that the Borough Attorney was probably legally correct, but the issue is should it have been done in closed session. He did not think these type of discussions should be done in private. Mayor Ganz reiterated that this is just an idea for the Planning Board to investigate and look at. They will hold public hearings before they render their decision.

Upon a motion by Councilmember Trawinski and a second by Councilmember Tedeschi, the meeting was open for public comments.

Charles Tredigo, Esq. with an office on 28th Street, wanted to know the criteria for an area deemed in need of redevelopment. Attorney Lustgarten explained that there are six statutory criteria. He stressed until the Planning Board reaches the conclusion that the criteria are met, nothing can be done. Mr. Tredigo then asked if they received the planner's report and if so, when will it be public. Mayor Ganz advised that they have not yet received the planner's report. Manager Sacks advised that timing depends on the decision of the Council. If they do not move to Phase 2, they should receive the report in August.

Lawrence Morgenstein, 2-41 33rd Street and alternate #2 on the Planning Board advised that last night the Planning Board passed a resolution requesting the Council hold hearings pending resolution of the proposed review of the plans for Broadway. If the Council passes the resolution, the Planning Board is required by law to review the proposed plan and to make a recommendation to the Council. The process will take months and there will be many hearings. They will need an emergency appropriation for a planner. The Borough Engineer will take proposals from several planners.

Councilmember Tedeschi questioned the legality of the Planning Board's actions and asked for a legal opinion from the Borough Attorney. Attorney Lustgarten advised that the process starts with the Council. The resolution by the Planning Board has no legal impact on the Borough unless the Council adopts the resolution.

Mr. Tredigo pointed out that only the south side of Broadway is being considered. Manager Sacks noted that they are talking about both sides from Elmwood Park to 37th Street. Councilmember Tedeschi noted that every property in the enabling resolution is on the south side.

Mr. Tredigo felt the discussions with a developer were premature until they received the recommendations from the planner and were presented to the public.

Craig Kerbeykian of Hekemian Realty represented owners of property in this area. He noted that the taxes have increased tremendously and the assessed value is \$4.1 million for two acres which hardly seems blighted. He suggested getting a second opinion from another planner such as Burgis Associates. He did not see the urgency for moving ahead. He took exception to being called blighted. He reminded the Council that residences surround this area. It took Englewood seven years before they were condemned. During that time the property owners could not establish a business nor could they sell their businesses. He would be willing to discuss with other property owners contributing to the cost of another planner.

Roger Heytink, 0-100 Whitehall Street, wondered why if this is a commercial redevelopment plan there are more private residences affected than businesses. Manager Sacks explained the proposed resolution includes all frontages on both sides of Broadway to the Elmwood Park border and one area off Broadway that will need to be squared off. Mayor Ganz suggested he speak to the Assessor who prepared the list. Councilmember Trawinski thought the schedule contained an error because it was the intention of

the Council to go to 37th Street and both sides of Broadway. The schedule does not include the north side of Broadway. Manager Sacks indicated that the list is incomplete. It is a much larger list.

Irving Pollard, 0-50 34th Street expressed concern that the Council does not even have all the information but is going to vote any way.

Lee Seid, owner of the Hiway Theater wondered if the Theater is in a blighted area. Columbia Savings and Dunkin Donuts lost their tax appeal so he wondered how this could be a blighted area. They remodeled the Theater six years ago. They were not told there was any possibility of condemnation.

Sheri Adler, 4-20 Fourth Street noted the blight is a term that allows for special funding to improve the area. There are several empty stores that need businesses that improve the quality of life for residents and attract shoppers. She thought they should be discussing how to do that.

Councilmember Trawinski pointed out that on November 15, 1993 John Keith proposed establishing a Broadway revitalization committee. He thought that starting this process behind closed doors was wrong.

Dennis Testa whose son and daughter-in-law live at 0-102 Whitehall Street asked that the resolution be tabled. The Council has frightened the citizens. He asked that if the proposal goes through, the residents receive fair value for their homes. His son and his wife just purchased the house and put everything they had into it. He asked that the Council do what is best for the residents of this area.

Mayor Ganz noted that each Councilmember is trying to do what is best for the people of the Borough of Fair Lawn. In condemnation, the residents are entitled to full fair market value for their home.

Alys Frankel, 1-25 34th Street read the article in the Shopper and was shocked. She was very nervous about condemnation.

Charles Coviello, 5-07 5th Street wondered why this could not wait until next week and why it was not done in the public. Condemnation has always been discussed in the public. He noted that this issue has been raised in the past and not agreed to. He wondered how it got this far when the Council does not even have the report from the planner and how they determined specific properties to be involved.

Attorney Lustgarten noted that in sixteen years, three properties have been condemned. They discussed all of them in closed session first. The power of condemnation resides with the Council. Councilmember Tedeschi noted that the Borough becomes the front man for the developer and does its dirty work for it. Mayor Ganz advised that the law requires that the area be established by block and lot. He will ask that the resolution be held until the schedule is correct.

Lisa Yourman, 3-17 Plaza Road North wondered if the Treeco proposal would be placed in the library. Attorney Lustgarten indicated it would.

Kevin Swill, 39-21 Garvey Place, a real estate executive in New York City and a relative of Mayor Ganz was excited about the proposal to redevelop Broadway. He thought the town needed it. In order to build something, things will have to come down. He wanted the Council to look at what is best for the residents.

Jose Perez, 0-93 Whitehall Street noted that the previous speaker is not being affected by the plan.

Kathleen Heytink, 0-100 Whitehall Street pointed out that this is a commercial development and the developer will make a great deal of money. She wondered why the developer cannot approach everyone and buy the property himself. She wondered why he had to have the Borough condemn the property. Condemnation usually results in the owner receiving about one third of what the property is worth. Attorney Lustgarten noted that condemnation procedures are set by statute. The fair market value is paid. If any property must be condemned, the owner will get fair market value. Mayor Ganz added that it is more difficult to negotiate with individual property owners. A uniform approach is needed.

Edwin Karansky, the owner of Aristocratic Formals at 23-08 Broadway, thanked Councilmember Tedeschi for making them aware that this was happening. Mom and Pop stores cannot compete with malls. Family owned businesses contribute to the community. They will not be able to pay increased rents. Rite Aid is building now. He moved from Elmwood Park nine months ago. He would not have put \$70,000 into his business, if he knew it was going to be condemned. The present owners will not continue to upgrade their building. He asked that the merchants be considered because they have a stake in Fair Lawn. The merchants want to be notified in the future. He asked if the developer would receive tax abatements.

Mayor Ganz advised that the offer that has been made is that the taxes will be paid at the current rate for a negotiated period of time. Then at some point there will be \$25 million more in taxes.

Steve Kwait, 0-101 Whitehall Street noted that this issue is an emotional and financial issue. He wondered if the Council has agreed that the information will be public. Mayor Ganz advised that he was prepared to conduct the entire transaction in public.

A motion by Councilmember Trawinski, seconded by Councilmember Tedeschi, to conduct all future proceedings in public was considered. Attorney Lustgarten pointed at there may be some legal matters that might require discussion in private.

Councilmember Tedeschi moved to amend the motion to add that the Council will act as a body not singularly. Mayor Ganz noted that Councilmember Tedeschi acted singularly sending the letter to The Record and contacting News Channel 12. Councilmember Tedeschi took vehement exception to the Mayor's comments noting that he has a right to send a letter to anyone he wishes.

Mayor Ganz ruled Councilmember Tedeschi out of order. Councilmember Tedeschi moved that the chair be overruled; seconded by Councilmember Trawinski. The motion failed with Councilmembers Dobrow and Tedeschi in favor and Councilmember Trawinski and Mayor Ganz voting dissenting.

Councilmember Dobrow felt that they would have included the public at some point. Councilmember Tedeschi was hasty in contacting the residents.

Councilmember Trawinski believed that Councilmember Tedeschi has a right to express his view but he does not have the right to pound the table. He had the right to contact the residents. The issue is not whether or not Broadway needs redevelopment. The issue is how the Council went about listening to one developer making a presentation involving one area of Broadway.

Ms. Adler wanted to know why she was not contacted as a concerned citizen. She wanted to be on Councilmember Tedeschi's mailing list. Councilmember Tedeschi apologized for pounding on the table. He noted that he called on those property owners that were on the list. He has no mailing list. Councilmember Dobrow noted that the Council has an obligation to follow the law which they did.

Mr. Kwait wondered how many plans there were and what the \$52,000 was for. Mayor Ganz indicated there is one plan by Treeco. The Planning Board is being asked to look at the entire area. The \$52,000 is the fee that the planner has quoted to develop what the statute requires. Councilmember Trawinski added that the first step is to determine the strategy for Phase II so it might not be both sides of Broadway although Manager Sacks asked for a quotation to study both sides of Broadway. Attorney Lustgarten stressed that there has been no determination that any particular lot or block has been designated for condemnation.

Mr. Kwait felt that the developer knew exactly what he wants with the property or he would not be buying it. Attorney Lustgarten pointed out that one developer came in with a vision to redevelop Broadway. There is a statutory framework that the Council has to follow. Mr. Kwait had difficulty understanding that the Borough does not know what it will do with the property, but is willing to turn the properties over to a developer. He asked that the Council delay this matter for thirty days. Mayor Ganz advised that this matter will be considered at next week's Council meeting.

Ed Reilly, 18 Godwin Avenue, wondered how the Borough could condemn properties that are not run down or delinquent in taxes. Mayor Ganz advised that the Planning Board will decide and report to the Council. Attorney Lustgarten explained the procedure and process. He added that whatever the Planning Board decides must come back to the Council. He stressed that no one has decided that this area is in need of development. They need a private commercial developer to start the process. This is just the beginning. The public will have an opportunity to be heard and to give their opinions. The Council ultimately will have to decide whether to proceed.

Caroline Samuels, 21-06 4th Street, expressed concern about her house being condemned.

Charles Tredigo suggested that the resolution be posted on the web site with the correct list of lots and blocks. The Council agreed.

Mr. Tredigo wondered how much money they will need to acquire property. Mayor Ganz replied that between \$16 and \$19 million will be needed. It will be paid by the developer at closing. Attorney Lustgarten added that the developer posts a letter of credit and the Borough issues tax anticipation notes. Mr. Tredigo did not want to pay someone else for the privilege of selling his property at a price he may or may not agree with. Attorney Lustgarten explained the process. Mr. Tredigo presented a copy of the survey that was sent to all of the affected properties in 1994. He suggested that it be done again to get the input from the people who are most affected.

Upon a motion by Councilmember Trawinski and a second by Councilmember Tedeschi the meeting was recessed for fifteen minutes at 10:15 p.m.

Mayor Ganz reconvened the meeting at 10:35.

Lisa Yourman, 317 Plaza Road North, noted that there was no vote taken on the motion to consider this matter in public. She

suggested that the meetings be televised.

Lee Seid noted that it will be more expensive to develop under the new code. The cost to the tenants will be high. He wondered how it will work on Broadway when the Garden State Plaza is having a hard time.

Mayor Ganz pointed out that no one does a large scale development without having presigned leases with his tenants. He thought the plan was to have a food store, a multiplex theater, senior citizen housing, commuter parking and a large store that would be the size of Barnes and Nobles. If the Borough agrees to the proposal, the developer will not sign for the proposal unless he knows he has tenants.

Mr. Seid wondered about the condemnation of commercial property. Attorney Lustgarten explained that fair market value is paid for the property. There is the right to appeal.

Craig Kerbykian, 5-05 Main Street, Hackensack noted that developers do not work until they have everything set. He felt they have hired the planner to put the approval on the proposal already given. It sounds like there is an agreement already with Treeco. He did not think it was necessary to have one developer. He wondered why Rite Aid which is new has to be included in such a development. He did not think the Council should be relying on the developer.

Councilmember Dobrow commented that any developer could present a plan. Councilmember Trawinski noted that they voted against Councilmember Tedeschi's motion to bring in other developers. Mayor Ganz noted that Councilmember Tedeschi proposed putting out a Request for Proposals. The Council will entertain any plan by any developer.

Councilmember Tedeschi withdrew his amendment. The Mayor and Council unanimously agreed to do everything on this matter in open sessions.

Ambulance Corps. (Bonding for a New Ambulance) - Mayor Ganz noted that the issue is whether or not the Borough will agree to bond a new ambulance that the Ambulance Corps. has said is badly needed. The Council had hoped that the income from the cellular tower would cover the cost but it will not cover the entire cost. He proposed the Borough fund the ambulance on the condition that the Ambulance Corps. agree to devote revenues from the tower to the Borough and to submit itself to the same jurisdiction as the other emergency services.

Councilmember Tedeschi noted that the capital budget was supposed to have been reviewed in thirty days from May 4, but that review has not occurred. The ambulance is part of the capital budget. He will support it when the Council reviews the entire capital budget. Councilmember Trawinski indicated that the Ambulance Corps. has expressed its opposition to third-party billing but he was not prepared to spend the money on the ambulance until every avenue of revenue was explored. Purchasing an ambulance is a significant policy change. He commended the Ambulance Corps. on the negotiations with the cellular tower and complimented Gail Cebular for supporting the cellular tower at the Ambulance Corps. building. Mayor Ganz indicated this item will be on the next agenda for further discussion. Councilmember Tedeschi suggested that the Council schedule the Capital Budget.

Upon motion of Councilmember Trawinski and a second by Councilmember Tedeschi the meeting was open for public comments.

John Steffanie, President of the Ambulance Corps. pointed out that they have been telling the Council that they cannot afford to buy the ambulances. The consensus of the Ambulance Corps was that they did not want third-party billing. They want to keep the Corps. a volunteer organization. The cost of maintaining the building and purchasing supplies has made it necessary to ask for help to pay for the ambulances. They answered 1,240 calls so far this year.

Lisa Fusco reminded the Council that the Ambulance Corps. is composed of volunteers. Overseeing the third-party billing would be impossible. She objected to the Council putting off the decision time after time. The ambulances are not safe. It is unfair to those who serve. She is frustrated that they cannot decide. She also objected to the lack of recognition the Ambulance Corps. receives.

Gail Cebular, Vice President of the Ambulance Corps. stated for the past five years they have been telling the Council that they were going to need help with the ambulances. Costs of supplies have gone up. They have increased membership. They have mutual aid agreements with other towns. They need building renovations.

Ira Marks, 0-54 Yost Place advised that the report on third-party billing from the LEPC Committee should be ready shortly. That report should show that it is a detriment to any volunteer organization and the Borough would have to follow additional governmental regulations. He asked that they review the report before making a decision.

Cathy Schultz, 11-06 expressed her displeasure that the Council has not decided yet. She did not think the other volunteer organizations have to go through this to get funds from the Council. Third-party billing would change their status as a volunteer organization.

Mayor Ganz advised that four affirmative votes are required to bond the ambulance. Ms. Cebular asked what will happen if there

are not four votes. Mayor Ganz indicated that there are other options to explore.

Sandford Road Parking - The Traffic Officer and Chief Marshall have submitted a report indicating that there is no need to restrict traffic between Fair Lawn Avenue and Warren Road. Mayor Ganz thought there was a problem with this entire area, but based on the recommendations of the Police Department he thought they should take that piece out of the ordinance. Manager Sacks indicated that the signs can be installed right after the meeting if she orders them tomorrow. The Mayor and Council concurred.

Special Meeting - Upon a motion of Councilmember Trawinski and a second by Councilmember Dobrow, the meeting was adjourned to a Special Meeting at 11:40 p.m.

Mayor Ganz reconvened the meeting at 11:50 p.m.

Fair Lawn 75th Anniversary Medal - The Council unanimously agreed to have a medal designed and minted for resale commemorating Fair Lawn's 75th Anniversary.

DPW Complex Architect - The Council unanimously agreed to hire Carl Mecky as the architect for the DPW Complex. A professional services resolution will be on the next Council Meeting agenda.

Sale of Arts Center - Manager Sacks advised the Council that they need to decide if they want to sell the Arts Center and if so, at what price. This item was deferred to the August work session.

Proposed Ordinance Banning Landscapers and Banning Blowing Grass Clippings - These items were deferred to the work session following the regular meeting on July 20.

Cablevision Terms for Channel 1 - Councilmember Trawinski recused himself. Manager Sacks advised that Cablevision has asked to Borough to agree to certain terms. Attorney Lustgarten has reviewed them and indicated that he has no problem with the proposed language. A resolution will be on the next regular Council meeting.

Request to Purchase Borough Property - Mr. and Mrs. Demo of 38-44 Vanore Drive have requested permission to purchase property behind their house. Engineer Garrison recommended that the Borough not sell the property because it is part of the Borough's flood control program with the area acting as a detention basin. He felt it was not in the Borough's best interests to sell this property. The Council concurred. Mr. and Mrs. Demo will be advised that the Borough is not inclined to sell the property. The Council authorized the Manager to release the Engineer's memorandum.

Bergen County Freeholders re Fair Lawn Avenue - Municipal Clerk Kwasniewski was asked to invite the Bergen County Freeholders to attend a work session in September.

Sidewalk Ordinance - This item was deferred to the August work session.

Creative Cable - Candice Vivino has asked for an additional \$17,000 for the year. The consensus was to pay Candice Vivino an additional \$17,000 as salary for the year.

Councilmember Trawinski reminded the Council that at some point they need to discuss the table organization to determine where Creative Cable belongs.

Cabing Council Chambers - Municipal Clerk Kwasniewski distributed an amended proposal that specifically says that each Councilmember will have a microphone with a cut off switch. Ms. Vivino indicated that she met with a representative of the company and is satisfied that if they do what they say it will work. The Council wanted the proposal for the entire package in writing for the next meeting.

Terhune Bus Stop - Attorney Lustgarten advised that Mr. Raffani wants the bus stop to be located 50 feet from his home. Engineer Garrison has indicated that he cannot do that for safety reasons. The Council does not have to do anything further. Mayor Ganz indicated that he was still willing to hear Mr. Raffani at the next work session. A written report is needed from the Engineer before that meeting.

Lackland Storage - Councilmember Trawinski requested that the Manager refer the Planning Board resolution and written documentation to the Engineer for his review and comments. The Council concurred.

Review of the Tentative Agenda - Municipal Clerk Kwasniewski advised that they took bids today on the Hockey Rink, Roadway Improvements and the Municipal Parking Lot. The Engineer has recommended that they be awarded to the lowest bidder and requested that they be awarded at the next meeting. Municipal Clerk Kwasniewski advised that a legal opinion is needed on the SCADA bid. Attorney Lustgarten advised that he is reviewing the objections presented by one bidder. Municipal Clerk Kwasniewski advised that the Planning Board submitted their comments on the CCO Ordinance and the zone change ordinances that are to be

considered at the next Council meeting. They did not approve the CCO ordinance. Attorney Lustgarten advised that the Council should review their recommendations before adopting the ordinance.

Statement by Councilmember Trawinski - Mayor Ganz advised that Councilmember Trawinski had a prepared statement explaining the reasons for abstaining on hiring a planner for the May 25, 1999 meeting at which he was not present. He would like that statement made part of the record. Councilmember Trawinski's statement follows:

"At present, I am undecided about the viability of this project; and, therefore, I will abstain on any decision to hire a planner. I will continue to review the matter. If, in the end, the totality of factors indicates that this is in the best interests of Fair Lawn, I will support it. If not, then I will not support it. As I always do until I make a decision, I certainly will keep an open mind and look forward to hearing from the people of Fair Lawn as to their views on this proposal."

ADJOURNMENT - Upon motion of Councilmember Tedeschi and a second Councilmember Trawinski, the meeting was adjourned at 12:25 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AAE

Municipal Clerk

Special Meeting - July 13, 1999

Mayor Ganz reconvened the meeting at 11:40 p.m.

PRESENT: Mayor Ganz, Councilmembers Dobrow, Tedeschi and Trawinski.

ABSENT: Deputy Mayor Ahearn.

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

RESOLUTION 209-99 AUTHORIZING SUBMISSION OF 2000 APPLICATION FOR FUNDING MUNICIPAL ALLIANCE

Upon motion by Councilmember Trawinski and a second by Councilmember Dobrow, Resolution No. 209-99 was unanimously adopted.

RESOLUTION 210-99 RENEWAL OF LIQUOR LICENSE J-MART INC.

Councilmember Trawinski indicated that he wanted to impose the same conditions that they imposed when they renewed this license last year.

Frank Terry, the applicant, questioned the need for additional conditions. He spent an extra \$23,400 for additional security last year. In the four years he owned the bar there were no problems. The problems occurred when the other people operated it. In the year he has had it back he has had no problems. Councilmember Trawinski disagreed pointing out that there were several police calls for disturbances. He conceded that there was a significant improvement but felt it could be better. Mayor Ganz suggested imposing the conditions and reviewing the situation in six months. The Council concurred. Municipal Clerk Kwasniewski will obtain a written report from the Police Department for the Council's review in six months. Mr. Terry will be advised when they will review this matter.

Upon motion by Councilmember Trawinski and a second by Councilmember Dobrow, Resolution No. 210-99 renewing the liquor license of J-Mart Inc. with certain conditions was unanimously adopted.

RESOLUTIONS NO. 211-99 AND 212-99

Upon motion by Councilmember Tedeschi and a second by Councilmember Trawinski Resolutions No. 211-99 and 212-99 were removed from consideration this evening and were moved to the next Council meeting.

PUBLIC COMMENTS

Upon motion by Councilmember Trawinski and a second by Councilmember Tedeschi the meeting was open for public comments.

Upon motion by Councilmember Trawinski and a second by Councilmember Tedeschi the time for public comment was closed.

ADJOURNMENT TO WORK SESSION - Upon motion of Councilmember Trawinski and a second by Deputy Mayor Ahearn, the

meeting was adjourned to a Work Session at 11:50 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AAE

Municipal Clerk