

## **REORGANIZATION MEETING OF JANUARY 5, 2010**

Mayor Weinstein called the meeting to order at 7:05 p.m.

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in the Record issues of December 18, 2009. Notices were also posted on the bulletin board located on the first floor of the Municipal Building and the Maurice Pine Free Public Library. Copies were mailed to The Community News and posted on the Borough of Fair Lawn Website. The annual notice identified the times and locations of the Council meetings and work sessions.

**PRESENT:** Mayor Weinstein, Deputy Mayors Swain and Tedeschi, Councilmembers Baratta and Trawinski

**ALSO PRESENT:** Acting Manager Kwasniewski, Assistant Municipal Clerk Bojanowski and Attorney Rosenberg

### **Invocation by Father Joseph Doyle**

**▲God Bless America@ sung by Rachel Gomberg**

### **Swearing in of Councilmembers Baratta and Trawinski:**

County Clerk Kathleen Donovan swore in Councilmembers Baratta and Trawinski. She appreciated that opportunity as they were longtime friends. She was thrilled they were re-elected. Fair Lawn has always been a shining star for things that have been done in the community by the Mayor and Council.

The section of the Oath of Office that reads “under the authority of the people” holds special meaning for her, as people sometimes forget how rare that is in other parts of the world. She was thankful for the opportunity to serve the public and looked forward to continued service in the future. It is a privilege to be here tonight.

### **Nominations for Mayor:**

Councilmember Weinstein nominated Councilmember Tedeschi as Mayor. Councilmember Swain seconded the nomination.

Councilmember Trawinski nominated Councilmember Baratta as Mayor. Councilmember Baratta seconded the nomination.

### **Election of Mayor:**

There being no other nominations, the time for nominations was closed. Upon motion by Councilmember Weinstein and a second by Councilmember Swain, Councilmember Joseph Tedeschi was elected Mayor, with Councilmembers Baratta and Trawinski dissenting.

Mayor Tedeschi stated that all Councilmembers will be treated equally, fairly and with respect.

He stated that last weekend there was a fight on Saddle River Road. Over 20 people were arrested. Such a large incident required multi-jurisdiction response. He complimented the Police Officers from Fair Lawn, Saddle Brook, Elmwood Park, Lodi, Bergen County, Rochelle Park, Paramus and Glen Rock who responded. He commended Sgt. James Corcoran, the Station Commander when the incident occurred, for coordinating the event and maintaining the integrity of the case and thanked him for his high level of Police skills and leadership.

#### **Nomination for Deputy Mayor:**

Deputy Mayor Weinstein nominated Councilmember Swain as Deputy Mayor. Mayor Tedeschi seconded the nomination.

#### **Election of Deputy Mayor:**

There being no other nominations, the time for nominations was closed. Upon motion by Councilmember Weinstein and a second by Mayor Tedeschi, Councilmember Swain was elected Deputy Mayor with Councilmember Baratta dissenting.

#### **Nomination for Deputy Mayor of Community Affairs:**

Councilmember Swain nominated Councilmember Weinstein. Councilmember Tedeschi seconded the nomination.

Councilmember Baratta nominated Councilmember Trawinski. Councilmember Trawinski seconded the nomination.

#### **Election of Deputy Mayor of Community Affairs:**

There being no further nominations, the time for nominations was closed. Upon motion by Councilmember Swain and a second by Councilmember Tedeschi, Councilmember Weinstein was elected Deputy Mayor of Community Affairs with Councilmembers Baratta and Trawinski dissenting.

#### **Swearing in of Mayor and Deputy Mayors:**

Councilmember Tedeschi introduced Steve Parrado, President of the Filipino-American Association. He stated that the Filipino-American Association has for over 20 years given more than it has taken. Steve Parrado swore in Mayor Tedeschi.

Senator Robert Gordon swore in Deputy Mayor Swain and Deputy Mayor Weinstein. He wished everyone a happy and healthy New Year. He congratulated the re-elected members of the Council and the new leadership. When they look back on the year unfolding, they will remember it as a challenging period in their public lives. The State is facing budget deficits of \$8 - \$10 billion and the Governor has indicated that significant

cuts will be likely. He reaffirmed his commitment to the Council and the residents of Fair Lawn that District 38 Legislative delegation, including Assemblywomen Wagner and Voss, stand ready to continue to their partnership with the Council. They will try to get as much aid as possible and assist them with the delivery of services. They will need to be creative and courageous.

He asked that they resolve to be more respectful of one another and more civil, as cross words and disrespectful behavior can be profoundly destructive to civic life. Good government depends on having good people and it is becoming more difficult to recruit people to serve on local Councils as the job is becoming more difficult. People who work and are stressed do not want to come to Council Chambers and be abused.

He concluded by reiterating his best wishes in 2010.

### **Remarks of the Deputy Mayor of Community Affairs:**

Good evening and Happy New Year to everyone. A hearty welcome is extended to all of the dignities present, congratulations to Ed and Jeanne on their re-election, a heartfelt hello to all of our volunteers, best wishes to friends and much love to my family.

Welcome to 2010. Reorganization meetings are a transition from the old to the new. While the past year has been extremely difficult for our country and locally in terms of the financial melt-down and our continued concerns over terrorist attacks, I look forward to the coming year with much optimism seasoned, however, with a strong dose of reality.

I would, however, like to take a moment to reflect on the good things that have happened in Fair Lawn over the years. It is hard to believe that I have been a Councilmember for eight years, and it is most humbling that I have had the privilege of serving as Mayor for the last three. I look back with pride that your elected officials sitting up here have made many changes in Fair Lawn for the betterment of all its residents.

I want to publicly acknowledge that these accomplishments only occurred because of the collective will of all of your elected officials. While we may disagree on particular issues, and some of that may occur tonight, for the most part I can say that we truly come together to resolve disputes as honestly as we can. If I may be permitted to review some of these accomplishments, specifically over the last three years that I was Mayor, I believe you will see what I am referring to.

During the past three years, I believe that dignity and respect was returned to the Council Chambers. Residents of all philosophies wishing to address the Council on all issues came up to the podium, knowing that their voices would be heard and that their opinions would be considered, if not always agreed with. No member of the public was told to sit down without being heard, and we also violated our own five minute rule on many occasions to let someone finish their thought or point of view. This is truly democracy in action and I fully anticipate that Mayor Tedeschi will continue what was established when I assumed the Mayor's chair in 2007.

We opened this room to special public meetings to receive residents' input on such issues as underage drinking, holiday displays, parking and other community issues. With few exceptions, civility was the rule of the day and I thank everyone who came to these chambers to present their position.

As a Council, we addressed the issue of Pay-to-Play by enacting one of the strongest ordinances in the State. We curtailed development of the so called "McMansions" by adopting the Floor Area Ratio Ordinance. Our average tax increase over the last three years was 1.9%, which actually included a decrease in 2009. The Borough received its second AAA Moody's rating in the last eight years, which lowers the interest rate on Capital project borrowing.

Most importantly, we have maintained a significant and fiscally sound surplus, which has enabled us to withstand the instability of State Aid and the spiraling cost of health insurance and pension plan funding. Between 2007 and 2009, the Borough received over \$900,000 in grant money and we have another \$3,000,000 in grant opportunities pending.

While controversial many years ago, the George Frey Center for Arts and Recreation has truly fulfilled its promise. All of our residents, young and old, can enjoy basketball, volleyball, badminton, Sunday matinee programs, Saturday night concerts and symposiums on various topics. Local clubs use it virtually all the time and there are Friday and Saturday night dances for our children in a safe environment. I would even add that our newly elected Governor used it for a campaign rally, so word of its hospitality will be known in Trenton. Forgive me, but maybe Governor Corzine should have taken advantage of this state-of-the-art facility. Who knows?

As I knew prior to assuming the Mayor's chair, and was further confirmed to me over the last three years, the volunteers of Fair Lawn are "second to none". One of the greatest pleasures I had as Mayor was to talk to volunteers individually and in groups, and I was always in awe of the amount of time and dedication that these people have to improve the quality of life for everyone who lives or visits here. They are the unsung heroes of that is good about our town. I would like to recognize them by taking a few moments to list our groups of volunteers and, when I am finished, I request that we all stand and acknowledge what they do for us:

Alliance for Substance Abuse Prevention, Americans with Disabilities, Cable Television Board, Competitization Committee, Environmental Committee, Ethics Board, Fair Lawn Historical Committee, Fair Lawn Recreation Facility Review, Garden Club, Green Team Advisory, Health Advisory Board, Historic Preservation Commission, Holiday Celebration Committee, Library Board, Open Space Committee, Planning Board, Property Maintenance Board, Rent Leveling Board, Shade Tree Commission, Special Advisors, Senior Citizen Advisory Committee, Veterans and Volunteer Coalition, Youth Advisory Board, Zoning Board of Adjustment, Broadway Improvement Corporation, Community Center 501(c)3, Economic Development Corporation, River Road Improvement Corporation, Fire Department Volunteers, Ambulance Corps, C.E.R.T, Rescue Squad, Chamber of Commerce, Rotary Clubs, Knights of Pythias, Knights of

Columbus, Cosmos Club, Fair Lawn All Sports, Fair Lawn Football Association and the Hockey Association.

Over the years, the Mayor and Council have been committed to maintaining and improving our recreations fields for our athletically minded citizens. As you all know, All Sports is an organization built on the continuing volunteerism of parents who coach their own child's team and others who coach for the love of coaching as a way to improve and enrich the lives of our young people. Under the leadership of Don Oliver, Jack Susser, Larry Heller, Keith Brown and so many others, every child in Fair Lawn has the ability to maximize their athletic skills to the extent that they wish to do so.

Most recently, to continue to protect our children, the Mayor and Council along with the Borough Attorney, Bruce Rosenberg and the leadership of All Sports, is implementing the State certified background check program, to allow our children to play in the safest environment possible.

I am proud to state that we, All Sports, in conjunction with the Football Association, under the past leadership of Patty Marcoux and current leadership of Phil Schwartz, have installed a state-of-art turf field at the Dobrow Complex, and I should note for all you non-athletes, it came in under budget. The project was greatly aided by a \$300,000 Bergen County Grant, and I would like to thank County Executive Dennis McNerney and Freeholder David Ganz for their help in getting it.

In 2005, I initiated an Open Space Committee comprised of a group of volunteers. I am proud to say that since its inception, it has been awarded 1.2 million dollars for the purpose of acquisition and preservation of Open Space. I wish to thank Senator Bob Gordon and Assemblywoman Connie Wagner in their help in obtaining this money for you. In the coming year, we are looking to acquire property on George Street, which will give the people in that neighborhood a pocket park in place of a proposed parking lot. The money to purchase the property will then be used by Fair Lawn Fire Company No. 1 for the improvement of their facility, in order to better serve the people of Fair Lawn. A win-win outcome if ever there was one.

In October, 2009 we made a presentation to the County to purchase the Naugle House property, and surrounding area, for the preservation of this historic landmark. We are waiting to see if the request by our Open Space Committee, Historic Preservation Committee and the "Naugle Kids" will result in funding for this project.

As you all know, since 2005 the Borough has been fighting to save Daly Field. A developer has obtained a court order to put 200 units on Daly and Hayward. This project would effectively destroy this area of Open Space in the center of town. While we recognize our affordable housing requirement, we believe the Borough plan is better. Our plan is to build from 40 to 70 affordable units, preserving much of the Daly acreage. This battle continues. Our incoming Governor has questioned the Council on Affordable Housing (COAH) calculations of each municipality's needs, and there are other litigations before the Appellate Division of the Superior Court, challenging COAH's calculations. Open Space must be balanced with reasonable ratable improvements.

In 2002, I formed a business leadership committee resulting in the Broadway Improvement Corporation and the Fair Lawn Economic Development Corporation. These two groups, along with the River Road Improvement Corporation, continue to support our business partners by obtaining grants, seeking new ownership and tenants, and general revitalization. With much work and effort, Master Plans have been blueprinted for Fair Lawn's future in these areas and along the Route 208 Corridor. With history as our guide we will continue to plan for the future, because we know that standing still is not an option.

In reviewing plans for the future we seek input from our volunteer services, such as the Fire Department, Ambulance and Rescue Squad, so as not to unduly strain the services that these fine organizations, and the volunteer members who serve them, provide. In reviewing the Master Plan this year, we invite comments from all of our volunteers and, of course, there will be hearings to that everyone who lives or works in Fair Lawn will have an opportunity to be heard. Our Planning Board and its chairman, Peter Kortright, will greatly aid us in this endeavor.

Over the last three years, we have also established other committees which serve the needs of Fair Lawn. The Shared Services Committee, on which Councilmember Trawinski and I sit, works with the Board of Education to save money in the sharing of equipment, use of fields and other collective initiatives. This past year we started the Competivization Committee, which draws from a broad based number of volunteers and which I am sure will be very active over the next decade.

In 2009, in conjunction with the Garden Committee under the leadership of Jane Spindel, and in partnership with New Song Church, we brought back the Farmers' Market to Fair Lawn.

In 2007, after going for a canoe ride on the Passaic River with my son, Zach, we initiated the annual Fair Lawn Canoe Race with the assistance of Jim Van Kruiningen and Councilwoman Baratta.

Facing the challenges of the future we have a "Green Team", under the leadership of Deputy Mayor Swain, which will seek new and innovative ways to save energy and help preserve the environment.

In retrospect, it is truly amazing how much has been accomplished over the last three years. For me, personally, it has been a wonderful experience, meeting all of the volunteers I previously mentioned, along with hundreds of other Fair Lawn residents, some of whom had little problems and some of whom had major problems. All in all, these interactions were very positive in nature, where we together sought real solutions for real problems.

As a member of Congress once said "local issues are not partisan". Garbage collection, street cleaning and public safety are not labeled Democrat, Republican, Green or anything else. They are services that residents are entitled to. The Governmental formula is quite simple. We ask our residents to pay for the operation of Municipal Government through taxes and fees, and it is then our responsibility to make sure that

for that payment, services are provided as fairly and as reasonably as can be at the lowest cost possible.

When elected officials act responsibly, without bickering or in a partisan way, Government works, democracy flourishes and we are all permitted to live, work, rest and worship as we choose without undue Government interference. This has always been the promise of America, and I believe that we do live it every day here in our small Borough.

Finally, I would be remiss if I did not thank a few people who I worked closely with throughout the last several years. Joanne Kwasniewski, Marilyn Bojanowski and Marianne Pettineo have always helped me fulfill my responsibilities as Councilmember and Mayor. They were there to listen to my gripes when things were not going well and to also listen and share in the good moments when we were successful in accomplishing a goal.

Again, I thank all of the people of Fair Lawn who have allowed me to serve on this Council, and I pledge to do my best as Deputy Mayor as I served as Mayor.

Last, but as they say, definitely not least, I want to thank my family because without their love and support, serving on a Municipal Council is virtually impossible. The late nights, the missed meals, taking the Borough's problems home with you, etc. all go with the job. My parents, my sister and her family have all put up with me over the years and I cherish their input as they well know.

To my wife, Linda, and my three children, Sari, Zach and Ashley, I hope my experience as Mayor has been as interesting to you as it has been rewarding to me. To Linda, you know there are no words that can express my love and admiration for you. To my children, I hope that at some point in your lives you will be interested in running for some office. I know someone with a little bit of experience who would love to be your campaign manager.

Once again, Happy New Year to everyone. May we all know peace and tranquility this year. Special thanks to Fair Lawn TV!

#### **REMARKS OF COUNCILWOMAN BARATTA:**

Councilmember Baratta shared the "Flat Stanley" project sent to her by Mrs. Kelly's second grade class at Warren Point School.

She wished everyone a happy and healthy 2010. She thanked County Clerk Donovan for swearing in her and Councilmember Trawinski. They both consider Ms. Donovan a friend and look forward to supporting her in any future endeavors.

She was proud and humbled to be starting her second term as an elected official, especially since she is a lifelong resident and has chosen to raise her family here. She thanked the community for having faith in her and Councilmember Trawinski. It was a feat for two Republicans to be re-elected in an overwhelmingly Democratic town. Fair

Lawn has the smartest, savviest voters in Bergen County and maybe even the whole State. They do not blindly vote party lines, but do their homework and vote accordingly. She could write a book about how special people in Fair Lawn are.

She asked her fellow Councilmembers to put aside party politics and govern by what is best for Fair Lawn, not what's best for the party. Appointments and important decisions should be based on merit and not political posturing, on membership to the right club or to be used as a stepping stone. She believed the Council wants to do what is best for Fair Lawn, but sometimes people get caught up in partisan games and "can't see the forest for the political trees".

She agreed the five Council members are like a family. The majority of the time they work together for the betterment of Fair Lawn, but she gets frustrated when politics rears its ugly head. She would like to abolish that in 2010 and beyond.

Many residents had a difficult time in 2009 and financially, 2010 does not look promising. They were lucky the Borough had a plan in place, as some towns cut back on services, had furloughs or were laying off employees. She did not think they would be that fortunate this year. The Council planned on working to do what was financially prudent for the town, while making it as painless as possible for our residents and outstanding Borough employees. They look to all of them for their input and support during these difficult times. The Firemen, Ambulance, Rescue and Auxiliary Police are second to none. They are proud and fortunate to have them on their Fair Lawn team. She gave heartfelt thanks to the committee members who give unselfishly of their time working towards the betterment of Fair Lawn; they are her inspiration.

She thanked Elisabeth Boas, president of the Republican Club, who was stepping down. She has been a good friend and supporter. Ms. Boas has never asked for any special favor in her capacity as head of the Republic Club. She will be missed. She thanked Karen O'Shea and John Gil, two great advocates for the town. She respected and admired Peter Seiden, who has been very supportive of her and Councilmember Trawinski. He asked that they provide honest and open government in Fair Lawn; she did not want to let him down.

She thanked Councilmember Trawinski for being her mentor and for being so generous with his time and knowledge. He is eager to share and help anyone who asks. She was blessed to know him and his wife, Diane.

She thanked her family who was here tonight: her children, Maria, Ricky and Amanda, her mother and sister and her very patient husband, Rich, who cancelled a business trip to be here tonight. She loves them all. They make sure she does not take herself too seriously.

She thanked her friends and supporters. She wished Fair Lawn nothing but the best and asked that the residents keep all of them in check. She encouraged residents to keep calling, emailing and writing. She invited her friends and supporters to her house after the meeting for a party. She hoped that God will continue to bless America.

**REMARKS OF DEPUTY MAYOR SWAIN:**

Deputy Mayor Swain thanked everyone for attending the Reorganization Meeting. She thanked the Sunrise Rotary and the volunteers and emergency workers who helped at the Fair Lawn First Day 5K Run on New Year's Day. It was well organized and well attended. (She came in first place.)

She thanked the residents for keeping them informed about issues, good or bad. She appreciated that residents often call or write to compliment a Police Officer or Borough employee. She pledged to continue to help residents with their problems as quickly as possible. The Council is always willing to hear what the residents have to say.

She thanked Deputy Mayor Weinstein for doing a terrific job as Mayor for the past three years. He has led them through some difficult struggles, but always focused on building consensus and putting politics aside. She thanked his wife, Linda, and his children for sharing him with the community. He did a tremendous job as Mayor.

She thanked her fellow Councilmembers for their efforts, and thanked their families for sharing them with the community. She felt the Council worked well together; that is what makes Fair Lawn special. She thanked Acting Manager Kwasniewski, Attorney Rosenberg, Assistant Clerk Bojanowski and Marianne Pettineo for their help.

She thanked her husband, Ron, for supporting her and giving her guidance. She thanked her in-laws and noted that her father-in-law used to be a Councilman. She thanked her children for their support and concern. She appreciated everything her family has done to help her.

She was excited about the formation of the Green Team, which is moving along quickly and developing new ideas to make Fair Lawn a more sustainable community. She encouraged residents to continue contacting her with ideas and suggestions.

She concluded by saying that she dedicated herself to the residents. She will always make an effort to make Fair Lawn a more sustainable community, as well as a more affordable community. She thanked everyone and wished them a happy and healthy New Year.

**REMARKS OF COUNCILMAN TRAWINSKI:**

He wondered if they weren't being a bit disingenuous by imposing a five minute speaking period for residents and not following it themselves.

Fourteen years ago he had the privilege of serving with Mayor Tedeschi and four years ago he had the privilege of serving with some of the current Council. He was humbled and stood in awe of the Democratic process in our Country. The people hold the real power. He echoed County Clerk Donovan's comments about the words "under the authority of the people" holding special meaning. He sent sincere thanks from the bottom of his heart to "the people", for what they do, for being involved in the process

and for re-electing him and Councilmember Baratta. He appreciated the opportunity to serve them.

He thanked the many people who worked on his campaign. He thanked campaign managers, Rich Baratta and Diane Trawinski, for putting up with endless Sunday meetings, daily phone calls and all they have done for him and Councilmember Baratta. He thanked Peter Seiden, former Democratic Municipal Chairman and former Planning Board Chairman, for his guidance and help. He thanked former Manager, Tom Metzler, who was instrumental in serving on their campaign, which is something he would not have done if he was still Borough Manager. This was something positive that came out of Mr. Metzler no longer being Manager. He thanked the Republican Organization under the leadership of Karen O'Shea, Liz Boas, Mike Agusta and John Gil.

He thanked the various dignitaries that were present: Senator Gordon, Assemblywoman Wagner, his brother, Councilman Richard Trawinski and Councilman Castiglia from Elmwood Park, Attorney and Councilman Ron Mondello from Kinnelon. He also thanked Mayor Valenzuela, from Rochelle Park, and Freeholder-elect John Driscoll. He noted that Governor-elect Christie was attending the swearing in ceremonies in Paramus. He commended Bergen County Republican Chairman, Bob Yudin, for all that he has done during the last two years and Barry Winston, Democratic Municipal Chairman. Lastly, he thanked Alex Adler, son of the late Councilwoman Sheri Adler, for coming back to his roots in Fair Lawn.

He thanked Councilmember Baratta for being one heck of a public servant. Her accomplishments during the last four years have opened his eyes. She has opened her house and doors to the residents. It has been a pleasure and privilege to run and win with her.

He thanked his wife, Diane, for her unending support, love and willingness to help. Their spouses know the sacrifices that families make when they become public servants. He echoed Deputy Mayor Swain's comments by thanking the families for allowing the Councilmembers to serve. He thanked his children, Natalie and Nicholas and their spouses, Mark and Sara. He is grateful that his daughter Lindsey, who is the miracle of their lives, was able to be here tonight. He also acknowledged his grandchildren, Mark and Nicky. He thanked them from the bottom of his heart; he loved them all.

He felt that one of the most significant accomplishments over the past four years was the stabilization of municipal taxes, under a program proposed by former Manager Metzler and retired CFO Barry Eccleston. The plan is constantly reviewed by the Council and Acting Manager Kwasniewski and CFO Palermo; they adhere to it. The plan enabled them to stabilize municipal taxes so that they have only increased 1.9% over the past three years. He doesn't know any other Bergen County community that has been able to do that. They did this without cutting employees or services.

There will be many important things on their agenda over the next four years. None will be more important or more difficult than adhering to a sound plan, to the greatest extent possible, to continue to make Fair Lawn affordable and deliver tax increase stability. It

will not be easy and will require significant sacrifices from everyone. The State is virtually bankrupt and we cannot borrow our way out of this mess. There is an \$8 – \$10 billion dollar budget gap; Municipal Aid from Trenton will be non-existent for the foreseeable future. He knows that our legislative representatives will give whatever help they can, but the burden and sacrifices will fall on us. He is, however, optimistic for New Jersey and that Republicans and Democrats can work together in Trenton and restore our State's fiscal integrity. He is equally optimistic for Fair Lawn and feels that together the Council can maintain fiscal responsibility and single digit tax stability.

He concluded by stating that he looked forward to working with the residents of Fair Lawn. Although it may not sound like it tonight from the number of dissenting votes that he and Councilmember Baratta will cast, he looks forward to working with Deputy Mayor Weinstein, Mayor Tedeschi, Deputy Mayor Swain and Councilmember Baratta to do what they believe to be in the best interests of the Borough of Fair Lawn. He thanked everyone and asked God to continue to bless them all.

#### **Presentation by Assemblywoman Wagner:**

Assemblywoman Wagner stated that she was happy to be here with the Council and residents of Fair Lawn. The year 2010 will be a challenge. She appreciated the comments expressed tonight, because it will take Republicans and Democrats working together to get us out of this situation. They will need to make sacrifices. Sometimes they will hear the word "no" even though it may be painful for them. Fair Lawn did an outstanding job in 2009 with their budget and she applauded their efforts.

She congratulated Councilmember Trawinski and Councilmember Baratta on their re-election. She presented citations to the Council.

#### **Remarks of Mayor Tedeschi:**

Mayor Tedeschi stated that Councilmember Trawinski was right; it was a wonderful plan in 2006. The Council cut the Manager's proposal by one third and Councilmember Trawinski voted against it.

He thanked his wife, Diane, who is the only person in the world that can truly affect his life. When he was going out at night he didn't know it initially, but his wife went back to school and received her Critical Care Certification. She has a nursing degree, a Masters in Public Health and became a Science Fellow. He thanked his wife for tolerating him and for putting him in his place; he loved her dearly.

There will be a lot of heavy lifting this year. There are circumstances impacting Fair Lawn that they cannot control. Anticipated revenue is down by \$680,000. Water revenue is down by \$370,000. They are looking at a 30% in health care costs. It will not be "business as usual". They will be forced to look at every department and justify costs.

Many years ago when he was a Credit Manager, he was told by his boss that he would be fired for any of the following: telling him an answer when he didn't really know the

answer; making up an answer; lying to him, or turning down a better job if the boss found out about it. He assured the voters in Fair Lawn that he will not lie to them. He will not tell them things that are not true. He assured them that he was not looking for another job.

This must be the year of the taxpayer in Fair Lawn. The people paying for Borough services are losing their jobs and homes. They cannot give what they don't have. That must be recognized and dealt with honestly, fairly and objectively. The budget is not going to be easy.

Twenty years ago he was on the Board of Education. He acknowledged Lisa Yourman, Elyss Frenkel, Mike Rosenberg and John Mancinelli, current Board members. He spoke about the importance of the entire Board working together to solve a problem. They cannot solve Fair Lawn's problems with a split vote; there needs to be unanimous support. Their mandate is to do the best job for the town. He knew the Council stood ready to do so and hoped they would have the support of the town.

He thanked everyone for coming tonight.

#### **MAYOR=S APPOINTMENTS**

- a. Library Trustees –Rebecca Goglia, Michael Stoll
- b. Environmental Commission Chairperson -Wendy Dabney
- c. Board of Education Liaison – Councilmember Weinstein, Councilmember Trawinski
- d. Planning Board designee – Baruch Gadot
- e. Class II Planning Board Member – Scott Osback
- f. Historic Preservation Commission – Felice Koplik, Richard Ball, Jayshree Patel Shah

#### **PRESENTATION TO NEW SONG CHURCH:**

This presentation was deferred as the Church representatives could not attend.

#### **PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY:**

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Baratta, the time for public comments on Agenda items only was opened.

Elisabeth Boas, 38-15 Pellington Drive congratulated Mayor Tedeschi. He has been a part of Fair Lawn for a long time. She thanked him for his service on both the Board of Education and the Council.

She was raised in Switzerland where women could not vote. She felt it was a most precious right and she felt she used that right wisely by voting for Councilmember Baratta and Councilmember Trawinski. She thanked them for running for Council and devoting so much time to the residents.

There being no further comments from the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Weinstein, the time for public comments was unanimously closed.

Councilmember Baratta stated she did not recall a consensus for the Council liaison listed in Resolution 2-2010. Mayor Tedeschi stated that the Resolution would be pulled from the Consent Agenda.

#### **RESOLUTIONS BY CONSENT #1-2010 COUNCIL APPOINTMENTS:**

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Consent Agenda #1-2010 containing the following items was unanimously passed, with Deputy Mayor recusing herself on Resolution #49-2010.

- a. Resol. No. 1-2010 - Professional Tax Appraiser Services: Value Research Group
- b. Resol. No. 2-2010 - Removed
- c. Resol. No. 3-2010 - Fire Officers
- d. Resol. No. 4-2010 - Liaison to Fire Board
- e. Resol. No. 5-2010 - Liaison to the Community Center
- f. Resol. No. 6-2010 - Senior Citizen Advisory Board
- g. Resol. No. 7-2010 - Rent Leveling Board
- h. Resol. No. 8-2010 - Holiday Celebrations
- i. Resol. No. 9-2010 - Youth Advisory Board
- j. Resol. No. 10-2010 - Property Maintenance/Facelift Committee
- k. Resol. No. 11-2010 - Insurance Commissioners Self Insurance
- l. Resol. No. 12-2010 - Fair Lawn Historical Committee
- m. Resol. No. 13-2010 - Advisory Committee on the Americans with Disabilities Act
- n. Resol. No. 14-2010 - Fair Lawn Borough Garden Committee
- o. Resol. No. 15-2010 - Liaison to Alliance for Substance Abuse Prevention
- p. Resol. No. 16-2010 - Advisors to the Senior Citizen Center
- q. Resol. No. 17-2010 - Professional Labor Attorney Services: Giblin & Giblin
- r. Resol. No. 18-2010 - Claims Management Service – Scibal Associates, Inc.
- s. Resol. No. 19-2010 - Liaisons to RRIC, BIC, EDC
- t. Resol. No. 20-2010 - Loss Control Services - Connor Strong Companies
- u. Resol. No. 21-2010 - Child Care Physician - Edward A. Sciano, Jr. MD
- v. Resol. No. 22-2010 - Open Space Committee
- w. Resol. No. 23-2010 - Health Care Provider - Occupational Medical Assoc.
- x. Resol. No. 24-2010 - Public Action Compliance Officer
- y. Resol. No. 25-2010 - Planner of Record
- z. Resol. No. 26-2010 - Professional Legal Services – Richard A. Lustgarten
- aa. Resol. No. 27-2010 - Borough Attorney – Bruce Rosenberg
- bb. Resol. No. 28-2010 - Professional Planning Services for Green Acres Services: Michael Hakim
- cc. Resol. No. 29-2010 - Fair Lawn Recreation Facility Review Committee
- dd. Resol. No. 30-2010 - Veteran & Volunteer Coalition
- ee. Resol. No. 31-2010 – Professional Surveyor Services: Rigg Associates
- ff. Resol. No. 32-2010 - Shade Tree Advisory Committee
- gg. Resol. No. 33-2010 - Interlocal Services Agreement with Ridgewood: Health

- Officer
- hh. Resol. No. 34-2010 - Interlocal Services Agreement with Ho-Ho-Kus: Health Officer
  - ii. Resol. No. 35-2010 - Substitute Prosecutor
  - jj. Resol. No. 36-2010 – Environmental Commission
  - kk. Resol. No. 37-2010 - Competitization Committee
  - ll. Resol. No. 38-2010 – Appointing Joint Insurance Fund Commissioner
  - mm. Resol. No. 39-2010 – Professional Bond Counsel Services: Hawkins, Delafield & Woods
  - nn. Resol. No. 40-2010 – Green Team Advisory Committee
  - oo. Resol. No. 41-2010 - Professional Grant Writing Services: Capital Alternatives Corp.
  - pp. Resol. No. 42-2010 - Cable Television Board
  - qq. Resol. No. 43-2010 - Extend Agreement with Hakim Associates for preparation of the Environmental Resource Inventory
  - rr. Resol. No. 44-2010 - Health Advisory Board
  - ss. Resol. No. 45-2010 - Extend Agreement with Malcolm Pirnie, Inc. for Environmental Consulting Services
  - tt. Resol. No. 46-2010 – Health Care Physician – Dr. Marvin Wisch
  - uu. Resol. No. 47-2010 - Veterinary Services – Valley Brook Veterinary Hospital
  - vv. Resol. No. 48-2010 - Volunteer Economic Development Administrator
  - ww. Resol. No. 49-2010 - Supporting Changes to PREDFA
  - xx. Resol. No. 50-2010 – Zoning Board
  - yy. Resol. No. 51-2010 – State Mandates

#### **RESOLUTION NO. 2-2010: Planning Board**

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, Resolution No. 2-2010 was discussed.

Councilmember Baratta suggested Councilmember Trawinski be appointed as liaison to the Planning Board. She felt they were doing the town a disservice by not taking advantage of his expertise. He is an AV rated attorney by Martindale Hubbard since 1990 and has superb credentials. She did not feel there was anyone better qualified.

Deputy Mayor Weinstein stated that he supported Deputy Mayor Swain remaining on as liaison. As with all committees and boards, the idea is to have varied representation from the community working together for the best interests of Fair Lawn. The boards each have an attorney. He stated that Deputy Mayor Swain has done an outstanding job the past two years and felt she should continue as Council liaison.

Mayor Tedeschi stated that he supported the resolution as written. Councilmember Trawinski was an outstanding land use attorney, but he felt Deputy Mayor Swain should continue.

There being no further discussion, Resolution No. 2-2010 was passed with Councilmembers Baratta and Trawinski dissenting. Both Councilmembers requested that the minutes reflect that they supported the appointment of the remaining Planning Board members.

**RESOLUTION NO. 52-2010 - Professional Nursing Services - Valley Nursing Services**

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Weinstein, Resolution No. 52-2010 was passed, with Mayor Tedeschi recusing himself.

Deputy Mayor Swain reminded the residents that desserts and refreshments were being served across the hall. Everyone was welcome to join them.

**RESOLUTION NO. 53-2010 – Zoning Board**

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, Resolution No. 53-2010 was passed, with Councilmembers Baratta and Trawinski dissenting.

**RESOLUTION NO. 54-2010 - Borough Auditor**

Upon motion by Deputy Mayor Weinstein and a second by Mayor Tedeschi, Resolution No. 54-2010 was passed, with Councilmembers Baratta and Trawinski dissenting.

**RESOLUTION NO. 55-2010 - Competivization Committee**

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, Resolution No. 55-2010 was passed, with Councilmembers Baratta and Trawinski dissenting.

**MANAGER=S APPOINTMENTS:**

Acting Manager Kwasniewski stated that she was appointing Carl Spector as Prosecutor, Ron Mondello as Public Defender and Steven Cohen as Rent Leveling Attorney.

**ORDINANCE ON FIRST READING:****ORDINANCE NO. 2169-2010  
(RESOLUTION NO. 56-2010)****AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2007,  
BY AMENDING CHAPTER 241, ENTITLED “WATER”, SUB SECTION 241-50,  
“WATER RATES”**

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski, it was unanimously agreed to read the following ordinance by title.

Upon motion by Councilmember Trawinski, and a second by Deputy Mayor Swain, Resolution No. 56-2010 introducing Ordinance No.2169-2010 was discussed. Mayor Tedeschi stated that he would not support this ordinance. He had questions concerning the use of Capital Funds, which he discussed separately with Attorney Rosenberg. He would not support a 22% water increase without fully understanding the process and requested that this ordinance be placed on the next Work Session agenda.

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Trawinski, it was unanimously agreed to table this ordinance.

Mayor Tedeschi asked Acting Manager Kwasniewski to have Borough Engineer Garrison and CFO Palermo present at the next Work Session to explain this further. Acting Manager Kwasniewski stated they may have to wait until the January 19<sup>th</sup> Work Session, as people were already scheduled to attend next week's Work Session.

## **RESOLUTIONS BY CONSENT #2-2010**

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Trawinski, Consent Agenda No. 2 -2010 containing the following items was unanimously passed.

- a. Resol. No. 57-2010 - Cash Management Plan
- b. Resol. No. 58-2010 - Official Newspapers
- c. Resol. No. 59-2010 - Temporary Budget - Current Fund
- d. Resol. No. 60-2010 - Temporary Budget - Water Utility Fund
- e. Resol. No. 61-2010 - Mileage Allowance
- f. Resol. No. 62-2010 - Petty Cash
- g. Resol. No. 63-2010 - Tax Assessment Interest
- h. Resol. No. 64-2010 - Annual Meeting Dates and Times
- i. Resol. No. 65-2010 - Defending Tax Appeals
- j. Resol. No. 66-2010 - Annual Sale of Delinquent Taxes
- k. Resol. No. 67-2010 - Approval of Minutes:
  - Closed Session – 9/15/09
  - Work Session – 9/15/09
  - Closed Session – 9/15/09
  - Regular Meeting – 9/22/09
  - Closed Session – 9/22/09
- l. Resol. No. 68-2010 - Authorizing Tax Settlement – Beshlian, Kopcho & Kavanaugh
- m. Resol. No. 69-2010 - Authorizing Tax Appeal Settlement – ZBZ Realty
- n. Resol. No. 70-2010 - Authorizing Tax Appeal Settlement – BSB Properties
- o. Resol. No. 71-2010 - Authorizing Tax Appeal Settlement – Zero Twenty Four Gas Station
- p. Resol. No. 72-2010 - Authorizing Tax Appeal Settlement - Morrow
- q. Resol. No. 73-2010 - Cancel & Refund Property Taxes – Veteran Property Tax Exemption

## **MISCELLANEOUS PUBLIC COMMENTS**

Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, the time for public comments was opened.

Lisa Yourman, 66 Nottingham Road congratulated everyone on their re-elections and appointments.

Ms. Yourman wondered if the Council could present a resolution to the New Jersey Assembly and Senate to remove the carve out for veterans serving during peace time. A veteran serving in a war area during peace time, such as near the borders of North

and South Korea, would not be eligible for a Veteran Property Tax Exemption, yet veterans that served stateside during war time were eligible. She felt every veteran should be entitled to this exemption.

Mayor Tedeschi asked Acting Manager Kwasniewski to place this issue on a future Work Session agenda.

There being no further comments from the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Weinstein, the time for public comments was unanimously closed.

**Benediction by Rabbi Neubort**

**ADJOURNMENT:**

Upon motion by Deputy Mayor Weinstein and second by Councilmember Trawinski the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

\_\_\_\_\_  
Mayor Joseph Tedeschi

\_\_\_\_\_  
Deputy Mayor Lisa Swain

\_\_\_\_\_  
Deputy Mayor Weinstein

\_\_\_\_\_  
Councilmember Jeanne Baratta

\_\_\_\_\_  
Councilmember Ed Trawinski