

SPECIAL MEETING OF FEBRUARY 16, 2010

Mayor Tedeschi called the meeting to order at 7:30 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 Tedeschi, Deputy Mayor Swain, Deputy Mayor Weinstein, and Councilmember Baratta.

ABSENT: Councilmember Trawinski

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

ORDINANCE ON SECOND READING:

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Baratta, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2172-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 49 ENTITLED "AFFORDABLE HOUSING" TO CREATE A NEW AFFORDABLE HOUSING DISTRICT AT §49-17 ENTITLED "MU MIXED-USE PLANNED DEVELOPMENT" FOR BLOCK 4801, LOT 1, LOCATED AT 16-31 ROUTE 208 KNOWN AS THE FORMER KODAK PROPERTY

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

Upon motion by Deputy Mayor Weinstein and seconded by Deputy Mayor Swain, Resolution No. 116-2010 adopting Ordinance No. 2172-2010 was approved. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2173-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 49 ENTITLED "AFFORDABLE HOUSING" TO CREATE A NEW AFFORDABLE HOUSING DISTRICT AT §49-16 ENTITLED "R-5-4 INCLUSIONARY MULTI-FAMILY RESIDENTIAL PLANNED DEVELOPMENT" FOR BLOCK 5729, LOT 2, LOCATED AT 14-00 THIRD STREET, KNOWN AS THE CLARIANT PROPERTY

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

Upon motion by Deputy Mayor Weinstein and seconded by Deputy Mayor Swain, Resolution No. 117-2010 adopting Ordinance No. 2173-2010 was passed. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2174-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 49 ENTITLED "AFFORDABLE HOUSING" AT §49-15 ENTITLED "B-4 WITH AFFORDABLE HOUSING COMPONENT OVERLAY DISTRICT" TO AMEND THE BOUNDARY TO DELETE BLOCK 5723, LOT 7, LOCATED AT 17-10 RIVER ROAD AND TO ADD BLOCK 5723, LOT 5 LOCATED AT 17-16 RIVER ROAD

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

Upon motion by Deputy Mayor Weinstein and seconded by Deputy Mayor Swain, Resolution No. 118-2010 adopting Ordinance No. 2174-2010 was passed. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2175-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 49 ENTITLED "AFFORDABLE HOUSING" BY CREATING A NEW SECTION §49-18 ENTITLED "DEVELOPER'S FEE ORDINANCE" TO COLLECT MONEY FOR AN AFFORDABLE HOUSING TRUST FUND

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

Upon motion by Deputy Mayor Swain and seconded by Deputy Mayor Weinstein, Resolution No. 119-2010 adopting Ordinance No. 2175-2010 was passed. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2176-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 49 ENTITLED "AFFORDABLE HOUSING" BY REPEALING §49-2 THROUGH §49-11 AND CREATING A NEW SECTION §49-2 ENTITLED "AFFORDABLE HOUSING ORDINANCE" TO ADMINISTER AFFORDABLE HOUSING CREATED IN THE BOROUGH IN ACCORDANCE WITH THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING'S RULES

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

Upon motion by Deputy Mayor Weinstein and seconded by Councilmember Baratta, Resolution No. 120-2010 adopting Ordinance No. 2176-2010 was passed. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2177-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 125 ENTITLED "LAND DEVELOPMENT" BY ADDING A NEW SECTION §125-47.1 ENTITLED "GENERAL DESIGN STANDARDS FOR COMMERCIAL, MIXED-USE AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT"

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

Upon motion by Deputy Mayor Weinstein and seconded by Deputy Mayor Swain, Resolution No. 121-2010 adopting Ordinance No. 2177-2010 was passed. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

Upon motion by Deputy Mayor Swain and a second by Deputy Mayor Weinstein, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

ORDINANCE NO. 2178-2010

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 125 ENTITLED "LAND DEVELOPMENT" BY ADDING A NEW SECTION §125-45.4 ENTITLED "SUPPLEMENTAL STANDARDS FOR PLANNED DEVELOPMENT"

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

Upon motion by Deputy Mayor Weinstein and seconded by Deputy Mayor Swain, Resolution No. 122-2010 adopting Ordinance No. 2178-2010 was passed. Councilmember Baratta stated she wanted the public to know that this ordinance was being adopted under protest.

Councilmembers unanimously voted in favor of the ordinance under protest.

PUBLIC COMMENTS

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

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

ADJOURNMENT TO WORK SESSION

Upon a motion by Councilmember Baratta and a second by Deputy Mayor Swain, the meeting was adjourned to the Work Session at 7:46 P.M.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approved the foregoing minutes.

Mayor Joseph Tedeschi

Councilmember Jeanne Baratta

Deputy Mayor Lisa Swain

Deputy Mayor Steven Weinstein

Absent
Councilmember Ed Trawinski