

WORK SESSION MARCH 2, 2010

Mayor Tedeschi called the meeting to order at 7:31 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 Mayors Swain and Weinstein and Councilmembers Baratta and Trawinski.

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

Review of Tentative Agenda – 3/9/10

Assistant Municipal Clerk Bojanowski added the Award of Bid for generator maintenance. Councilmember Trawinski asked about the LOSAP certification. Acting Manager Kwasniewski stated that next week Councilmembers will get the list of people who have qualified.

Council Liaison Reports

Councilmember Baratta reported that once again most of her committee meetings were cancelled due to bad weather. She will meet tomorrow with the Community Garden group for the second time, who will be drafting the Committee's rules and regulations. The garden will be called "Peace of Nature".

Acting Manager Kwasniewski stated that a representative of Echo Design attended the Green Team meeting. She reached out to him concerning a design or logo for the Community Garden. He will be out of the country for several weeks and he indicated that they could contact his assistant.

Councilmember Baratta had a conversation with the CFO of Westwood who said that they run their diesel trucks on vegetable oil which they receive free from local restaurants. The oil is picked up by the Westwood DPW who then strain the oil using a machine from the BCUA. Although Westwood is smaller than Fair Lawn, they have managed to save \$7,000 annually.

Acting Manager Kwasniewski said that she has heard that this system is frequently clogged. She added that they spoke about a Central Bergen co-op that the restaurants would sell to who would then process the oil. Acting Manager Kwasniewski said that the restaurants would have to transport their oil to a central location and she suspects that

they would want something in return. The representative was asked to make changes, however, he has never returned with another proposal. Acting Manager Kwasniewski said they could look into this again.

Councilmember Baratta stated that Washington Township is purchasing brine instead of salt for the roads in the winter. Acting Manager Kwasniewski said that they are looking into this for next season. Central Bergen is looking for an area to house the brine and Acting Manager Kwasniewski said that she had volunteered Fair Lawn because there would be room at Saddle River Road especially if the County is willing to cover the cost.

Councilmember Baratta said that this brine solution is being applied to the roads before the snow starts. Acting Manager Kwasniewski spoke to one of the DPW Superintendents who estimated that his streets were black one and a half times longer with this product. Mayor Tedeschi said that this has to be mixed in 300 gallon batches and a town one third the size of Fair Lawn required 1,200 gallons. Acting Manager Kwasniewski added that the trucks have to be retrofitted because the solution has to be sprayed out and Ron Conti is working on this for next year. Deputy Mayor Weinstein suggested sharing this with Glen Rock.

Councilmember Trawinski stated that he and Deputy Mayor Weinstein attended the Open Space Committee meeting where Blue Hill was discussed. The Committee was pleased that the letter generated a response. Deputy Mayor Weinstein stated that Lisa Stern had indicated that the Green Acres funding does not require subdividing. Ms. Stern asked to be kept informed regarding the separation of the COAH component from the portion that is condemned.

Councilmember Trawinski reported on the lengthy discussion regarding the Master Plan from the perspective of the Open Space Committee. Michael Hakim suggested that deed restricted sites, for either environmental or recreational uses, should be used in density calculations. There is still a question about the municipal riparian waterways and Peter Portwright indicated a willingness to look at this. There was also a discussion on the linking of public and private spaces through pedestrian walkways.

Councilmember Trawinski said that neither he nor Deputy Mayor Weinstein could attend the Freeholders meeting regarding the Naugle House. Michael Hakim was attending that meeting and no one has heard from him about it. Attorney Rosenberg stated that the survey on George Street has been completed. Councilmember Trawinski said that Green Acres has very detailed requirements for surveys which cost several times more than a typical survey and there is no reason for this type of survey. He said that the League of Municipalities is looking for things that are costly and waste money with no rational basis. He said that \$5,000 is being spent on something that should cost \$1,000 or less. Attorney Rosenberg indicated he would write a letter to Bill Dressell of the League of Municipalities on this issue. Councilmember Trawinski said that the League is encouraging people to testify before the Red Tape Committee and he suggested that they consider sending Attorney Rosenberg or Acting Manager Kwasniewski. Attorney Rosenberg pointed out that there is no flexibility in the charge for the survey depending on how large or small the parcel is and this is a deterrent to open space acquisition.

Deputy Mayor Swain reported that the Green Team is meeting on March 11th.

Mayor Tedeschi stated that there is an Environmental meeting scheduled for tomorrow night. The performance of Nonsense that was being sponsored by the 501(c)3 has been cancelled due to a lack of ticket sales and concerns about the weather. Acting Manager Kwasniewski reported that the people involved in the 501(c)3 funding raising have concluded that they will not be successful with the types of small things that they are doing.

Councilmember Baratta said that they asked the Directors of Senior Centers to come out at night which is their time off. These demonstrations should be done during the day. Mayor Tedeschi recommended getting some staff involved because the success of the 501(c)3 is shared by everyone involved in the Borough. Acting Manager Kwasniewski said that, rather than involving the Borough, it should be the responsibility of the production company who takes care of this everywhere else. The 501(c)3 would just take the profit.

Councilmember Baratta said that there was a similar problem with this weekend's concert when the second show had to be cancelled. Acting Manager Kwasniewski thought that the severe winter had an affect on the shows and she suggested scheduling them for April, May and June instead of February, March and April. Senior citizens are not likely to venture out when the weather is bad.

EDC:

Deputy Mayor Weinstein stated that the President of the EDC Steven Kiel would be making a presentation this evening.

Deputy Mayor Weinstein stated that the original plan was for River Road and Broadway, however, Broadway has decided not to participate in the interpretation part of the study but will continue to be a part of the study which encompasses the entire town. This means that the cost will decrease. The EDC is asking the Borough to contribute \$3,000 towards the cost of the study. Deputy Mayor Weinstein stated that even though the Council will not get the interpretation, it is the prudent thing to do every few years. He reiterated that the interpretation is going to be focused on River Road only but the study will encompass all business.

Mayor Tedeschi asked whether they could send the money to River Road. Deputy Mayor Weinstein said that that would be fine and the EDC's has indicated they can come up with the remaining portion of \$2,000. Mayor Tedeschi requested a copy of the proposal in order to get an idea of what was being covered and the expected outcome. Deputy Mayor Weinstein reiterated that they will only get a focused interpretation regarding River Road.

Contribution for 2010:

Deputy Mayor Weinstein said that the Council made a contribution to the EDC of \$1,200 in 2009 and the EDC is looking for the same in 2010. He stated that the design and review

committee assists the applicant with the application. The volunteers also get involved but a paid person is needed to bring the process together. The paid person would deal with issues that the applicant may not understand. Deputy Mayor Weinstein has been promoting the interest free loan program and gives applicants an understanding of what is involved in the process. He described an individual who has been trying to open a restaurant. This is an example of where the EDC could be extremely helpful by offering a paid person to help with the process. There is another prime piece of real estate that could be suitable for a supermarket; however, the owners are not aware of how to navigate the system.

Deputy Mayor Weinstein said that it is necessary to have the property owners and businesses involved even if they are not located on River Road. The volunteers need the paid staff to help in these bad economic times. Deputy Mayor Weinstein suggested that the Council ask the EDC to come up with a number for consideration.

Mr. Kiel said that the EDC has not done any work since the last time they approached the Council when the number was \$100,000 and they were turned down. The EDC meets every three months and they realize that they are missing a lot of things that they could be done for the community. Mayor Tedeschi said that the last proposal wasn't fully explained and understood by business people and the EDC has to come up with a meaningful proposal.

Deputy Mayor Weinstein stated that the Council should encourage businesses in Fair Lawn that are not located in the River Road/Broadway area, to attend meetings because this would encourage the business climate in the Borough. Mayor Tedeschi said that the issue is competing for dollars in today's business environment which means that the EDC proposal has to be more objective in order to gain business support.

Councilmember Trawinski stated that the Morris County Freeholders put together a report entitled "Return on Investment" which shows the number of jobs created and retained including construction and the increased assessment as a result of the investment that is put in. They have a staff that includes a Director and Assistant Director and it may be possible to contact them to find out how these things are measured. They should then come back to the Council with a plan that includes how to formulate these measurements. Councilmember Trawinski said that this report would be something that everyone, including the businesses, could see. He agreed with Mayor Tedeschi that a proposal is needed initially and he added that the EDC could stress some of the success stories on River Road.

Deputy Mayor Weinstein said that his goal tonight is to get the support of the Council to move forward. Mayor Tedeschi said that this is a time when businesses need the EDC, however, his concern is that they cannot be administratively top heavy in delivering services. Deputy Mayor Swain said that times have changed and it is important to support the businesses. She suggested that they look at the minutes from the meeting to understand and address the concerns of the business owners. The Council need to be

sold on this proposal and in order to do that the EDC has to refer to statistics and examples such as those offered by Deputy Mayor Weinstein.

Mayor Tedeschi said that there is really very little that the Council can do because it is the businesses that have to buy into the proposal. Deputy Mayor Weinstein said that it saddens him to think that they have received \$80,000 from Community Development for interest free loans and they have only made three or four loans.

Mayor Tedeschi suggested reaching out to the Competitization Committee because they would have a better understanding of what is being offered here. Councilmember Baratta said that she agreed with what is being said but she sometimes feels that River Road and Broadway get wrapped up in the bigger pieces of property and don't focus on the small businesses. These small businesses also need attention

Mayor Tedeschi stated that the Borough has to convince the residents that it's good to do business in Fair Lawn. Other Borough departments must understand that because of the tough economic climate they should facilitate the permit and application process. Councilmember Trawinski said that this scenario is going on in Radburn at the moment where a restaurant that wants to expand. This applicant was a few days late in meeting the requirements of the Planning Board and as a result was not placed on the agenda.

Mayor Tedeschi reiterated that a good business plan is needed including details on how to reach the businesses. Deputy Mayor Weinstein concluded that the EDC has the support to put together a new proposal and business plan format. Councilmember Trawinski said that the plan needs to be seen in the context of the budget.

Mr. Kiel said that the \$3,000 for the study is needed now and he added that this study is needed to help the business community and to focus on what has to be done for River Road as well to modify the plan for all of the other business areas in the Borough. Councilmember Trawinski asked the Acting Manager to find \$3,000 in the budget for the study.

Acting Manager Kwasniewski indicated that the Council needs to come up with a policy decision on where they want to spend money this year. If the Council wants to fund this study, cuts will have to be made somewhere else. Deputy Mayor Weinstein said that the Council needs the proposal and they should agree to the \$3,000. Acting Manager Kwasniewski will contact Don Smart who will be able to e-mail a copy to everyone and further discussion can take place at the Work Session of March 9th.

RFP for Insurance Broker

Attorney Rosenberg stated that an RFP can be put together for the insurance broker if the Council is agreeable. Councilmembers Trawinski and Baratta agreed that shopping was a good idea and supported the RFP. Deputy Mayor Swain supported staying with the present broker. Deputy Mayor Weinstein agreed and said that the present broker has

done a good job for many years and did not think that this would be a good time to change. Mayor Tedeschi stated that an RFP was a good idea.

Status of Management Employee Agreements

Acting Manager Kwasniewski sent a memo outlining each of the four positions that do not belong to bargaining units. Mayor Tedeschi recommended memorializing those components subject to the agreement of those individuals due to the fact that there is nothing in writing at the moment. Acting Manager Kwasniewski explained that these department heads get the same benefits as the Department Heads Association. She said that she agreed not to receive comp time for attendance at Council meetings. CFO Palermo also does not receive comp time. Mayor Tedeschi said that it is essential to memorialize these components to prevent future questions.

Councilmember Trawinski pointed out that it is easier to negotiate changes to a non-tenured employee. Mayor Tedeschi felt that something should be in writing and it should be reviewed annually. At the end of every three years, there is a renewal that reflects changes in the payment of sick time, vacation time and personal but the big difference is that it is in writing. Mayor Tedeschi said that this would run with the collective bargaining agreement so that no changes would be necessary. Acting Manager Kwasniewski noted that the Department Heads have a contract that spells out the raises for the next two years and she is not sure what would be put in the non bargaining member's agreement.

Councilmember Trawinski liked the idea of looking at this annually so that they have an understanding as to where they stand. Attorney Rosenberg said that he was working on something for CFO Palermo based on this resolution which could be used as a model. Acting Manager Kwasniewski said that the Manager could make their own contract deal because the manager is an "at will" employee and Mayor Tedeschi said that this would be memorialized as in the case of the CFO.

Attorney Rosenberg asked if three agreements or four agreements were necessary. Mayor Tedeschi indicated that four agreements were necessary. Councilmember Trawinski recommended one agreement with different addendums for the CFO, the Manager, the Police Chief and the Clerk. He asked if there was a difference in the way compensatory time versus sick time is calculated. Acting Manager Kwasniewski said that Police can only accumulate 100 hours of comp time and it is paid at the current rate in November. None of the other unions get paid for comp time.

Attorney Rosenberg said he will have these agreements drafted for the meeting of April 6th.

Dr. Ryan – Bergen Community College Presentation

Mayor Tedeschi stated that Dr. Ryan of Bergen Community College is asking to make a presentation to the Council. Deputy Mayor Weinstein had suggested he come to a televised meeting on April 13th and the Council unanimously agreed.

Requesting the Police Department to Waive Comp Time Provision during Unsafe Weather Conditions

Mayor Tedeschi said that last week anyone wanting to leave work early because of the bad weather was told that they could take a personal day. He recalled a Court decision fifteen years ago stating that the Borough would have to pay the police overtime if they allowed the Municipal offices to close because of the weather. He proposed asking the Police to waive this provision due to their role in public safety.

Acting Manager Kwasniewski said that she is always the last person to leave. Employees who live quite a distance away took a personal day but every office did remain open. The rule is that if an employee is uncomfortable or afraid they are welcome to use their personal time.

The Council agreed that the police should be asked to waive the provision referred to earlier. A letter will be sent to the PBA President by Attorney Rosenberg and Acting Manager Kwasniewski.

Acting Manager Kwasniewski reviewed the figures for snow removal. She said that before the latest storm they had spent \$112,000 for snow removal. The recent storm cost the Borough \$56,000 totaling \$168,000 for this season. Last year \$122,000 was spent on snow related items. Everyone agreed that the employees did a phenomenal job removing the snow. Acting Manager Kwasniewski said that there were only a few complaints considering that there are 99 miles of roads in Fair Lawn.

Deputy Mayor Swain suggested a press release about the snow because residents don't understand the science and cost of snow plowing. Information could be posted on Channel 77 and the Borough website.

Possible Change in Manner of Giving Public Notice

Councilmember Trawinski referred to Assembly Bill 20-82 that would allow publication of legal notices on the official government website instead of the newspaper. He said that the Borough spent about \$25,000 on public notices last year and the Council may want to consider supporting this bill because it would save money. The argument will be that if people don't have computers they won't get the notice, however, the vast majority of people are made aware of meetings because of the requirement that certified letters must be sent to people within 200 ft. for Zoning Board and Planning Board applications.

Councilmembers agreed to support this bill and make other towns aware that this is going on. Deputy Mayor Swain suggested a sign up sheet for people wanting a hard copy of the Borough notices because they don't have internet access. There will be a resolution noting Council support of Assembly Bill 20-82 as a cost saving measure.

Chandler Drive etc Garbage Pick Up

Attorney Rosenberg reported that the Borough received a letter today from the owners on Chandler Drive and he recommended moving this item to Closed Session.

Opposing S-82 and A-432 – Time of Decision Rule

Councilmember Trawinski explained that the Time of Decision Rule states that if there is an application pending before the Zoning Board or Planning Board, a municipality can change its zoning ordinance at any time before the Board renders its decision. Builders think this is unfair because applications are filed for a particular use based on what the rules are at the time. It is a powerful tool for the municipality because sometimes there are uses that were never considered at the time the Master Plan was approved. In other situations, there are lawyers who shape things, never intended by the municipality, to the benefit of their clients. The League of Municipalities is against this and they have asked municipalities to take a stand. This is a tool that maintains control and gives the citizens another measure of protection.

Councilmember Trawinski noted that if a decision is appealed to a higher court the rule states that the Court has to apply the ordinance that was in effect at the time the Court renders its decision. He urged the Council to support a resolution in opposition to the bill.

Attorney Rosenberg added that this bill would go beyond action of the Board. If an appeal is filed, the time of decision rule would allow the municipality to change the zoning during the action as this Council did in the case of the Blue Hill application. Judge Tosco accepted this change and this is one of the things the Council used to reverse that application. Councilmembers unanimously agreed to oppose the bill.

Supporting Interest Arbitration Reform

Councilmember Trawinski commented that he didn't understand why this statute wasn't changed the same time as the spending and tax caps were instituted. This bill would correct the fact that an arbitrator can award whatever they want and would give greater weight to cost of living increases. It would require the arbitrator to consider overall compensation including vacations and longevity, holidays and excused leave. The bill doesn't go far enough on the municipality's financial status; however, it is a huge step and he urged Councilmember's' support. Councilmembers were in agreement.

Support Pension Reform Bill

Acting Manager Kwasniewski pointed out that this pension reform is not uniform across the Board. Councilmember Trawinski acknowledged that she is correct and suggested that the Council indicate that the Police and retirements system should be fixed so that it is equal to what is being done to the Public Employee Retirement System. Councilmembers unanimously agreed. Attorney Rosenberg will draft these resolutions from the samples provided.

Councilmember Trawinski stated that the League of Municipalities is offering a statewide conference on social media networking in municipalities and he encouraged the Acting Manager to attend. He said that eventually they will have to come up with a policy regarding employees who post comments on Borough business on social media websites.

Budget 2010

- **Process**

Acting Manager Kwasniewski reported that the CFO has almost finished working on the budget including cuts that will bring the Borough in line with the caps. She asked if the Council wanted to invite some or all of the Department Heads. Mayor Tedeschi said that he would like to have every Department Head and organization in because they will be competing for dollars. They need to prove they are entitled to this money.

Councilmember Trawinski said that ordinarily he would just want the Heads of the larger departments to attend, however, these are extraordinary times and the Council must convey that it is not business as usual. The Council must demonstrate to the taxpayers that they have exhausted every reasonable effort to make the budget as lean as possible. Councilmember Trawinski said that any non-profit that is asking for money should be required to supply their financial information for 2008. He said that they need to invest a lot of time in this and they need to be creative in scheduling.

- **Dates**

The Council discussed holding meetings with Department Heads on Saturdays. Acting Manager Kwasniewski said that the larger departments, such as Recreation and DPW, should be scheduled for Saturdays. The goal is to get the budget to the Council on March 17th and she suggested scheduling a large department before the regular meeting on March 23rd starting at 6 P.M. The Council decided that it was not necessary to have the Borough Attorney at these meetings. The Council will hold another meeting on Saturday March 27th beginning at 8:30 A.M. to 11:30 A.M.

Dates for Recreation Programs 2010

Acting Manager referred to the list that had been distributed. Mayor Tedeschi said that this should be part of budget discussion. Acting Manager Kwasniewski said that she was not in favor of the fireworks this year and the Council needs to make a decision. The cost to the Borough last year was \$17,910.26 which included everything as well as police overtime at a cost of \$8,200. She noted that the town did collect revenue of \$10,000 but many towns are foregoing fireworks this year.

Mayor Tedeschi felt that the fireworks should be self supporting and he agreed that they should be cancelled. Deputy Mayor Weinstein asked how far in advance the fireworks have to be scheduled and Acting Manager Kwasniewski said they are being scheduled at this time.

Mayor Tedeschi suggested pursuing some type of shared services arrangement. Deputy Mayor Swain said she would hate to have the fireworks eliminated. Acting Manager Kwasniewski said that other option is to raise ticket prices which the Council doesn't want to do. Deputy Mayor Swain asked if the police were really necessary at this event and Deputy Mayor Weinstein said that they were.

Councilmember Trawinski indicated that this is the tip of the iceberg in cuts they will have to face in this budget. Mayor Tedeschi stated that the only hope would be to have a group or business come forward who is willing to assume the cost. Councilmember Trawinski suggested exploring the possibility of shared services arrangement in the fall because it is too late to start that now.

Acting Manager Kwasniewski recommended the closing of Walsh Pool. The Borough could apply to the CDBG for a grant to cover something else in place of the pool such as handicapped swings or another park. Mayor Tedeschi wanted the area kept for some type of recreation activity and Councilmember Tedeschi pointed out that there is nothing in Julia Walsh's will stating that this has to be kept as a swimming facility. Acting Manager Kwasniewski said that there are only six out of town families using this pool. She did not think it was prudent to cancel the Memorial Day Parade. They received some donations for the Summer Concert series which is not that expensive

Mayor Tedeschi suggested a consensus that in the absence of greater public participation and a donation there will not be fireworks. The price last year was \$30,000. Mayor Tedeschi recommended that a press release go out immediately with information on the cost so that anyone interested in funding the program can contact the Borough immediately. Deputy Mayor Swain questioned the deadline and Acting Manager Kwasniewski said she thought a reasonable deadline would be April 1st.

Request for Alternate Public Defender

Acting Manager Kwasniewski has received a request from the Court for an Alternate Public Defender for those few occasions when there is a conflict because both parties qualify for a public defender. The cost for an alternate prosecutor is \$250 and this individual was only used once last year. The prosecutor is appointed by the Manager and the alternate prosecutor is appointed by the Council. Acting Manager Kwasniewski isn't sure who would make this appointment. She stated that there is a court case pending now where the Court will have to find someone else or send it to a different town.

Councilmember Trawinski suggested looking into attorneys within the Borough who are not affiliated with the municipality. Deputy Mayor Swain suggested that they reach out to Ron Mondelo who may have suggestions. Acting Manager Kwasniewski said she would contact Mr. Mondello and come back to the Council with some names. Attorney Rosenberg stated that the Council would have to decide whether this would be a Council appointment. The Council agreed to go forward with this.

Collection Firm for Court Fines

Acting Manager Kwasniewski reported that a collection firm has approached the Municipal Court Administrator regarding the use of their service. The Court Administrator indicated that the amount of uncollected fines totals \$332,716. The firm would receive 22% of the fine which is the responsibility of the defendant and not the Borough. Acting Manager Kwasniewski indicated that a professional services resolution would be necessary, however, Attorney Rosenberg wasn't sure if this would qualify as a professional service because they are not a licensed service. He added that he would have to research the law to see if the bid process was necessary.

Deputy Mayor Swain wondered if the percentage charged by this firm could be negotiated. Acting Manager Kwasniewski stated that the recent change in the law states that this type of service could charge up to 25%. Mayor Tedeschi suggested contacting other collection agencies that provide the same service. He noted that the information provided by this service states that there may be instances where the client would be charged.

Councilmember Trawinski said that this is a good concept, however, he would support bidding out this service. Attorney Rosenberg agreed and said this would be a regular bid for services. Councilmember Trawinski stated that it has been easier to collect fines since they successfully fought for legislation to allow credit cards to be used to pay fines and by allowing the ATMs in the building.

Attorney Rosenberg will check further into the State regulations to determine whether or not the bid process is necessary. There was a discussion regarding on-line payment of tickets and Acting Manager Kwasniewski will speak to the Municipal Administrator about this matter.

Councilmember Trawinski asked that Attorney Rosenberg and Acting Manager Kwasniewski move quickly on this issue since it involves the collection of funds.

Light Duty Policy Review

Acting Manager Kwasniewski stated that this policy has been in effect for a year and it is working well. A number of police officers and one DPW employee has taken advantage of being paid to work on light duty rather than staying home. Therefore, she suggested that they leave the policy as it is.

Mayor Tedeschi asked if light duty only applies to work related injuries. Acting Manager Kwasniewski said that it has only been used for workers compensation. She guessed that the Borough could accommodate an employee if he or she was out for a non-job related injury and produced a doctor's note stating that the employee could return to work for light duty activities. Acting Manager Kwasniewski referred to two police officers who underwent surgery and are back on light duty. She pointed out that when police officers are out, the department does without them and because of the mandatory requirement for a certain number of police officers, overtime is often paid.

Councilmember Trawinski asked what happens to employees who don't return to light duty work. Acting Manager Kwasniewski said that employees use sick days or are paid out of the Borough's workers compensation fund. Employees who return can catch up with filing, record management and other time consuming things that get pushed to the side because they are not a priority. Councilmembers unanimously agreed to continue the program.

Miscellaneous Public Comments

Craig Miller, 5 Ramapo Terrace, thanked the OEM Department and the Acting Manager for their emails and conversations regarding the reverse 911 system.

Mr. Miller asked if there are any other towns not doing fireworks that Fair Lawn could partner with. Councilmembers indicated that it would be too late in the year for this approach.

Mr. Miller referred to a discussion at a previous meeting regarding recycling containers. The discussion concerned purchasing plain unstamped containers to save money and Acting Manager Kwasniewski said that this is one of the suggestions they will discuss further during the budget meetings. She added that some people prefer the uniform look and Councilmember Trawinski recommended giving residents a sticker.

Mayor Tedeschi stated that he called the Recycling Department about picking up a barrel and was told that the barrels are free.

Closed Session:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Swain, the following Closed Session resolution was unanimously adopted at 9:45 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 Contract Negotiations for PBA/SOA; Employee Benefits – IDA Disruption Report; Personnel - Borough Manager Resumes, Grievance 2010-02; Possible Acquisition of Property – Blue Hill & NJ Route 4 and Naugle House; Attorney/Client Privilege – Landmark; Budget Personnel; and, solid waste.

WHEREAS; these matters are ones which permit the exclusion of the public from such discussions; and

WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since these matters as set forth above are ones which permit the exclusion of the public from such discussions.

Adjournment

Upon motion by Councilmember Trawinski, seconded by Deputy Mayor Swain, the meeting was adjourned at 11:41 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

Councilmember Ed Trawinski