

REORGANIZATION MEETING OF JANUARY 6, 2009

Acting Manager Kwasniewski called the meeting to order at 7:33 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 16, 2008. 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: Councilmembers Baratta, Tedeschi, Trawinski and Weinstein.

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

Invocation by Rabbi Mendel Salzman

“God Bless America” sung by Rachel Gomberg

Nominations for Mayor

Councilmember Swain nominated Councilmember Steven Weinstein for Mayor. Councilmember Tedeschi seconded the nomination.

Election of Mayor

There being no other nominations, the time for nominations was closed. Upon motion by Councilmember Swain and a second by Councilmember Tedeschi, Councilmember Steven Weinstein was elected Mayor, with Councilmember Baratta and Councilmember Trawinski dissenting. Councilmember Baratta stated she was saddened to say no. It was not personal, she thought he was a terrific person but felt she had philosophical differences about the new direction he was taking the town in. Councilmember Trawinski stated for the reasons articulated by Councilmember Baratta, although he is a fine individual, he does not like the direction Mayor Weinstein lead them or mislead them this past year and was voting no.

Nomination for Deputy Mayor

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

Election of Deputy Mayor

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

Nomination for Deputy Mayor of Community Affairs

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

Election of Deputy Mayor of Community Affairs

There being no other nominations, the time for nominations were closed. Upon motion by Mayor Weinstein and a second by Deputy Mayor Swain, Councilmember Tedeschi was unanimously elected Deputy Mayor of Community Affairs.

Swearing in of Mayor and Deputy Mayors

Senator Gordon swore in Councilmember Weinstein in as Mayor.

Senator Gordon swore in Councilmember Swain in as Deputy Mayor.

Senator Gordon swore in Councilmember Tedeschi in as Deputy Mayor of Community Affairs.

Senator Gordon wished everyone a happy, healthy and prosperous new year. Everyone in public life will probably remember this as one of the most challenging parts of their political life. The economy is in a free fall, revenues are disappearing while the public needs have never been greater. There will be difficult decisions to be made within the coming months. The District 38 teams wanted to assure the Council that they stand ready to continue working in partnership to address the problems in the continuing efforts to better Fair Lawn. Senator Gordon wished everyone well.

Newly Elected Mayor assumes the Chair

Remarks of the Mayor

Welcome to the 2009 reorganization meeting of the Fair Lawn Mayor and Council. I first would like to acknowledge the following dignitaries...

2008 was a difficult year. Events outside of Fair Lawn have created continued anxiety. Whether it's due to the threat of global terrorism, the economy of just plain uncertainty.

We hope our new President can turn things around quickly. I believe he can!

And here in Fair Lawn we are set up to turn things around as well.

To start – we have a healthy surplus to keep taxes under control. Our borough employees are hard working and take pride in serving Fair Lawn's residents in an efficient respectful manner. From police and fire protection to emergency management; from garbage pick-up to street cleaning; from recycling to snow plowing; from serving our Seniors with the popular Mini-bus or our Senior Center which offers a place to socialize; to providing our youth with a state of art recreational facilities – such as our George Frey Arts and Recreational Center to our beautiful parks and ball fields (one of which Vanderplatt will be turfed this year.)

We will continue to make sure that you don't have to worry about safety, maintenance and entertainment. We will ensure that our essential services are uninterrupted and are retained at the level that all residents are entitled to.

And if you have an issue, concern or complaint – we will listen, address, and respond in an expedient manner.

All of the above is a daunting task in light of diminished state aid, but I know we are up to it.

It is our responsibility to make sure that while you are concerned with national and global issues, you don't have to worry about the operation of your local government. I assure you that we will be here for you; it is one less thing you will have to be concerned about.

We must balance cost with need and action. What about the 800 lb. gorilla in the room? The affordable housing issue mandated by the state. We must reasonably address that issue, as well.

All of the above issues are not just transactions on paper – real lives are involved. Our lives, our families, our children, our seniors, our friends, our neighbors, our future!

As a council we will continue to discuss, debate and decide the best direction for Fair Lawn, I promise you that!

During the 2009 budget process, in conjunction with our interim manager, expenses will be scrutinized and we will ask for justification not rationalization for ever major expense. This year, like your household budgets, we will be in a holding position without new spending unless absolutely essential.

As stated over and over, but never redundant – we have the best volunteers around. The list is endless – our firefighters, ambulance corp., EMS, Cert. Team, our Boards – Planning, Zoning, Rent Leveling, Environmental Commission and Library and our committees Shared Services Garden, ADA, Historical, Alliance for Substance Abuse, Open Space, Recreation, Community Center, Shade Tree, Property Maintenance newly formed Competivization; and our volunteer

economic development entities on River Road, Broadway and Boro-wide Economic Development Corp.

Those groups in conjunction with the numerous charitable organizations which continue to contribute to our community – such as the Rotary Clubs, Chamber of Commerce, Knights of Pythias, Knights of Columbus, Cosmos and Religious institutions.

We have all worked well together and have built a strong foundation for Fair Lawn's Future. Thank-you!

We need to continue these positive efforts and remember that the goal is not advocating one organization or philosophy over another, but what is in the best interest of the whole Fair Lawn Community.

We need to work closely with our economic entities to see how we can assist our business community enabling them to continue to provide services, employment, a place to shop and increased ratables to the residents of Fair Lawn.

We need to address the under utilized properties in Fair Lawn. Do we preserve ratables or inventory of open space? We must address our need for additional senior housing. Do we develop future properties for mixed used purposes – residential, commercial and retail or not? In all situations we must make sure the properties are environmentally sound.

As we know, this is a local election year in Fair Lawn. It is my fervent hope that politics and campaigning remain outside the Council chamber. I expect that the level of discourse between Council Members and between members of the public and Council Members will be constructive and aimed at problem solving. Too many times last year it seemed that some individuals were more intent on winning arguments than providing solutions to real problems. We do not have the time or luxury to engage in carping and nitpicking on inconsequential matters. The residents of Fair Lawn demand, and more importantly, are entitled to our full attention to the issues that affect their lives on a daily basis. I do not believe that we serve the public welfare when we get side tracked with discussions on issues of minor consequence or of trivial nature. We have been elected to serve all of the people of Fair Lawn and not just a vocal few. Our residents have delegated to us the awesome responsibilities to represent their interests to the best that our abilities will allow us. They expect no more, but we must give no less.

I have the confidence that with the help of my Council colleagues and all of our hard working Borough employees and volunteers that we can meet the challenges of 2009. If in any small way we can make life easier or better for all of our residents, then we have done our job in these tough times. We know that we have always made a remarkable turnaround from bad economies and that the Country is strong enough to persevere. We, as Americans, have been doing this for over 200 years.

My recommendation to you for this year, while we all tighten our belts, is to think of all the good things that we, as American and residents of Fair Lawn enjoy. I am sure that we will all get through these tough times and things will get better and brighter in the future.

In closing, I again thank my family – my parents, my children Sari, Zachary and Ashley and my wife Linda for all your love, encouragement and support.

And I thank all of you and my council colleagues for the opportunity to again serve as your Mayor.

On behalf of the Democratic Organization I would like to invite all of you to the Community Center on 20th and Kipp for some refreshments immediately after this meeting. I hope to see you there.

To everyone a happy and healthy New Year.

Remarks of Councilmember Baratta:

Good Evening Everyone and a happy and healthy 2009 to all.

As always, it is my pleasure to sit here as your representative in this the 4th and final year in my term. That went by quickly. 2008 had some highs and lows as we all know, but I would like to focus on the highs.

I wouldn't be true to my Father's memory if I didn't start off by saying that 2008 started off well with the NY Giants winning the super bowl and I don't know about you but I'm looking forward to a repeat. My condolences to any Jet Fans out there.

I along with this Council have been a strong advocate for Grace's Law and I am thrilled to report that after almost 9 long years of hard work and dedication by so many caring people, that on December 30, 2008 Acting Governor Codey signed Grace's Law! It is now officially law and as of March 30, 2009 insurance companies in NJ are mandated to cover \$1000 per hearing aid for children 15 and younger. I received correspondence from Grace's Mom Jeanine Gleba who wanted me to thank this Council for being one of the first municipalities in Bergen County to pass a resolution in support of this legislation and bringing awareness of this cause to Northern New Jersey, and she wanted me to thank the residents of Fair Lawn for showing how much they cared by sending letters and signing petitions. Thank you – and I would like to Thank Fair Lawn Resident Stuart pace for bringing this situation to my attention.

Every week you see our faces either sitting in this room or across the hall in room 201, but there is so much more to running this town than what you see here. Our dedicated borough employees, our police officers, all of our volunteer emergency responders, I thank them for their service to this community, and wish them a safe, happy healthy new year, we rely on you and you are very much appreciated.

Fair Lawn is a community of many committees and volunteers – I have the honor and the privilege to sit on many of these committees and see first hand the dedication and the love these selfless volunteers have for this town. If we had to put a price tag on their service we just couldn't afford them.

Personally I would like to extend my thanks and appreciation to our Property maintenance committee headed by George Bate and our Garden committee under the guidance of Jane Spindel for working hard to keep Fair Lawn the beautiful place it is. Our Garden Committee is working on bringing the Farmer's Market back to Fair Lawn. I look forward to giving you updates on that.

Our semi newly formed Tree Committee headed by Jim Vanderbeck should be very proud of their efforts not only on the new ordinance protecting our trees but facilitating the planting of 100's of more trees all around the borough this past year, with the help and support of borough employees Ron Conte and Walter Neil we hope to see even more trees planted in 2009. This committee is also working on developing an arboretum in Fair Lawn, and I know I look forward to that coming to fruition.

The Alliance for Substance Abuse Prevention under the leadership of Carol Wagner of our Health Department and Sgt. Derek Bastinck, is a terrific group of deeply caring people. The group is made up of educators, consolers, recovering substance abusers, parents and concerned citizens. This group works so hard to bring their message to our children, I encourage anyone who would like to attend a meeting to do so, they work on many worthwhile projects for our community and they offer support to each other. Coming up on January 20th you will be hearing about a workshop series we will be hosting on Positive Parenting, look for information in the community news and on the boroughs website – substance abuse doesn't discriminate none of us are immune to it, I urge you to check out this series and other programs the alliance sponsors.

Although our Community Center has been up and running for a number of years now that doesn't mean that the 201(c)3 committee headed up by John Cosgrove has ended their involvement. This group still meets every month, working in conjunction with the Borough and Jimmy Graff to continue to keep our center up to date and running smoothly. They will be hosting a number of events and shows this year. These events are always enjoyable and most importantly they are affordable. If you haven't taken in a show or an event at our Center, I highly recommend that you do so. The next big show, coming on January 24 is LIVERPOOL a Beatles tribute band. This concert is being presented by the Friends of the FL Community Center. Tickets can be purchased on-line, at Goodman's Hardware and at the Community Center.

In closing, as I do every year, I would like to thank our committee volunteers and board members from last year who for various reasons are not returning this year.

I would like to thank Dr. Michael Cohen and Alan Neggia for their years of service on our Planning Board, their presence will be missed.

I would like to thank Sharon Rendfrey for the time she spent on our Open Space Committee and wish her well.

Thanks to Barry Winston & Joseph Scott for their service to the Property Maintenance Board.

From our ADA committee I would like to thank Susan Aitchison and Betina Kaplan for their service to that worthwhile group.

We all know that Mr. John Nakashian retired from our Zoning Board last year, as we honored him in this very room, but I would be remiss if I did not mention him again, not only for his service to that Board, but as a very active member of our community. John is the type of person we talk about that leaves something better than the way he found it, and a he is a true gentleman.

Also from our Zoning Board, chairman Scott Levy will not be returning, and we thank him for not only his service on our Zoning Board but also his past service on our Planning Board as well. I wish you nothing but the best Scott.

Special thanks to our previous Borough Manager Tom Metzler for not only his work as our borough manager but for his years of volunteerism in this town. I wish Tom nothing but success and happiness in his future endeavors.

We thank all of those people for their service and wish our new appointees well. If there is anyone who I failed to recognize, my apologies, please bring it to my attention so you can be properly thanked.

To my family, my husband Rich and our 3 children, Amanda, Ricky and Maria, I love you all dearly, even though I am out at a meeting most nights, stop complaining, I always leave you a hot dinner....And it would be nice if you guys could leave me maybe a morsel to eat when I get home. Seriously, thank you for your unyielding support, goofy sense of humor (including the text message during council meetings asking me to bring home milk) and putting up with some of the nonsense.

Once again, I thank you, the people of Fair Lawn, for the privilege of serving you – I wish you all a peaceful and prosperous 2009, May God continue to Bless us all here in Fair Lawn and God Bless America!

Comments by Assemblywoman Wagner:

Assemblywoman Wagner wished everyone a happy new year. Fair Lawn is a wonderful community. 2009 will be a difficult year and the budget that the Governor is proposing is going to be paid for by everyone. It is something that the communities need to do. By working together, we will be able to figure it out. Sometimes people need to look at challenges in a positive way because Assemblywoman Wagner also sees opportunity. Assemblywoman Wagner applauded the Council for serving the public because it is not easy to do. The Council

seems to be targets and are not able to make anybody happy, but each one plugs away each and every day, seven days a week for the people of Fair Lawn.

Assemblywomen Joan Voss and Assemblywomen Connie Wagner gave citations to Mayor Weinstein, Deputy Mayor Swain and Deputy Mayor Tedeschi.

Remarks of the Deputy Mayor Swain:

It has been an honor, a privilege and a challenge to serve on the Council during this past year. I have met many wonderful people who have demonstrated a commitment to Fair Lawn – people who are mindful of the quality of life here; who are committed to improving our business districts; and who take pride in the accomplishments of our citizens.

I want to take this opportunity to thank all the individuals who have contributed their time and resources to making Fair Lawn a wonderful community. Fair Lawn would not be the special place we call home if it weren't for all the volunteers who serve many hours on the boards and committee, the residents who keep us on our toes and the employees who keep our Borough running smoothly. Some of the people who have been especially helpful to me during my first year as a councilwoman are Marianne Pettineo, Marilyn Bojanowski and Joanne Kwasniewski. Most importantly, I want to thank my husband, Ron. He has been my sounding board, given me expert advice and always encouraged me to stay focused on the important issues. I thank my daughters, Molly and Nicky for always keeping me grounded and giving me perspective on the balancing act of family life. I'd also like to thank my parents for still embracing that role of parent, tutor and guardian. And I'd like to thank my in-laws for always keeping an open mind, never being judgmental and quietly guiding me along this journey.

Looking ahead I see some difficult challenges and new opportunities. The challenges will be addressing our budgetary issues and the concerns our residents are facing right now. (economic flyers) The opportunities will be to become more energy efficient and to develop a greener community. I truly believe that this is the means to positive economic stability and a thriving community.

I look forward to building on the partnerships that we have created because our work here is just beginning.

I wish everyone a very happy and healthy new year and I hope that we can see more peace in our work in this New Year.

Thank you.

Remarks of Councilmember Trawinski:

Very happy, healthy and prosperous 2009 to everyone. Not many people have said it but, I would like to say good riddance to 2008 and some of the decisions that have been made in Washington and Trenton. They have inflicted a type of pain upon us that none of us should

have to endure. I share the optimism that other members of the Council share. I hope that 2009 proves to be a better year in Washington and ultimately a better year in Trenton.

I'd like to echo all of the comments of Councilmember Baratta and Deputy Mayor Swain. I'd also like to thank the members of the various committees I have the privilege to serve on for their hard work this year. The members of the ADA committee for all their efforts despite the obstacles that they face in helping to effectuate change in making our community friendly to those who have serious disabilities or handicaps.

To the members of the Economic Development Corporation, while your bid was not successful in establishing a permanent source of funding your efforts on behalf of stabilizing a tax base and bringing renewed assistance to this community is appreciated by all of us. To keep the business communities ratable stable so that our residential tax payers will not have to bear that portion of the burden.

I'd like to thank the members of the Open Space Committee for all their efforts. I believe that we will this year be making our first acquisition with Green Acres funding to create a pocket park on George Street. It is a small step but a significant step in this municipality.

I'd like to thank members of the Shared Services Committee, both the citizens and the members of the school board and the Mayor, who I have the privilege of serving on that committee with. People talk shared services in places like Bergen County, but here in Fair Lawn we practice shared services right at home with our School Board. I look forward to continuing that as well as the other shared services that we have in place.

I'm glad that Senator Gordon and Assemblywomen Wagner are still here. I accept their offer to provide help to us. One area that you could provide help to all communities on shared services is the fact that communities that take advantage of shared services receive benefits. But, communities such as Fair Lawn that are donor communities that provide services to help other communities don't receive any benefits. If you really want shared services to work, in this state and in this community make it a two way effort. I hope that the two of you will take a leadership role in your respected houses of legislation in doing that.

There is another way that you can help us in Fair Lawn and help your constituents in the 38th District of New Jersey. I know that Senator Gordon was at the Elmwood Park swearing in on New Year's Day but it bears repeating. The State, a decade or so ago adopted a program called State Mandates, State Pays. That means that when the legislation in Trenton or the Governor imposes an obligation, that has to be implemented at the local level, the State will reimburse the local tax payers for those costs. Last year in Fair Lawn the State mandated over \$400,000 of things we had to do to implement the States requirements and we received nothing from the State of New Jersey to implement the requirements. That represents close to one tax point for the residents of Fair Lawn. Help us Senator Gordon, help us Assemblywomen Voss and help your constituents.

Also I know that Senator Gordon has been helping us. I would like to thank him for introducing legislation that goes into what Deputy Mayor Swain said and that goes along with the ability to

go green. We have been trying for years to find room within our budget to meet both the State cap when it comes to spending and our obligations with respect to the tax increases. As a result of that we have been unable to buy environmentally friendly vehicles. We have asked for help from the State of New Jersey, that municipalities like Fair Lawn, which are in good financial position, be allowed to take environmentally responsible purchases outside of the State cap because in the end it saves all of us money and helps to save the environment. Bob, I would like to thank you for your introduction of that legislation and for your support and Connie I would like to thank you also. I hope that you are successful this year in moving that legislation and making it law.

Like everyone else I would like to thank my family, my wife, Diane for putting up with me and putting up with these activities. My children who make great sacrifices because of the time I spend away from home and Natalie, Nicholas and Lindsay and the apple of my eye, my grandson Mark. I'd also like to thank my mom and my dad. My dad as many of you know was a councilman in Elmwood Park. I had the privilege on New Year's Day of swearing in my brother, who is a councilman in Elmwood Park, following in our fathers footsteps. I'd like to thank them for all they have done for me, but also for especially instilling my desire to serve.

I'd like to especially mention the Fair Lawn volunteers. Like Senator Gordon, I'm a graduate of a program called Leadership New Jersey. One of the things that you learn early on in Leadership New Jersey is that without communication nothing else works in society. The people who help communicate week in and week out are the volunteers of Fair Lawn TV. They need your help this time. I like to echo the comments of Councilmember Baratta, that if you can find the time take a look at their website, see if you can offer some time to volunteer, so we can continue to do not only these broadcasts lived, but also possibly expand them.

I have a simple goal for 2009. I recognize the pain of so many of us are suffering in our society and as a local elected official, my goal is not only to hold the line on taxes, but I'm going to do everything within my power and within my capabilities to bring Fair Lawn a tax cut this year. I believe that it is within our grasp as a result of the hefty surplus we have because of the planning. I believe that with a little bit of help from Trenton, passing some of that deferral of the pension for example, that we can and will bring the people of Fair Lawn the first tax cut in 30 years.

I thank you all and wish you the best. God bless you and God continue to bless America.

Remarks of Deputy Mayor of Community Affairs Tedeschi:

Good Evening – Reverend Clergy, Honorable guests, Fellow citizens and Council Members.

The three most significant issues facing local government are (1) property taxes (2) property taxes (3) property taxes.

Fair Lawn, like every other community from the Council to every employee is in a constant battle to provide quality services at the most effective costs.

We do this with the backdrops of ever shrinking revenue, increasing state mandates and a community that is nearly 100% developed.

The easy solutions are:

1. We can raise taxes with excuses
2. We can cut services
3. We can chase ratables with disregard for the future.

These are not solutions these are mistakes.

In the midst of all of this our residents must also deal with the taxing issues that Municipal Government has no control over –

1. The Education of our children
2. COAH obligations
3. State pension funds
4. Ever increasing insurance and energy costs.

Senator Gordon – again good evening, for us to say that the people of Fair Lawn need property tax reform now is the understatement of understatement. We look to you for leadership. – You have a great opportunity – Please don't let us down.

Some months ago I said that we cannot depend on the state or federal government to solve our local problems. I still believe that to be true.

Our residents expect local government officials to focus on the municipality's primary needs and to spend less time involved in the Political Pandering Process.

Our residents expect local government to spend less time playing political "Gotcha" but rather spend their time to the community's benefit not their own.

Our residents expect local government to serve to the best of its ability every resident, not those who yell the loudest.

Our residents expect local government to say in public what they say behind closed doors –

There can be only one message from this Council this year –

That message, to our residents and taxpayers must be that we understand what is going on – in our community and our homes. We know how you're fighting to keep you job, pay your mortgage, buy your groceries and get your kids through college. – We all share the same pain.

I believe this Council must mirror through its actions what the people believe is important, all the people! Not just the self appointed few.

To achieve these goals – This Council, this little concern for personal political advancement must set the following goals.

1. We must examine every expense, without exceptions, to keep taxes in control –

This will include:

- a. We must find more economical ways to deliver services, not cut them.
- b. Review all costs of any type.
- c. Review all invoices.

We will continue to fight pay to play as we have for the past two years. We will not be fallen prey to any external political organizations or individuals for their benefit. We should all be proud that in Fair Lawn when we say zero tolerance, we mean it.

This Council must not:

1. Chase ratables but we will continue to preserve open space. I refuse to leave a failed legacy for future generations.
2. We must not shorten our horizon despite the current economic conditions – We must work to make Fair Lawn an even better place to live.
3. For our senior citizens – the very people who built Fair Lawn we will continue to provide outstanding services – We will begin the journey for increased Senior Housing.
4. For our children and all residents we will support a recreation program that is second to none, and is used by thousands of children and adults.
5. For all our citizens we will continue the Fair Lawn tradition of outstanding Police, Fire, Ambulance and Emergency Services. These fundamental services will not be diminished – We stand in awe of the tens of thousands of hours that our volunteers unselfishly contribute for our benefit.
6. We will maintain our garbage, recycling and Road Departments at their high level of performance.
7. We must continue to be environmentally sensitive and protective.
8. We will not defer pension payments to the state for the sake of short term window dressing.

Several years ago in a conversation with Ed Trawinski I coined the phrase “Fair Lawn first” – We’ve seen it used in local elections –

I believe that Fair Lawn, and that’s all of us, regardless of race, religion, national origin or political belief forms the strongest community in Bergen County...Fair Lawn is a special place to live and work. – We are who we are and proudly so!

Perhaps we should say – “Fair Lawn First, not politics, not special interests, not pandering, Just Fair Lawn First”.

Sure, times have changed, our economy is in the turmoil, and yes our folks are having a tough time – But we’re still Fair Lawn, - All of us. – As a unified Council, regardless of party, we must work with greater purpose for the people.

Thank you.

MAYOR'S APPOINTMENTS

Mayor Weinstein announced his appointments.

- a. Library Trustees –Susan Winston, Phyllis Gold
- b. Environmental Commission Chairperson -Wendy Dabney
- c. Board of Education Liaison - Mayor Weinstein, Councilmember Trawinski
- d. Planning Board designee – Baruch Gadot
- e. Class II Planning Board Member – Scott Osback
- f. Historic Preservation Commission – Maureen Moriarity, Nancy Terhune

RESOLUTIONS BY CONSENT #1-2009 COUNCIL APPOINTMENTS:

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Consent Agenda 1-2009 containing the following items was unanimously adopted.

- a. Resol. No. 1-2009 - Tax Appraisers
- b. Resol. No. 2-2009 - Planning Board
- c. Resol. No. 3-2009 - Zoning Board
- d. Resol. No. 4-2009 - Fire Officers
- e. Resol. No. 5-2009 - Liaison to Fire Board
- f. Resol. No. 6-2009 - Liaison to the Community Center
- g. Resol. No. 7-2009 - Senior Citizen Advisory Board
- h. Resol. No. 8-2009 - Rent Leveling Board
- i. Resol. No. 9-2009 - Holiday Celebrations
- j. Resol. No. 10-2009 - Youth Advisory Board
- k. Resol. No. 11-2009 - Property Maintenance/Facelift Committee
- l. Resol. No. 12-2009 - Insurance Commissioners Self Insurance
- m. Resol. No. 13-2009 - Fair Lawn Historical Committee
- n. Resol. No. 14-2009 - Advisory Committee on the Americans with Disabilities Act
- o. Resol. No. 15-2009 - Fair Lawn Borough Garden Committee
- p. Resol. No. 16-2009 - Liaison to Alliance for Substance Abuse Prevention
- q. Resol. No. 17-2009 - Advisors to the Senior Citizen Center
- r. Resol. No. 18-2009 - Labor Attorney
- s. Resol. No. 19-2009 - Claims Management Service – QualCare, Inc.
- t. Resol. No. 20-2009 - Liaisons to RRIC, BID, EDC
- u. Resol. No. 21-2009 - Loss Control Services - Connor Strong Companies
- v. Resol. No. 22-2009 - Health Educator - HARP
- w. Resol. No. 23-2009 - Professional Nursing Services - Valley Nursing Services
- x. Resol. No. 24-2009 - Child Care Physician - Edward A. Sciano, Jr. MD

- y. Resol. No. 25-2009 - Open Space Committee
- z. Resol. No. 26-2009 - Health Care Provider - Occupational Medical Assoc.
- aa. Resol. No. 27-2009 - Public Action Compliance Officer
- bb. Resol. No. 28-2009 - Planner of Record
- cc. Resol. No. 29-2009- Professional Legal Services
- dd. Resol. No. 30-2009 - Borough Attorney
- ee. Resol. No. 31-2009 - Professional Planning Services for Green Acres
Services: Michael Hakim
- ff. Resol. No. 32-2009 - Fair Lawn Recreation Facility Review Committee
- gg. Resol. No. 33-2009 - Veteran & Volunteer Coalition
- hh. Resol. No. 34-2009 - Surveyor
- ii. Resol. No. 35-2009 - Shade Tree Advisory Committee
- jj. Resol. No. 36-2009 - Interlocal Services Agreement with Ridgewood:
Health Officer
- kk. Resol. No. 37-2009 - Community Development Representative
- ll. Resol. No. 38-2009 - Substitute Prosecutor
- mm. Resol. No. 39-2009 – Environmental Commission
- nn. Resol. No. 40-2009 - Competivization Committee
- oo. Resol. No. 41-2009 – Board of Ethics
- pp. Resol. No. 42-2009 – Municipal Court Judge
- qq. Resol. No. 43-2009 – Appointing Joint Insurance Fund Commissioner
- rr. Resol. No. 44-2009 - Bond Counsel

RESOLUTION NO. 45-2009 - Borough Auditor

Upon motion by Deputy Mayor Tedeschi and a second by Deputy Mayor Swain, Resolution No. 45-2009 was discussed.

Councilmember Trawinski stated that he will not be supporting the appointment of this Auditor. Councilmember Trawinski believes that the contribution made by this Auditor to the Victory 2006 account of County Chairman Joe Ferriero violates the spirit and intent of the Borough's ordinance and it violates the provisions of State law which the Borough's ordinance can not supersede.

Councilmember Baratta agreed.

Mayor Weinstein asked Borough Attorney Rosenberg if the Auditor properly filled out disclosure forms and every year since the Pay to Play ordinance was passed.

Borough Attorney Rosenberg indicated that the Mayor was correct.

Councilmember Trawinski took issue with the conclusion. Councilmember Trawinski agreed with all of the facts represented by the Borough Attorney, but in 2005 when the State Pay to Play statute was passed the Council received a series of frequently asked questions from the Division of Local Government Ethics division. This documentation said what could and could

not be done in a local pay to play ordinance. Among the provisions that the Borough was not allowed to deviate from under state law applies to the Auditor. This is not only a contribution to the party organizations, but also the contribution to a joint committee in the County in which the payor municipality is located. Those provisions of State law, that the Borough intended to cover in its ordinance, assuming that the Borough Attorney is correct and the Borough did not, those provisions of State law still apply to the Auditor. Under that State law it is in the opinion of Councilmember Trawinski that the Auditor has violated not only the Borough's Pay to Play ordinance, but also the State law.

Mayor Weinstein disagreed.

Deputy Mayor Tedeschi thanked Frank Baldino who took the time to come in today. Mr. Baldino is a retired banker who explained Chapter 3 of the new form Commercial Code and the manned instrument, which a check is.

Upon motion by Deputy Mayor Tedeschi and a second by Deputy Mayor Swain, Resolution No. 45-2009 was passed with Councilmember Baratta and Councilmember Trawinski dissenting.

RESOLUTION NO. 46-2009 - Broker of Record Medical & Dental - Business & Governmental Insurance Agency

Upon motion by Deputy Mayor Tedeschi and a second by Deputy Mayor Swain, Resolution No. 46-2009 was approved with Councilmember Baratta and Councilmember Trawinski dissenting.

RESOLUTION NO. 47-2009 - Risk Management Consulting Service - Business & Governmental Insurance Agency

Upon motion by Deputy Mayor Swain and a second by Deputy Mayor Tedeschi, Resolution No. 47-2009 was approved with Councilmember Baratta and Councilmember Trawinski dissenting.

RESOLUTION NO. 48-2009 - Competivization Committee

Upon motion by Deputy Mayor Tedeschi and a second by Deputy Mayor Swain, Resolution No. 48-2009 was discussed.

Councilmember Trawinski proposed an amendment to the resolution by deleting the name of Howard Hyde and inserting Sergai Sevachuk. Mr. Sevachuk is an active member of the Russian Community in Fair Lawn. The Borough has no representatives from that community that have received any appointments tonight and though given his interest in Fair Lawn and it was time to appoint Mr. Sevachuk.

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta.

Deputy Mayor Tedeschi said it does not require a second it requires the maker of the motion to accept the amendment, which he did not.

Attorney Rosenberg stated the amendment could be seconded.

The amendment was not approved.

Councilmember Trawinski proposed a second amendment, deleting the name of Howard Hyde and inserting the name of Mikhail Vinogradov for the same reasons that he articulated before.

Mayor Weinstein stated just for the record, there is a representative from the Russian Community on the committee already. This type of discussion on Personnel should be in Closed Session, not to embarrass someone in public. Mr. Trawinski stated he was not trying to embarrass anyone. He did not give his reasons that would embarrass Mr. Hyde. Both of these individuals have asked to be placed on this committee and that is why he was putting their name in. It is the will of the Council, it has nothing to do with embarrassing someone. Mayor Weinstein stated he respectfully disagreed.

Councilmember Baratta seconded the amendment which was not approved.

There being no further discussion, Resolution No. 48-2009 was approved with Councilmember Baratta and Councilmember Trawinski dissenting.

RESOLUTION NO. 49-2009 - Liaison to Cable Television Board

Upon motion by Deputy Mayor Swain and a second by Deputy Mayor Tedeschi, Resolution No. 49-2009 was approved with Councilmember Trawinski recusing himself.

MANAGER=S APPOINTMENTS:

Acting Manager Kwasniewski announced that Carl Spector as Borough Prosecutor, Steven Cohen as Rent Leveling Board Attorney and Ronald Mondello as Public Defender.

ORDINANCES FIRST READING:

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

ORDINANCE NO. 2136-2009

AN ORDINANCE TO READOPT AND AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 125, ENTITLED "LAND DEVELOPMENT" TO IMPLEMENT N.J.S.A. 40:48-2.60 ET SEQ REGARDING THE REGULATION OF DONATION CLOTHING BINS

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Resolution No. 50-2009 introducing Ordinance No. 2136-2009 was unanimously adopted.

RESOLUTIONS BY CONSENT #2-2009

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Consent Agenda 2-2009 containing the following items was unanimously passed.

- a. Resol. No. 51-2009 - Cash Management Plan
- b. Resol. No. 52-2009 - Official Newspapers
- c. Resol. No. 53-2009 - Temporary Budget - Current Fund
- d. Resol. No. 54-2009 - Temporary Budget - Water Utility Fund
- e. Resol. No. 55-2009 - Tax Assessment Interest
- f. Resol. No. 56-2009 - Annual Meeting Dates and Times
- g. Resol. No. 57-2009 - Defending Tax Appeals
- h. Resol. No. 58-2009 - Annual Sale of Delinquent Taxes
- i. Resol. No. 59-2009 - Authorizing Renewal of Massage Establishment and
Massagist Licenses – A1 Style
- j. Resol. No. 60-2009 – Authorizing Renewal of Massage Establishment -
BRC Sauna & Spa
- k. Resol. No. 61-2009 - Approval of Minutes
Regular Meeting – 10/14/08
Closed Session – 10/14/08

MISCELLANEOUS PUBLIC COMMENTS

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

JoMarie Sacchinelli, 23-17 Ellington Road felt there has been an abuse of power by some on the Council and by some political players in town for reasons of personal vendetta, political gain, power struggle or ignorance. These reasons have not been for the betterment of Fair Lawn or the residents. The recent firing of Tom Metzler is an example of such abuse. Another example is an example this evening. The Council had the opportunity to choose a Mayor and two Deputy Mayors. In everyone's speech this evening the Council mentioned how they are willing to work together yet the majority has the power to mix up that responsibility, which the Council did not. It is the same make up.

Everyone on the Council was elected by the people of Fair Lawn to govern. It is the Council's responsibility to put aside personal vendettas, personal associations, political persuasions and the thirst for power. Also it is the Council's responsibility to educate themselves on the issues. This is why the residents elect representation. If every person in Fair Lawn had to vote on every issue, appointment or day to day activities the residents would be in the voting booth every day.

Deputy Mayor Tedeschi stated in his speech tonight that it is a chosen few self appointed people who speak. Keep in mind that it was a few chosen self appointed people who thought they had the right to remove a manager that represented a town in a very well manner. He was

heavily respected. Not one individual came forward, out of 30,000 people and spoke against Tom Metzler. Yet, Tom Metzler's character was assassinated by three individuals who sit on the Council. It is a disgrace. She is furious with the appointments. This town is politicized.

Unfortunately, political and personal has entered into the Council arena through the appointment process. Fair Lawn was not placed first, but politics has been. The Council has once again shown poor judgment as they displayed with Tom Metzler. The appointment procedure takes place behind closed doors and the Council does not have to provide reasons for their actions.

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

BENEDICTION BY Father Collin Kay

ADJOURNMENT

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, the meeting was unanimously adjourned at 8:55 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approved the foregoing minutes.

Mayor Steven Weinstein

Councilmember Jeanne Baratta

Deputy Mayor Lisa Swain

Deputy Mayor Joseph Tedeschi

Councilmember Ed Trawinski

