

WORK SESSION OF JANUARY 20, 2009

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

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

Skateboard Park

Mayor Weinstein stated that because the members of the Skateboard Committee were present tonight this matter would be moved to the beginning of the meeting. Councilmember Trawinski said that the Acting Manager is working on the budget and this is a good time to have the Committee speak to the Council. Phil Kerzhner, 5-05 Lyncrest Avenue, Jay Wong Choy, 4-04 17th Street and Chris John Grippo, 13-01 Edward Street introduced themselves. Phil said that they all skate around town in parking lots and store owners harass them and kick them out wherever they go. He asked about the possibility of a skate park in Fair Lawn and he noted that other nearby towns such as Tenafly and Hoboken have skate parks. This would be beneficial to the community because many 6th, 7th and 8th graders skate.

Mayor Weinstein stated that, based on conversations and petitions received in the spring, he had asked the Superintendent of Parks to look into making one of the rinks into a skateboard park and to look for grant money. He said that all five Councilmembers agree and he hopes to incorporate the idea into the budget and also obtain grant money towards a skateboard park.

Councilmember Trawinski recalled that about ten years ago a group of children about this age came to the Council inquiring about street hockey which was the beginning of the rinks. He said that everyone is committed to this idea but the problem is finding the money in the budget during this time of economic downturn.

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.

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Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, it was unanimously agreed to reconvene the meeting at 7:31 P.M.

Request by Fair Lawn Volunteer Ambulance Corp to Change Street Name to Coopers Way

Acting Manager Kwasniewski said that a letter had been sent by the Chief of the Ambulance Corp stating that the street name had never changed to Coopers Way. She looked into this further and also found no record that this had been done by ordinance. Deputy Mayor Tedeschi said he remembered doing this last year. Mayor Weinstein said that it appears that this was never memorialized and he asked for a consensus to take the proper action. Councilmember agreed that this should be done.

Dan Furphy, 31-11 Southern Drive, said that the Ambulance Corp is hoping for approval to change the name of the street. Deputy Mayor Tedeschi explained that this is what the Council was intending to do.

Turf Field w/Engineer Ken Garrison

Acting Manager Kwasniewski stated that Deputy Mayor Swain had asked for an update on the turf field, therefore, she has invited Ken Garrison, the Borough Engineer, to give a report and answer questions.

Mr. Garrison stated that they have received the soil borings. The soil was clean. He hopes that the job can be bid towards the end of February. He explained that it will be necessary to do additional soil testing due to drainage concerns in the area. Artificial turf drains quickly and if it doesn't drain correctly the water will permeate through the turf. There are little rubber pellets that sit on the turf carpet and if the water doesn't drain they will rise up and float. He anticipates bids to be received in March with construction beginning in April.

Mr. Garrison continued that when the project was first discussed, he anticipated 12 to 18 inches of fill, however, based on the soil borings, he expects that two feet of fill is necessary. There could be some under drains that have to be addressed which will mean additional costs,

but if the additional two feet of fill successfully accepts the water, under drains may not be necessary. The finished grade will be what exists at the moment.

Mr. Garrison said there shouldn't be any adverse affect on adjoining fields. The field turf can handle up to 13" of rain in a 24 hour period. The key to the project is what is done at the base of the turf field. Mr. Garrison said that the water will go to several areas including a detention basin. The flow characteristics cannot increase and there must be zero net run off. He said that they might be able to avoid using the under drains which means that natural percolation will result and will not conflict with storm water management regulations. He added that there will be no affect on water quality.

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Deputy Mayor Swain referred to the results of the soil testing and Mr. Garrison said he has not seen any negative impact so far but they are still finalizing the soil borings from a structural standpoint and they have not yet finalized the Phase 1 report. Nevertheless, all indications show that the soil is very clean and additional digging is being done because the soil is a silty clay fill that does not drain. Deputy Mayor Swain questioned whether the project would come in at budget and Mr. Garrison said the extra excavation was an added cost, however, this might be offset by the current economic conditions as they are starting to see some prices drop. Acting Manager Kwasniewski said this should not change the time line and they have a window until August when the football season starts.

BIC Master plan

Bob Beshlian, of the Broadway Improvement Corporation, presented the completed Broadway Master Plan. He said that everyone is familiar with the problems in this area and this proposal offers solution to these problems. He commended H2M for the wonderful job they did in preparing the study.

Mr. Beshlian recognized that the economy is in a recession and commercial buildings in Fair Lawn are facing a higher vacancy rate, however, this plan provides different ways the Borough can deal with these vacancies and combat the recession. There are ideas in the plan to speed up the process of taking over a vacancy in order to make it simpler to allow the empty stores to be filled quickly rather than losing a business to another town. New businesses in commercial districts will keep the income high which will bring in tax revenues which will help to offset residential taxes. The Broadway Improvement Corporation has put aside funding to implement this plan and he asked the Council to find areas of the plan where these funds could be put to use to quickly to implement certain portions of the plan. Mr. Beshlian said that they could provide extra copies of the plan and deliver them to the Planning Board for their review and comment.

Charles Tredigo, pointed out that they have been working on this plan for two years. A report was produced in 1999 by the Broadway Advisory Committee and he hopes this plan will be better received. He stated that he hopes the Council will recommend this report to the Planning Board for review and comment and he and Mr. Beshlian will be available to discuss it

as needed. He said that this plan will be presented to the Mayor and Council of Elmwood Park on February 12th. There are many things each town can do to help the business community. Deputy Mayor Swain said that she hopes the relationship with Elmwood Park will be productive.

George Bate said that time is of the essence and he hopes this plan can be implemented quickly. Councilmember Trawinski suggested that the Planning Board be given the proposal to review at the same time as the Council.

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Deputy Mayor Tedeschi stated that he doesn't see any reason why Fair Lawn couldn't move forward with the plan even though it encompasses both Elmwood Park and Fair Lawn. Deputy Mayor Tedeschi stated that once a plan is agreed on they need to decide which items need to be addressed first. Mr. Beshlian agreed and said that they have their priorities and ideas of what should be done first. Councilmembers agreed to immediately give the plan to the Planning Board for their consideration.

Council Liaison Reports

Deputy Mayor Swain reported that she and Councilmember Baratta went to the Local Emergency Planning Committee (LEPC) meeting. Ira Marks, Ken Garrison and a number of representatives from the business community were in attendance. It was an excellent presentation concerning the Borough's water supply system.

Councilmember Baratta stated that the police have issued 40 summonses to residents who failed to remove snow from their sidewalks and 27 summonses were issued to businesses who did not shovel snow, mostly on Broadway. Art Cumming will now be handling the commercial zones and the police will handle residential complaints.

Councilmember Baratta reported on the change in the ordinance regarding clothing bins to the Property Maintenance Committee. She explained that this change was due to new State regulations. The Committee wanted this in writing and Councilmembers suggested that Councilmember Baratta give them copies of the minutes. The Committee asked about the possibility of an ordinance requiring fencing around permanent commercial dumpsters. Mayor Weinstein said that this is a reasonable request and Councilmember Trawinski thought this was part of the site plan review. Acting Manager Kwasniewski thought this was usually done on a site by site basis and she agreed that this should be part of the site plan review. Attorney Rosenberg was asked to check into this further.

Councilmember Trawinski said he would not support a change to procedures regarding dumpsters until some specific site examination is conducted. He said that there are areas of the business community where this would be difficult to impose and the fencing could be an

eyesore for adjacent properties. He said that this is why it should be left for the Planning Board to determine on a site by site basis and why it is not necessary for every business.

Councilmember Baratta stated that the Property Maintenance Committee asked about the possibility of putting information on Channel 77 and she asked if they would have to have approval of the Manager. Acting Manager Kwasniewski recommended going through her for these public service announcements. The Committee is noticing a presence by other groups on the web, such as the Environmental Commission, and they would like to have a presence also. Acting Manager Kwasniewski said that the Property Maintenance Committee should send her a copy of what they want to have on the web.

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Councilmember Trawinski said that the Property Maintenance Committee is not an enforcement body. Acting Manager Kwasniewski said that she had posted some generic information about snow removal and she reiterated that these types of statements on the Borough website need to go through her for editing purposes.

Councilmember Trawinski reported that he attended the Fair Lawn Synagogue Security Meeting which deals with the issues of security for houses of worship particularly during the Gaza war. Ira Marks from OEM and Glen Callons from the Police Department were present. There were also representatives from the Anti-Defamation League and the Prosecutors Office. The meeting was very informative and described how European houses of worship deal with security issues and there was a request that the Council consider taking a leadership role, on a voluntarily basis, for a inter faith House of Worship Security Council to focus on these security issues. There was discussion on the role of government given the First Amendment constraints regarding separation of church and state. Councilmember Trawinski noted that the Anti-Defamation League has a two disc set on protecting your Jewish Institutions which applies equally to Christian and other denominations and institutions and the Jewish Community Relations Council publishes security alerts from time to time on its website. Councilmember Trawinski was impressed to learn that from time to time the Fair Lawn Police Department makes direct contact with the office of the Israeli ambassador to the United States in New York City when they receive word of a threat to a synagogue even if it is not in Fair Lawn or in New Jersey. The group was pleased to learn that the Fair Lawn Police Department is incredibly proactive in these issues and does a superb job.

Suggested Changes of the Environmental Commission

Deputy Mayor Tedeschi stated that one of the concerns of the Environmental Commission is attendance and the ability to remove people who are not participating in the Commission. Attorney Rosenberg stated that the Commission is statutory and the rules of the Environmental Commission are that there are no less than five members and no more than seven members. Two additional alternate members are allowed and at the moment there are seven members. The members are appointed for staggered terms which is set forth in the ordinance. The Mayor can have members removed who are not in good standing, however, a hearing must be

held. There must be cause and written charges and a member can be heard with or without counsel.

Acting Manager Kwasniewski said that in the past the Municipal Clerk has sent a letter inquiring whether or not that member is interested in staying on. If there is no response in a specific amount of time the Council deems that the member is no longer interested.

Councilmember Trawinski said that the Commission should give the Council or the Clerk a list of members who do not regularly attend meetings and a letter will be sent to them.

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In response to a question by Deputy Mayor Swain, Attorney Rosenberg said there are not a specific number of meetings that must be attended. She asked how "good standing" is determined and Attorney Rosenberg said this is the Chairman's decision.

Mayor Weinstein reported that he attended the Fire Board Meeting. He said that some of the members of the Rescue Squad attend fire courses and fires. It has become a requirement that the Rescue Squad work with each of the four departments at least three times a year in order to understand the systems and the routines. The Rescue Squad has now agreed that they will not respond to residential alarms unless called in after the fact. They are also very happy with the way things are progressing with the committee.

Councilmember Baratta said that a representative from St. Anne's Church called her requesting "no smoking" signs be installed. Acting Manager Kwasniewski stated that she has spoken to the Police Chief about this. It seems as though the High School put up their own signs in accordance with the Drug Free Zone. Signs are not normally put up at elementary schools but she said that signs could be installed at St. Anne's. She will talk to the DPW about the signs and will try to get the signs up next week for Catholic School's week.

Acknowledgement of Volunteers

Mayor Weinstein stated that he would like to show the volunteers in Fair Lawn just how much they are appreciated by issuing a credit voucher in the amount of \$100 per volunteer. This voucher would be used by any volunteer who is a resident of Fair Lawn to be used for things such as permit fees, camp, use of the pool or community center and would be issued based on good standing. The voucher would demonstrate the value of their volunteerism and he would like to see this practice implemented now for 2009. The Chairperson of the various committees would be contacted and evaluation would consist of things such as attendance.

Acting Manager Kwasniewski said that this would have a major budgetary impact. Councilmember Trawinski said that they need to understand the fiscal impact on the Borough and the fiscal impact of having to pay for the things that the volunteers do. Mayor Weinstein

said that the \$100 certificate would be based on giving proper service to the group in 2008 and would expire after one year.

Deputy Mayor Tedeschi did some calculations and said that this would not have a major fiscal impact. Acting Manager Kwasniewski said that there are probably three hundred volunteers and Mayor Weinstein said that three hundred was also the number he came up with. This would not include coaches for the various teams. Deputy Mayor Swain thought that this should include the chairpersons on the Boards and Committees of the teams.

Deputy Mayor Tedeschi noted that people on the Planning Board, Zoning Board, Garden Committee, etc. work as a team. Mayor Weinstein said that he is referring to the

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directors of the various sports groups because they put in a lot of time and effort to work with the Parks Department and Board of Education, get the uniforms, secure the playing fields and schedule games, do the fund raising etc.

Councilmember Baratta recalled that she had mentioned in her January 2009 speech that a value cannot be put on these volunteers. Mayor Weinstein agreed stating that this is a token of appreciation to them. Councilmember Baratta thought that rewarding the volunteers was a good idea. Mayor Weinstein said that they need to know the lists and do a calculation. He asked for a report on this from the Borough Attorney and Councilmember Trawinski asked the Borough Attorney to determine a method on how this could be done. Mayor Weinstein mentioned that this would not apply to taxes and water bills. Councilmember Trawinski asked if this could be applied to Recreation Center and pool fees.

Deputy Mayor Tedeschi felt that this is a good concept. Councilmembers were in agreement to have the Borough Attorney look into this further.

Beef Steak Dinner

Acting Manager Kwasniewski said that a dinner/dance is being planned to celebrate the dedication of the John Cosgrove gymnasium and the Benny and Mary Salerno Fitness Center. This item is before the Council because they want to serve beer and wine.

There was a unanimous consensus to allow beer and wine at the Beef Steak Dinner.

Councilmember Baratta pointed out that this dinner is the same night as the Rotary affair which is one of Rotary's biggest fund raisers. The Rotary Club has an alternative date in March and she will meet with the members on Thursday to see what they want to do.

Public Comments

Harvey Rubenstein, 28 Rutgers Terrace, said that there is no screening around dumpsters as far as he knows. He thought that screening was a good idea and said that Planning Board members might not realize that if fencing is not part of the approved site plan it is not required and unenforceable. Mr. Rubenstein commented that there are still many sidewalks that are not cleared of snow and summonses could still be issued.

Craig Miller, 5 Ramapo Terrace, asked if there have been any advertisements for a new manager. Acting Manager Kwasniewski said that an advertisement has been running for the month of January on the League of Municipalities website and an advertisement is also featured in the New Jersey Managers Association Bulletin for January. She will be talking about this process to the Council on February 3rd.

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Mr. Miller spoke about the \$100 voucher for volunteers and pointed out that there are Ambulance Corps volunteers available during daytime hours that do not live in Fair Lawn. This sends the message to these particular volunteers that they are not as important as volunteers who live in Fair Lawn. Mayor Weinstein pointed out that these people could use the vouchers for a concert, however, he admitted that Mr. Miller has raised a good point.

ADJOURNMENT

Upon motion by Councilmember Baratta and second by Councilmember Trawinski, the meeting was adjourned at 8:34 P.M.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Steven Weinstein

Councilmember Jeanne Baratta

Deputy Mayor Lisa Swain

Deputy Mayor Joseph Tedeschi

Councilmember Ed Trawinski

