

## WORK SESSION OF FEBRUARY 17, 2009

Mayor Weinstein called the meeting to order at 7:30 p.m.

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in the Record issues of December 2, 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 Mayor Tedeschi and Council Members Baratta and Trawinski (late).

**ABSENT:** Deputy Mayor Swain

**ALSO PRESENT:** Acting Manager Kwasniewski and Attorney Rosenberg.

### **Closed Session:**

Upon motion by Councilmember Baratta and a second by Deputy Mayor Tedeschi, the following closed session resolution was unanimously adopted at 7:35 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 Pending Litigation including Tax Appeals, Disable Veteran Application Block 1102, Lot 1, Landmark, New Jersey DEP vs. Occidental vs. PVSC, et al.

**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.

Mayor Weinstein reconvened the meeting at 8:30 p.m.

### **Review of Tentative Agenda (2/24/09)**

Acting Manager Kwasniewski added a resolution confirming the Fire Board actions. Mayor Weinstein said that the presentation by Gary Kane would be removed from the tentative agenda.

### **Inter-Faith Security Council**

Councilmember Trawinski reported that he has invited Steve Kobrin to talk to the Council regarding the issue of security and safety for synagogues in particular, but all houses of worship. He recommended that the Council be pro-active on this and Mr. Kobrin, who resides at 42 Koenig Court in Fair Lawn came forward and introduced Sam Heller, Marvin Reitheimer and Panina Kaplan who have been working with him for the past few years.

Mr. Kobrin stated he is a member of CERT and a graduate of the Citizens Police Academy. He is also the Director of his local Block Watch and has been working with Jewish residents for the last five years to involve members of synagogues, as well as other Jewish residents in the town, in safety and security matters in the town. Mr. Kobrin said there have been major accomplishments which include the creation of a network of residents, town officials and experts. They have been working with Ira Marks, members of the police department, the Director of the Region for the Anti-Defamation League and Bill Scanlon from the Bergen County Prosecutors Office to discuss safety and security matters. Over the last three years, there have been meetings to discuss enhanced security matters in houses of worship prior to the High Holy Days. At the meeting attended by Councilmember Trawinski, they discussed precautions that should be taken in synagogues due to terrorism against synagogues world wide.

Mr. Kobrin reported that there are approximately 40 Jewish residents of Fair Lawn who are concerned about safety and security. The Jewish concern regarding safety should be expanded to include all faiths and would include a forum in which people of different faiths could work together for the benefit of the town. The town has become much more ethnically diverse in the last 25 years and it would be beneficial to have a forum such as this available. Mr. Kobrin pointed out that there are over 30 houses of worship in Fair Lawn most of which lack an evacuation plan.

Mr. Kobrin noted that there are language and cultural barriers that must be overcome and this is particularly evident when someone who cannot speak English very well tries to access 911 to explain the nature of the emergency. People who can't speak English can be reached through houses of worship to learn how to make better use of these communication centers. Mr. Kobrin also pointed out that the Town Manager could pass on relevant information to these residents through the leader of each House of

Worship. He stated that the public could be educated and better informed regarding terror threats and what they need to be aware of in shopping malls and other public places. Mr. Kobrin stated that more Block Watch groups should be formed and this need could also be communicated through Houses of Worship. Mr. Kobrin stated that if Fair Lawn were known as the town that brought people of many faiths together for the sake of safety and security of the entire Borough it would bring the town prestige.

Mr. Kobrin indicated his willingness to work with the Police Department and the Office of Emergency Management as well as the other experts and to extend invitations to other Houses of Worship. He said that the endorsement of the Council is needed to demonstrate to others that it is important to involve everyone in safety and security and to implement an evacuation plan for each individual church or synagogue.

Councilmember Trawinski stated that Council Members should have the information he provided from the Interfaith Council. He asked them to consider putting this item on a work session agenda as he is very concerned about the safety and security of residents. He felt that the input of the police department and other security management officials was also necessary.

Deputy Mayor Tedeschi asked Sgt. Bastinck about the role of the Bergen County Terrorism Task Force in terms of two way communication with the Fair Lawn Police and Emergency Management Departments. He recalled that some time ago there was a liaison who dealt with many of these items. Sgt. Bastinck explained that after 9/11 it was mandated for every County to have a terrorism task force. The County requires one officer from each municipality to be part of this task force and their role is to ensure that information coming from the State or the FBI is disbursed when there is some type of suspicious activity. Every school completed a survey and check list which was forwarded to the State and a similar thing is now being considered for day care centers and houses of worship. Sgt. Utell of the Fair Lawn Police is now in charge of the task force and Sgt. Bastinck stated that Fair Lawn has been involved with security at synagogues in the nineteen years he has been with the force. He said that Mr. Kobrin has been a catalyst for more participation since synagogues pose more of a target. Fair Lawn is ahead of the curve regarding safety and security but that it not to say that there isn't room for improvement. There are many every day emergencies, relating to health, etc., that can happen in houses of worship. It is necessary to have a mechanism in place to deal with these situations. These mechanisms have to be tailored to each individual congregation, what their needs are and how they operate.

Deputy Mayor Tedeschi said that he would like to have the input of the Police Chief. Mayor Weinstein stated that, based on the input of Mr. Kobrin, he has conducted meetings with many houses of worship. He spoke with a representative of St. Anne's who reminded him that an Interfaith Council exists but fewer people attend these meetings when these issues seem less relevant. Mayor Weinstein recommended to the Police Chief that a meeting of the leaders from all the houses of worship in Fair Lawn be scheduled. The Chief of OEM and the Fire Department should also be invited to add

their input. He asked for a consensus from the Council for this meeting which would be coordinated by the Acting Manager. Council Members indicated their agreement.

### **Donation of Pool Pass**

Mayor Weinstein stated that a few years ago the Middle School had a monopoly game and asked the Council to donate a pool pass. Acting Manager Kwasniewski had reminded him that this could be done only if all five Council Members shared the expense. The cost is \$175 and Council Members unanimously agreed.

Councilmember Trawinski referred to grants and the schools and stated that this was brought up in the fall; however, they were past the time for the CDBG grant application. Acting Manager Kwasniewski stated that the school has to submit the grant application which is then endorsed by the Council. Councilmember Trawinski said that the school needs some guidance and Acting Manager Kwasniewski said that the school needs to contact the Superintendent's office first. After that, the Council can offer assistance.

Councilmember Trawinski asked for the Borough's cooperation for the school's upcoming fundraiser in April and Acting Manager Kwasniewski indicated that the school hasn't applied for their raffle permit yet even though she has reminded them twice. She will email them regarding the pool permit and remind them that they need to coordinate these functions.

### **Council Liaison Reports**

Councilmember Baratta reported that she had attended the Property Maintenance Committee meeting on Wednesday and told them that the Council will not be responding to their questions in writing. The Committee wanted to know the policy regarding the street cleaner in the winter. Acting Manager Kwasniewski said that the street cleaner goes out weather permitting and doesn't stop in the winter.

Councilmember Baratta asked that the River Regatta be put on the next Council agenda. Acting Manager Kwasniewski said that they have started to work on this and it doesn't need to be on the agenda. She said that they need to schedule a meeting to select a date. Councilmember Baratta reported that the Alliance has agreed to be a sponsor again this year.

Councilmember Trawinski stated that the Broadway Improvement Corporation went to Elmwood Park. Don Smart presented the Master plan. Elyse Frenkel, Dennis Cummins, George Bate and Charles Tredigo also attended the presentation. Council Members seemed receptive particularly when they heard that grant money would be increased significantly if this were done as a joint project between the two municipalities. There are a group of residents, including the Elmwood Park Police Chief, who are very interested in seeing these improvements. Councilmember Trawinski stated that it was clearly indicated that Fair Lawn intended to move ahead on

their own with potential zoning changes and there was a sense that there was a willingness to consider the plan.

Deputy Mayor Tedeschi reported that he and Councilmember Baratta attended a meeting on River Road. They are discussing how the Borough can assist in completing applications for grants for awnings, signs, etc. which had been suggested by Councilmember Baratta some time ago.

Deputy Mayor Tedeschi stated that the Environmental Commission met and is solving its problems regarding attendance and the completion of minutes. The meeting included a visit from the High School Environmental Club who would like to start a community garden. Products from the garden would be donated to needy residents of the Borough. Deputy Mayor Tedeschi stated that school approval is needed and he asked for Council support. Councilmember Baratta raised the possibility of working with the Garden Committee and she said that Jane Spindell was interested in doing a victory garden in the area of the arboretum on Fair Lawn Avenue and Well Drive. Deputy Mayor Tedeschi stated that the Environmental Club proposed the garden in the area of the old parking lot and he reiterated that they would need school approval.

Mayor Weinstein reported that he met with the Fire Department recently and he indicated that they would be getting the LOSAP number soon and would report back with this information.

Mayor Weinstein said he attended the christening of the Bible Church Elevator in the name of Peter Vogel, a disabled member of the temple who passed away and left a trust fund for the elevator. He let everyone know about the Borough's ADA committee that has done a lot for the Borough.

Mayor Weinstein reminded everyone that Borough resident Gary Kane, who is an IRS expert, will be speaking during a March meeting regarding some changes to the IRS rules and how the IRS pledges to be flexible.

### **Borough Inter-Departmental Review of Development Applications**

Attorney Rosenberg stated that this is a carryover from a prior meeting when there was a discussion regarding a policy to ensure that the Zoning and Planning Board as well as applicants are forwarding applicants to the appropriate departments or committees. He has spoken to the Zoning Board and Planning Board secretaries and reviewed the applications and he is ready to implement some changes to the applications in order to have these applications forwarded onto police, fire, health, and the Clerk as well as the committees.

Attorney Rosenberg said that it doesn't have to be done by ordinance. The application forms will have to be expanded and the only question is whether this should apply to all applications. After consulting with the Zoning and Planning departments the recommendation is that all major site plans, subdivisions and use variance applications

would be forwarded to all of the entities. He is not sure whether all residential type applications need to be under the same scrutiny and he asked for feedback from the Council on this issue before the policies are memorialized.

Councilmember Trawinski recommended that the following items be reviewed by all of the entities: anything falling within the category of a D variance; any deviation from the floor area ratio requirements; height that exceeds 10% or 10'; increased density or any other similar issues; a single family residential application requiring in excess of three variances; and, anything that is not single family residential. The applicant should also be responsible for forwarding all the necessary information. Council Members agreed to these recommendations.

### **Acknowledgement of Volunteers**

Attorney Rosenberg said that this is a carryover regarding a discussion concerning Council recognition of volunteers by means of a voucher or credit to be applied against fees imposed by the Borough. He contacted the Head of the Local Finance Board to discuss this and the mechanism that would allow the Council to implement this system. The Local Finance Board had a problem with this idea because an itemized budget would have to be established for the voucher value followed by an audit of the voucher value. The Local Finance Board indicated that the volunteers would be subject to 1099s at the end of the year and they were very concerned about the accounting aspects that would apply.

The Local Finance Board recommended amending the fee ordinance for those discretionary fees that are within Council authority to recognize a category of no fee for the volunteers. Items at the discretion of the Council include pool fees, animal licenses, etc. The Council must determine the requirements which establish a volunteer in good standing and this defining language must be codified in the Code.

Acting Manager Kwasniewski stated that there are 605 volunteers ranging from the Fire Department to the All Sports Board of Directors. She is concerned about how members of a Board which meets three times a year can be compared to fire or ambulance personnel and she asked if all the volunteers are to be treated equally.

Mayor Weinstein said that regular attendance would be the major indicator and there would have to be some type of certification of attendance for the previous year. Councilmember Trawinski questioned the rationale for doing this since the idea driving volunteerism is the sense of satisfaction that an individual gets by contributing to the community. Mayor Weinstein said that this is another way of expressing gratitude and it may encourage more volunteers. Councilmember Trawinski said that there has never been a lack of volunteers and this would create an administrative nightmare that would have to be staffed and these costs would eventually be paid by the taxpayer.

Mayor Weinstein pointed out that the administrator of the Board takes attendance and it is not difficult to get those records. Acting Manager Kwasniewski agreed with Councilmember Trawinski and added that the State does not allow for vouchers to be issued. Mayor Weinstein said that they will get a \$100 credit per year towards an item

of their choice which will be listed in the ordinance based on whether or not they meet the criteria.

Councilmember Baratta said she would like to see a sample of the ordinance. Councilmember Trawinski said that if everyone eligible took advantage of this program it would cost the Borough \$65,000. Acting Manager Kwasniewski indicated that some of the volunteers are on four or five Boards and she asked if they would receive a \$400 or \$500 credit.

Councilmember Baratta asked how a balance from the \$100 credit would be handled. Acting Manager Kwasniewski said this is another thing that would have to be tracked. Mayor Weinstein stated that there all always details that have to be worked out. He asked Attorney Rosenberg to go forward with an ordinance.

### **Parking Around the High School**

Attorney Rosenberg said that the Council had asked him to investigate whether or not establishing a parking permit plan for residences in and around the vicinity of the High School was constitutional. He explained that in 1977 the Supreme Court determined that residential parking zones could be established based upon neighborhoods. He distributed information regarding the Arlington County, VA Parking Authority. This is the model that has been followed for permit parking in a residential zone. Zones are established and residents in those zones are given permits allowing them to park only within that zone and anyone else is prohibited from parking in those zones.

Councilmember Trawinski said that if they are serious about this the Council should send this information, coupled with a letter, to the residents in the affected areas as well as the School Board to make them aware that the Council is willing to listen to public comment on this idea. He said that this proposal makes sense to him but they need to hear from the people.

Lisa Kafer, 12-31 Fairclough Place, stated that she has a problem with the alternate side of the street parking because she wants to be able to park in front of her house and she doesn't think this will solve the problem. She did not think it is necessary to go forward with parking permits either. Ms. Kafer said that she has a problem with parking when her college age children come home. She went through the variance process to widen her driveway, however, it is still impossible for everyone in her family to park their cars when she has all four children home plus herself and her husband. She has tried to get a one month parking pass from the police but they will not re-issue these permits once the month is over.

Councilmember Baratta asked whether the one month parking permits are issued by address. Acting Manager Kwasniewski said that it is done by address and the Council has, on many occasions, discussed changing the overnight parking but have never been able to agree. Mayor Weinstein said that this should be re-visited. Councilmember Trawinski pointed out that they always encounter strong resistance

from the police department. Mayor Weinstein recommended that this be discussed again and advised Ms. Kafer to check the Borough website for agendas so she will know when this comes up again.

Michael Reiner, 12-50 Irving Street, said that this is the best solution because the construction of a parking lot at the school would not be necessary. Alternate side of the street parking would do nothing to alleviate the littering problem caused by High School students and would make the streets safer for the residents. He pointed out that this is the second meeting on this subject where no one from the school has been present to address any of these concerns.

Steve Rickett, 14-13 Berdan Avenue, said that although he agrees with the prohibition of parking for High School students, these cars will park elsewhere and another group of residents will be here to complain to the Council next year. Councilmember Trawinski explained that the first step was to find out if permits were allowed and the second step is to listen to residents.

Mayor Weinstein stated that the Board of Education had a solution in mind that the Council disagreed with. There had been a temporary parking lot which would accommodate 50 to 60 cars. The Board of Education owns the property, however, the Council makes decisions regarding how the property can be used and the Council advised that parking would be prohibited. At the last meeting, Mayor Weinstein recalled that Deputy Mayor Tedeschi suggested utilizing the parking lot along the railroad track in the area of the Community Center, however, this would take away open space and trees would have to be removed. Mayor Weinstein said there are three issues of concern which include speeding, littering and actual parking. Since the last meeting, there has been a lot of enforcement going on and many students have received tickets for parking in areas they thought were allowable spaces. Mayor Weinstein said that the first step is enforcement.

Deputy Mayor Tedeschi asked if students would be entitled to permits. Lisa Kafer, again came forward to state that the alternate side parking would not solve any of the problems. She said that people should call the police when students are littering and the police need to come out and stop them.

A senior from Fair Lawn High School came forward and she pointed out that there are only 40 parking spaces available in the school lot for over 800 juniors and seniors. The littering problem only involves students who are going out to eat at lunch time.

Councilmember Trawinski said that they need to circulate this information to area residents with a clear indication that nothing has been decided and they want to hear from the residents before any kind of a decision is made. He pointed out that the Stimulus Package includes increased funding for school projects and he wondered if this could be solution to fund a parking deck.

Councilmember Trawinski said that residents on Orchard Street do not want anything changed, however, they still need to address the issue of speeding that many residents on Burbank Street spoke of. He added that speed humps can be very effective. Mayor Weinstein suggested reaching out to residents on those streets to see if they would be amendable to this as a solution to speeding.

Anna Dinardo, 13-06 Second Street, said that a parking lot would be a civilized solution to the parking mess. She said that this was an issue in 1958 when she went to Fair Lawn High School and it gets worse over time and is a constant battle between the school, the residents and the students. Alternate side of the street parking and permits will not solve the problem because the number of students with cars continues to increase.

John Campbell, 12-51 Burbank Street, asked how the Council would handle this problem if a business were located here and it was not the High School they were discussing. He said that the High School is not bearing any responsibility for any part of this situation. He has seen the litter strewn all over the area and if this were a business he is sure the Council would force the company to build a parking lot. He added that he has called the police regarding speeding in the area and it will not look good if there is an accident after residents have complained to the Mayor and Council about the problem.

Iris Tzour, 12-35 Fairclough Place, asked why the Council didn't approve a temporary parking lot. She said that the parking lot was there to begin with and then removed and now the Council is discussing giving out \$60,000 worth of vouchers to volunteers. This money could go towards construction of a parking lot. Mayor Weinstein explained that the temporary lot was due to construction at the High School and there were residents who complained about the lot because of fumes and the way it made the whole area look.

Mr. Kramer said that last year residents of Fairclough Place, Berdan Avenue, Cadmus Place, Weston Drive and Kipp Street turned out to express their opposition to this parking lot which increased vandalism and affected parking values in their neighborhood.

Mayor Weinstein continued to address Ms. ? stating that a parking lot costs a lot more than \$60,000 to build and they are talking about 60 spots that would only help a little. They have to work together to understand all sides of the problem.

Harvey Rubenstein, 28 Rutgers Terrace, said that they can't put off safety. If the speeding that has been described is going on, the Police Department needs to provide more enforcement and issue more tickets. Mayor Weinstein stated that the crack down has been ongoing since the last meeting and details will be available in the monthly report.

Stewart Kramer, 16-07 Berdan Avenue, stated that Councilmember Trawinski had suggested making this area a pocket park for the use of the entire neighborhood

including Fairclough residents. Councilmember Trawinski commented that they are trying to balance the competing interests.

John Campbell, 12-51 Burbank Street, said that the parking deck is a good idea if grant money is available. He noted that he has seen Police Officers in front of his house issuing parking tickets but not speeding tickets. Deputy Mayor Tedeschi stated that this must be a priority for the ten officers in the Traffic Division.

Steve Rickett, 14-13 Berdan Avenue, noted that Deputy Mayor Tedeschi had suggested parking along the railroad tracks. He agreed that this would provide a tremendous amount of parking and would not affect anyone's property. Councilmember Trawinski recalled that he had unsuccessfully suggested that the teachers park in this area. Mayor Weinstein ended the discussion and said that things would remain status quo for now. Councilmember Trawinski said that if the Council decides to move forward the residents would be notified.

### **Fiber Optics in Right-of-Way**

Attorney Rosenberg recalled that the Council was approached by representatives of AT&T last summer to obtain right of ways within the Borough to run fiber optic cables. Another request has now been received from Fiber Technology Networks to do the same thing. The AT&T approval that was granted requires AT&T to pay the greater amount of \$500 annually or \$100 per mile of fiber optic cable located in the municipal right-of-way within the Borough. The attorney for Fiber Technology Networks wanted to know if the Council would be inclined to accept a one time payment for the right-of-way rather than a payment over years.

Attorney Rosenberg asked Acting Manager Kwasniewski if she could recall the Borough ever accepting a one time payment for right-of-way access and she couldn't remember a situation where this had occurred. The attorney would not give an estimate of what this fee would be and Attorney Rosenberg asked how the Council would like him to proceed.

Councilmember Trawinski said that the standard practice in the industry is to pay annually. He noted that the Borough doesn't have any choice but to allow access due to the Board of Public Utilities regulations and the Telecommunications Act of 1996 and they cannot discriminate against a carrier, however, they can dictate how payment is rendered.

Attorney Rosenberg stated that he draft an agreement

The consensus was to use the same procedure used with AT&T.

### **LOSAP Ordinance Changes**

Acting Manager Kwasniewski stated that the LOSAP payments are difficult to project going forward, so she presented a chart using the assumption that the ordinance changes were in effect in 2008 and what the impact would be. She concluded that there actually was not much of a change. LOSAP was put into effect to retain volunteers and it is working. Last year 99 volunteers received LOSAP at a cost of \$79,000. With this proposal, Acting Manager Kwasniewski said that three less people would have been eligible at a savings of \$2,400.

Acting Manager Kwasniewski noted that some of the officers are not fulfilling their responsibility. This program requires them to make 30% of their goals. She said that the volunteers have asked for this and because it doesn't have a big financial impact on the Borough she recommend going forward.

Deputy Mayor Tedeschi questioned the budgeted amount for LOSAP in 2008. Acting Manager Kwasniewski said she wasn't sure and she said that she would track the actual costs since inception and report back. It was explained that LOSAP is an \$800 retirement fund to encourage volunteers to stay on and it is especially beneficial for young people. Deputy Mayor Tedeschi said that since this is a line item in the budget he wants to look at, however, he added that he doesn't have an issue with it. Mayor Weinstein said they could still move forward with this. Acting Manager Kwasniewski stated that the ordinance could be introduced and she will get the information requested to all Council Members.

### **Proposed Change to Amusement Games License Ordinance**

Acting Manager Kwasniewski stated that Chief Rose indicated the amusement game license contains a defect because it doesn't include a fee for the machine itself. The Department Heads have been advised to do things in a more cost effective manner and to come up with ways to increase revenue; therefore, it is recommended that a charge of \$100 per machine be implemented.

Councilmember Trawinski asked Acting Manager Kwasniewski if this would be her recommendation based on her assessment of the cost to perform those services connected with the machines and she would recommend this fee. Councilmember Trawinski said that he would support the Acting Manager's recommendation. Mayor Weinstein pointed out that an individual location presently pays \$100 annually to have all of the games and this proposal is a large increase. Councilmember Baratta said she doesn't want to hurt small business owners. After more discussion, Council Members decided to hold a short work session next week when Deputy Mayor Swain will be present to gain her input.

### **2009 Recreation Program Dates/Summer Fees**

Acting Manager Kwasniewski suggested having the fireworks on Wednesday, July 1<sup>st</sup> which will leave Thursday the 2<sup>nd</sup> as a rain date with Sunday July 5<sup>th</sup> scheduled as the third rain date.

Councilmember Trawinski questioned having the fireworks this year due to the cost. Acting Manager Kwasniewski stated that the Borough doesn't cover the cost of fireworks with admission. The fireworks, which are included as part of the budget, cost \$17,000 but this doesn't include overtime for Recreation Department, Police Department, etc. Councilmember Trawinski said that he is agreeable to the dates, however, he would like to a chance to discuss the fireworks in the context of the entire budget.

Deputy Mayor Tedeschi asked for details on the total cost of last year's fireworks. Mayor Weinstein said he would like information on the sponsors and he anticipates fewer sponsors this year. Deputy Mayor Tedeschi said they need to look at last year's total revenue compared to the total contributions received to find out the net amount. If tickets are purchased in advance, Acting Manager Kwasniewski stated that last year's price was \$25 for a family, \$7 for adult, \$5 for children and senior citizens. Last year prices at the gate were \$30 for a family, \$9 for an adult, \$7 for a child and \$6 for a senior citizen. Mayor Weinstein said that these fees should remain unchanged. The revenue last year was \$24,750 with expenses at \$25,093, however, overtime is allocated to each department.

Council Members agreed to leave the fees as is and indicated that there is still time to change them after the budget is discussed. Acting Manager Kwasniewski indicated that they need to have the contracts signed if they decide to go forward with the fireworks. Council Members decided to make a decision within two weeks.

Regarding pool fees, Acting Manager Kwasniewski said that pool memberships for families are \$150, adults \$75, junior \$55 and \$20 for seniors. Councilmember Trawinski said that these fees don't come close to covering pool operations, however, this is the wrong year to be raising the fees. Council Members agreed to leave the fees the same.

Deputy Mayor Tedeschi reminded everyone that all of the tax payers are paying for the pool even if they don't use it. Councilmember Trawinski stated that having a municipal pools makes Fair Lawn a more attractive place to live.

Acting Manager Kwasniewski stated that the three week session of camp is \$300 for Camp Cherokee and Camp Iroquois and before and after camp care is \$100 each for the session. She said that these fees should be left alone also.

Acting Manager Kwasniewski said they are planning the summer concerts again even though they continue to lose money. Councilmember Trawinski said that this should be discussed as part of the budget. Acting Manager Kwasniewski added the Memorial Day Parade will be on Memorial Day. The Youth Center will close on Thursday April 30<sup>th</sup> and will be open on Saturday and Sunday in May and June.

Deputy Mayor Tedeschi questioned whether or not the Community Center would be open in August and Acting Manager Kwasniewski said that this was not discussed. She

said they closed for one week last August to do the floors and the Center is virtually empty in August. She reported that Walsh pool will be closed as soon as the camps end. Attorney Rosenberg asked about joint agreements with other towns for Walsh Pool and if so he asked Acting Manager Kwasniewski to make sure that any agreements provide for the correct dates. Last year, anyone falling into this category went to Memorial Pool which was not an issue.

### **Mandatory Revisions to Solid Waste Ordinance**

Acting Manager Kwasniewski stated that the DPW Superintendent has advised that they have no choice but to make some changes to the recycling ordinance to prohibit the pick up of construction materials such as bricks, stone, etc. These heavy construction items are not allowed to be picked up presently; however, the County is requiring that this be codified. Individuals will be responsible to dispose of construction items on their own.

Acting Manager Kwasniewski said that because of some problems with commercial tenants putting out yard waste there will be an addition to the ordinance stating that the "yard waste, logs and tree stumps must be separated and taken away". This is consistent with the leaves in the fall. Acting Manager Kwasniewski stressed that this ordinance must be passed by March 31<sup>st</sup> and needs to be added to next week's agenda.

The consensus was to make the revisions.

### **Knights of Pythias "Hands of Friendship Day" Outdoor Fair**

Council Members indicated their support of the fair.

### **Public Comments**

Craig Miller, 5 Ramapo Terrace, referred to the \$100 credit for volunteers and asked if this would be done annually. Mayor Weinstein said that it would and Mr. Miller said that he would not support this proposal during the recession. He asked if this has been included in the budget. Acting Manager Kwasniewski said that they would not anticipate getting 100% participation. Mayor Weinstein said that this is a type of stimulus package on the part of the Borough. Mr. Miller didn't think it was fair that someone on a Board that meets for three hours a month should get the same compensation as a fireman who is on call twenty four hours a day, seven days a week. Mayor Weinstein stated that his goal is not to compare one volunteer to another and is being proposed to show appreciation.

Sergey Shevchuk, 15 Gurney Terrace, asked how this idea came about. Mayor Weinstein said it was his idea and explained that over the years many Councils have shown their gratitude through proclamations and letters of recognition from the Mayor. He has thanked volunteers for their service when they leave and welcomed people who

have come on. He stated he feels this is an appropriate way to thank people for their time. Mayor Weinstein said he continues to send these letters and he apologized to Mr. Shevchuk for neglecting to recognize him.

Mr. Shevchuk said he would support Councilmember Trawinski who expressed opposition to this action. Councilmember Trawinski stated that he questioned the action but he did not oppose it. Mr. Shevchuk stated that this is a misappropriation of public funds that will create an administrative overload and a monetary incentive should not be offered to a volunteer.

Mr. Shevchuk pointed out the cost of Attorney Rosenberg drafting the ordinance which will make this idea even more expensive. He added that it doesn't make sense that the Council is considering canceling fireworks due to the cost, however, they are creating additional costs to the Borough of \$60,000 for no reason.

Harry Poster, 13-10 Second Street, stated that the agenda was not posted on the website or on the bulletin board downstairs. Acting Manager Kwasniewski stated that the agenda was posted on the board by the tax office. Regarding the volunteers, he suggested that the Council consider having the Manager send out four consecutively numbered \$25 vouchers to each volunteer.

### **Closed Session:**

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski, the following closed session resolution was unanimously adopted at 10:35 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 Attorney/Client Privilege – Naugle House; Personnel – Rent Leveling Board; and Anticipated Litigation – Sale of Recyclables.

**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**

