

WORK SESSION OF APRIL 14, 2009

Mayor Weinstein called the meeting to order at 8:50 p.m.

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.

SUPERFUND SITE:

Acting Manager Kwasniewski stated she had distributed a letter that Health Officer Wagner and Engineer Garrison put together based on the comments from Wendy Dabney, to see if they want to make changes. Health Officer Wagner had given her three names and addresses that they should send the letter to in the EPA. She thought it should be signed by the Mayor or Mayor and Council. Mayor Weinstein stated it should be by the Mayor and Council.

Attorney Rosenberg recommended they not only ask that the PRP's to continue to fund the operation but ask them to reimburse the Borough for the past cost as well.

There was a unanimous consensus to follow Attorney Rosenberg's recommendation.

Deputy Mayor Tedeschi wondered what they were asking the EPA to do. Acting Manager Kwasniewski stated they were asking that the Borough is not taken off the superfund site. Deputy Mayor Tedeschi felt it should be in the first thing should be in the letter is that the Borough does not want that site to be de-listed.

Councilmember Trawinski commended Wendy Dabney for advising the Council on this matter.

MISCELLANEOUS PUBLIC COMMENTS:

Harvey Rubinstein, 28 Rutgers Terrace, wondered if the letter would ask about the standards for safe habitability. Councilmember Trawinski stated it could be put in but truthfully there are standards are defined by the type of use and whether the site has been remediated to those standards. There is a bill in the legislation that says you cannot have partial NFA's on sites that would be subject to residential living. They do the analysis on a case by case analysis. It is dependent on the nature of the construction. Mayor Weinstein felt it should be in the letter.

CLOSED SESSION:

Upon motion by Councilmember Trawinski and seconded by Councilmember Baratta, the following closed session resolution was unanimously adopted at 9:00 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 personnel – terms of new manager’s contract, pending litigation Landmark; and

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

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

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

ADJOURNMENT:

Upon motion by Councilmember Trawinski and seconded by Councilmember Baratta, the meeting was adjourned at 9:21 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