

## **WORK SESSION MAY 5, 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.

### **Review of Tentative Agenda**

Acting Manager Kwasniewski stated that the February 10<sup>th</sup> minutes for Open and Closed Session need to be added as well as the resolution for Fiber Optics. Deputy Mayor Swain noted that Ed Schwartz from Green Solutions will be making a presentation on May 12th along with the 501C Committee. Acting Manager Kwasniewski requested that the Fence Easement Request and a discussion on John Nakashian be added to tonight's agenda.

Mayor Weinstein stated that there is a group involved with NAFTA called the Money Bus who want to explain to the Council what their group does. Councilmember Trawinski wanted to discuss lawyer client advice and COAH under Closed Session.

### **Pistol & Rifle Club Proposal – Lead Removal**

Acting Manager Kwasniewski said that she has invited Police Chief Rose to explain their proposal for lead removal which would involve the club keeping what money they get for the lead in order to mitigate the cost of the removal. John Zakrzewski, of Fair Lawn, President and Range Manager for the Civilian Pistol and Rifle Club introduced themselves along with Rich Zakrzewski, Vice-President; Paul Erickson, Treasurer; and, Noel Young, Secretary for the Pistol and Rifle Club.

Chief Rose explained the Pistol and Rifle Club proposes to remediate the lead at no cost to the Borough. In order to control costs, they propose selling the lead as scrap. There has been a shared services agreement with the Borough which has been beneficial for both the Police Department and the Pistol and Rifle Range.

They are also offering to remove the old equipment to sell for scrap and Chief Rose has consulted with the prior manager and the Borough Attorney to ensure that everyone is complying with the proper procedure. The Borough Attorney suggested that the officers of the Civilian Pistol Club appear before the Council to answer any questions regarding this plan.

Upon questioning by Deputy Mayor Trawinski regarding the removal of the lead, Mr. Zakrzewski stated that the lead is lumped together. Deputy Mayor Trawinski asked if there were any environmental constraints and Mr. Zakrzewski stated that all of the DEP regulations have to be met and the DEP must certify that the removal has been successfully completed.

Councilmember Baratta asked for Borough Attorney Rosenberg's opinion and he said that he has reviewed the documentation but he has not reviewed the contract from Enviro Inc. because he wanted to make sure that the Council agreed with the concept of the Pistol Club reclaiming the lead before proceeding further with the necessary agreements and insurance coverages.

Mayor Weinstein made a motion to approve the concept and have it go forward under the auspices of the Borough Attorney and Acting Borough Manager. Councilmembers indicated their agreement.

### **Council Liaison Reports**

Mayor Weinstein pointed out that the Council should only be making reports during this segment of the meeting and there should be no action taken on any items. Any action that is deemed necessary will be taken at a future meeting.

Deputy Mayor Swain reported that she is moving ahead with the committee formed regarding parking around the High School and she is confident that they will come to a resolution. She stated that the Planning Board is meeting next Wednesday night. The Fair Lawn Rescue Squad is conducting a blood drive on Wednesday May 20<sup>th</sup> from 4 P.M. to 8 P.M. at the Fair Lawn Rescue Squad.

Deputy Mayor Swain noted that a memo had been received from a Fair Lawn resident thanking Detective Boone for his work regarding her lost wallet.

Councilmember Baratta reported on last week's Tree Committee Meeting. She stated that 138 trees are being planted for the spring. She referred to a recent New York Times article about the Anne Frank tree which is a chestnut tree that is dying off. Ten saplings from this tree have been saved and the Borough has forwarded a request for one of the saplings.

Councilmember Baratta reported that Liz Twiggs from the Human Services Department has been working with the Chamber of Commerce to organize a job fair. She has contacted the Chamber of Commerce to see if they would be

interested in co-sponsoring the event and Councilmember Baratta suggested that she also contact Broadway Improvement District and the River Road Improvement District along with the local schools.

Councilmember Trawinski said that he had no report this evening.

Deputy Mayor Tedeschi said that the Environmental Commission meets tomorrow night. The 501c3 met last week to discuss the results of the Beef Steak Dinner which was attended by over 300 people. There was also a discussion of how the Friends of the Fair Lawn Community Center could be brought together.

Mayor Weinstein reported that he attended the Fire Department Symposium on Thursday night. There was a discussion of the history of each department as well as their district equipment and the various issues in the different parts of town.

Mayor Weinstein stated that tomorrow from 3:30 P.M. to 6:30 P.M. there will be a symposium hosted by Steven Borg of North Jersey Media Group.

### **Recruitment of Supermarkets for the Former Rite Aid Supermarket**

Mayor Weinstein has spoken to Stuart Herman, President of the Economic Development Committee (EDC) regarding the former Rite Aid site. Mr. Herman put together information on the square footage as well as various specialty stores and supermarkets. Mayor Weinstein recommended that a letter be sent to the businesses on this list and he asked Councilmembers if they had any ideas about what this letter should contain.

Councilmember Trawinski said that he and Deputy Mayor Tedeschi went through a similar process when Grand Union left this space and the consensus was that this space is too small for nationally recognized chains. He said that a smaller specialty store such as Corrados or Stu Leonards would do well in this space. Mayor Weinstein said that he was at Stu Leonards recently and he learned that that store only occupies 15,475 square feet.

Councilmember Baratta said that some other towns have done a co-op system where a large space is divided among different vendors who share the space. She said that this could be a type of indoor farmers market. Councilmembers agreed to move forward with this concept.

### **Pay to Play Maximum Contribution**

Deputy Mayor Tedeschi proposed limiting the amount of contributions that can be made to candidates at the Council level to \$300 in order to stop Pay to Play. Councilmember Trawinski said that Pay to Play means that a donation is given in

order to get something in return and campaign contributions can be made by any individual. Many people have already given substantial contributions to his campaign who will never receive a municipal contract from the Borough of Fair Lawn in return. The website has a box to be checked off that says they have been promised nothing in return for a campaign contribution and they are contributing for good government. Councilmember Trawinski stated that In order to stop Pay to Play the Council should publicly bid every contract pursuant to the Public Bidding Statute and not the local government contracts law.

Mayor Weinstein disagreed stating that the lowest bidder is not always the most qualified person to do the job. He stated that the Council needs to take a stand and he agreed with the \$300 resolution for all Council candidates. Councilmember Trawinski stated that this pledge to accept no more than \$300 from any individual is troublesome for Councilmember Baratta and himself because they are in the midst of an election. Councilmember Trawinski said that he did not believe that Mayor Weinstein worked within the confines of the Pay to Play ordinance because he received significant contributions and this is an election year ploy to embarrass them and makes a mockery of the Pay to Play ordinance.

Councilmember Baratta said that she had been non committal about this, however, there would not be a level playing field if a candidate had large sums of money to spend on himself and she was limited to taking \$300 per person to run her campaign. She concluded that she could not support this resolution.

Deputy Mayor Swain stated that she was against the \$300 contribution proposal the last time, however, she had re-evaluated this and now feels that the \$300 limit actually balances the playing field.

Councilmember Trawinski said that they should consider public funding of local elections to fix the problem. He reiterated that this is an election year game that is being played in order to limit their ability to raise funds under the pretext of wanting to fix Pay to Play. Mayor Weinstein pointed out that the discussion on Pay to Play started before 2005 when the Democrats raised \$19,000 and the Republicans raised \$21,000. During that time, everyone followed the rules and he recommended that the playing field should now be leveled. Councilmember Trawinski commented that only the State can regulate this.

Councilmember Baratta asked for Attorney Rosenberg's evaluation. Attorney Rosenberg stated that this resolution only calls upon candidates to pledge and it has no force or effect. The resolution will set forth a policy or endorsement but it has no effect in terms of enforcement.

Councilmember Baratta asked whether she could continue to put items on the agenda that fail until other Councilmembers change their minds. Councilmember Trawinski questioned whether or not this pledge policy could be imposed on the

Assembly or Gubernatorial candidates. He said it could not because this is a sham and has nothing to do with Pay to Play.

Deputy Mayor Tedeschi stated that this pledge would make local politics in Fair Lawn local again and the County is removed from the scenario. Councilmember Baratta said that everyone in the room is a hypocrite because they took these donations in the years when they were running for election and now they want to limit contributions when she and Councilmember Trawinski are running.

Deputy Member Tedeschi said that Democratic Councilmembers running for election will be bound by the same pledge in the future. Everyone agrees that the wheeling can't be stopped; therefore, the individual contributions have to be stopped. Councilmember Baratta indicated that this cannot be stopped because people will give many small donations that are not reportable. She repeated stating that an extremely wealthy person can put all of their money into their individual campaign and she cannot and is limited to a \$300 donation.

There was no support for the resolution with Mayor Weinstein, Deputy Mayor Swain and Deputy Mayor Tedeschi in favor, Councilmember Baratta and Councilmember Trawinski dissenting.

### **Nepotism Policy for Fair Lawn**

Attorney Rosenberg provided Councilmembers with a copy of Ridgewood's policy. Attorney Rosenberg and Acting Manager Kwasniewski were asked to investigate whether this type of policy could be incorporated into the Borough since Fair Lawn it is a Faulkner municipality and this would adversely affect this civil service municipality.

Acting Manager Kwasniewski spoke to the Village Clerk in Ridgewood and Attorney Rosenberg spoke to the Village Attorney for Ridgewood as well as a labor attorney. He has distributed a modified version of Ridgewood's policy which is not an ordinance because an ordinance would not be in concert with the Faulkner Act that refers to the fact that the Council does not have final say over personnel matters. Where an issue of potential nepotism arises the Manager would bring the matter to Council to apprise the Council. He reiterated that the Council does not have final say with respect to personnel. Attorney Rosenberg stated that this policy balances the fact that Fair Lawn is a Faulkner municipality and has manager appointment which is consistent with civil service. This policy brings the Council into the process and sends the message that the Borough will not encourage or allow hirings based upon nepotism.

Councilmember Baratta questioned whether this would make Borough employees' jobs political. Acting Manager Kwasniewski said that she doesn't understand this policy because it is contrary to the Faulkner Act and Civil Service. Attorney Rosenberg explained that this policy is in concert with the

established Department of Personnel guidelines and there is nothing that would affect the rules and regulations. Acting Manager Kwasniewski said that this policy states that no applicant that is a relative can be hired. Relative must be clearly defined and she questioned what would happen if a person was number one on the civil service list or if there person was a veteran. Attorney Rosenberg said that they would not be affected in this case and Acting Manager Kwasniewski commented that this is another example of something that doesn't mean anything except that it should be stated that there will no longer be the hiring of relatives of employees or Councilmembers.

Deputy Mayor Tedeschi stated that he wanted to create a level playing field where every tax payer feels they are being treated fairly when looking for a job. Mayor Weinstein said that this issue has come up in other municipalities and civil service rules must be followed. Acting Manager Kwasniewski referred to advertising for laborers who are not on the list. The supervisors interview the individuals and then send recommendations on hiring into the manager. She said that the application would have to be modified to reflect the fact that relatives cannot be hired.

Mayor Weinstein read from the resolution and stated that a relative can be hired as long as everyone is aware of the situation. This also gives the public a better feeling as to what is going on in Borough Hall.

Councilmember Baratta stated that the Faulkner Act handles hiring quite well. Hiring is completely out of the political arena because it is handled by the Manager. Councilmember Baratta noted that this policy puts hiring into the political arena; however, Deputy Mayor Tedeschi disagreed stating that the hiring is still based on the recommendation of the Manager and not the Council. Councilmember Baratta pointed out that the Manager makes appointments which are approved by the Council and the Manager is being put in the difficult position of trying to keep the Council happy. Mayor Weinstein stated that the Council is ultimately accountable for appointments made by the Manager and this is a way to reassure the residents.

Deputy Mayor Swain said that this is a good policy from a public relations as well as a practical standpoint. Councilmember Trawinski said that he has no problem with the policy but he thinks that this interferes with the duties of the Manager under the Faulkner Act. He questioned the RICE rights of an employee who is being promoted who doesn't want information discussed in a public forum.

Acting Manager Kwasniewski suggested a policy that the Council has the authority to set policy but does not have the authority to interfere with hiring. Councilmember Trawinski said that asking too many questions could cross the line and the Council could be interfering with the Manager's duties.

Councilmember Baratta stated that there must be a clear definition of relationships and what constitutes a relative. Councilmember Trawinski recommended that the last sentence be changed from "failure to disclose relationships that could violate this policy may be grounds for discipline up to and including termination of employment" to read "up to and consistent with the progressive discipline policies already in place".

Attorney Rosenberg indicated he would get back to the Council with a definition of relationships and the Council agreed to have the Borough Attorney move forward with the resolution.

### **Results for Request for Grant Writer**

Mayor Weinstein stated that several proposals have been received. Deputy Mayor Swain recommended Capital Alternatives because she thought their price structure was better. Millenium did not include the Pay to Play form and Concorde did not include a list of clients. Councilmember Trawinski agreed with Deputy Mayor Swain and added that he would prefer that this be publicly bid pursuant to the public bidding laws.

Mayor Weinstein also agreed with the selection of Capital Alternatives because they don't take a retainer and a monthly fee. Councilmember Trawinski recalled that Capital Alternatives had been used in the past and did a fantastic job.

### **Farmer's Market**

Acting Manager Kwasniewski asked Attorney Rosenberg if fees would be charged to vendors at the market and she added that an ordinance is required. Attorney Rosenberg reported that he has spoken to Carol Wagner about fees and there is a minimum charge of \$25 per week under the existing ordinance. Ms. Wagner had suggested that these fees be pre-paid at least one month in advance. This would be a commitment for a 30 day period no matter what the weather. The charge is \$25 for non hazardous food and \$50 for hazardous items. Hazardous items are dairy or meat products or anything that is perishable. Deputy Mayor Swain noted that produce is not hazardous unless it is cut up when it becomes potentially hazardous. Ms. Wagner said that the farmers are encouraged to sell whole food and Councilmember Baratta said that the vendors are familiar with the rules

Councilmembers agreed to these fees and Attorney Rosenberg stated that he would have a resolution ready after May 12<sup>th</sup> authorizing the execution of the agreement with the New Song Church.

**Pedestrian Walkways**

Acting Manager Kwasniewski stated that she received a memo from Traffic Officer Franco noting that pedestrian signs could be installed at the following roadways: Harristown Road, DeBoer Drive and Maple Avenue at Henderson Road. A resolution is necessary for these additions. There was a consensus among Councilmembers to adopt a resolution.

**Broadway Special Improvement – Cooperative Parking Ordinance**

Attorney Rosenberg has drafted the Cooperative Parking Ordinance which allows for cooperative parking at the properties located in the Broadway Improvement District. Several Councilmembers had questions regarding some of the existing sections of the ordinance and wanted to discuss this before it was acted upon.

Acting Manager Kwasniewski stated that reference to the 25 spaces at the Borough's Arts Center lot needs to be deleted. She explained that after River Road got a special designation there was a request for cooperative parking in areas other than River Road. Acting Manager Kwasniewski said that she cannot recall why this ordinance, that covers areas other than Special Improvement Districts, refers to River Road. Councilmember Trawinski said that they probably used the River Road Improvement Corporation ordinance for guidance and this is a typographical error.

Deputy Mayor Swain questioned the eight hour parking rate at \$2 per day for long term parking. Deputy Mayor Tedeschi stated that the parking on River Road is terrible especially in the area of George Street. He added that the Chase Bank has taken most of the spaces in the lot with the exception of a small lot in the middle and this is an abuse of the agreement. Councilmember Baratta said that this could be remedied through proper signage.

Mayor Weinstein pointed out that they are talking about the Broadway Cooperative Parking situation. For the metered parking, Instead of using "shall", "may" should be used. The cost of cooperative parking over a period of time needs to be evaluated. Deputy Mayor Swain said that the cost is \$3,000 over a five year period or \$5,000 for non-members. Councilmember Trawinski suggested that Attorney Rosenberg do the analysis again and make any recommendations he feels necessary.

Deputy Mayor Swain read from the ordinance which stated that if spaces are leased from the Borough it shall be at the rate per space of \$5,000 over five years. Mayor Weinstein indicated that River Road Condominiums has asked for seven additional spaces. He agreed that Attorney Rosenberg needs to do an analysis and that the word "shall" be removed. Attorney Rosenberg confirmed that this has been sent to Broadway Improvement District but he hasn't received

any comments as of yet. Mayor Weinstein stated that the situation at the Chase Parking lot needs to be discussed at an upcoming meeting.

At 8:31 P.M. the Council recessed and came back at 8:35 P.M.

Councilmember Trawinski referred back to the Grants Writer, Capital Alternatives, and asked if they could get going quickly because of the funding available through the Recovery Act. Capital Alternatives will be contacted as soon as possible.

### **Sustainable Jersey Small Grants Application**

Acting Manager Kwasniewski reported that they will be making an application for the Walmart Grant for a Green Fair working with the Green Team.. The competition is fierce. The goal would be to hold the fair in spring 2010 because the grant has to be used by September. The Green Team, Environmental Commission, Open Space Committee, Shade Tree Advisory Committee and Garden Committee would all be involved. This collaboration would increase awareness as well as being educational and family friendly. Acting Manager Kwasniewski envisioned vendors that could include some of the organic growers who have been involved in the Farmers Market. Representatives of solar and hybrid technology would be invited to participate and there could be activities along the River Walk. Acting Manager Kwasniewski said that there are a lot of opportunities many of which could be done at minimal or no cost. Information would be available on Channel 77 and the Borough website.

Acting Manager Kwasniewski said that there would be many people who would want to use this opportunity to show their wares and it is an opportunity for the residents to see what is available. This fair could go on regardless of whether or not Fair Lawn does not receives this particular grant.

Mayor Swain said that this is a great concept. She asked everyone to consider using reusable steel water bottles in order to eliminate plastic water bottles. Councilmember Baratta recalled that she had spoken in the past about PSE&G who will provide high energy light bulbs and she will e-mail information on this program to the other Councilmembers.

Acting Manager Kwasniewski said that this grant application will be filed tomorrow which is why there is a resolution supporting the concept on the Special Meeting agenda.

### **Money Bus**

Mayor Weinstein introduced two members of the Baron Group who represent the NAFTA Consumer Education Foundation. Laura Matera and Victor Penello stated that they are part of the Baron Financial Group and are long time

members of the Fair Lawn Chamber of Commerce. They are part of the NAFTA Consumer Education Foundation which is a national organization to improve the standards of financial services and to improve consumer education and financial literacy throughout the country.

Ms. Matera stated that the Money Bus was launched last year in Washington, D.C. and has traveled throughout the country. Ms. Matera and Mr. Penello are the New York Metropolitan area liaisons for the project which has been getting a lot of attention. The bus is coming back to the area on May 27<sup>th</sup> and will be at Liberty Science Center in the morning and will be either at City Field or at the Prudential Center.

Ms. Matera explained that they do a lot of pro bono work to advise people on savings and getting out of debt. They would like to bring the bus to the Fair Lawn Community Center on May 27<sup>th</sup> and she suggested having the Mayor and Council sponsor or host this event. At no cost to the Borough to host this event. There are 30 to 40 volunteers in the New York/New Jersey area available to give 15 or 20 minutes of their time to anyone who comes out. The group could conduct a symposium or lecture in the Community Center from 3:30 P.M. to 7:30 P.M.

Acting Manager Kwasniewski questioned the location of the bus and Ms. Matera said that it could be located outside of the lobby area of the Community Center with tables situated around the outside or in the lobby. Ms. Matera said that the bus itself contains information from various organizations such as AARP. The bus is a symbol and brings advisors from the financial community.

Acting Manager Kwasniewski said that there needs to be a consensus by the Council in order to waive the fees and insurance. The Council was in agreement regarding this program.

### **John Nakashian**

Acting Manager Kwasniewski said that she has discussed honoring John Nakashian with the Rotary and Chamber of Commerce. The Chamber favors the idea of naming one of the ball fields at the Warren Point Annex after John Nakashian. The ball field is close to Broadway where Mr. Nakashian lived and worked.

Deputy Mayor Swain liked the idea and Councilman Trawinski also agreed that the area around Broadway makes sense. Councilmember Baratta asked if Mr. Nakashian's family had been consulted. Acting Manager Kwasniewski said that she is in favor of the area by Broadway since he was responsible for the flags on Broadway.

Councilmembers agreed on this location, however, recommended that Mr. Nakashian's family be consulted. A time needs to be agreed upon so that the family can be present for a dedication.

### **Fence Easement**

Acting Manager Kwasniewski distributed information on a fence easement. This has been reviewed by the Borough Engineer who recommends the standard agreement in which the homeowner would assume responsibility for removal of the fence if access is required by the Borough. Homeowners are requesting this in order to protect themselves from Route 208.

Councilmember Trawinski recommended that the access be allowed to other government entities such as the Department of Transportation or any other governmental entity in addition to the Borough. Councilmembers were in agreement regarding the easement.

### **Public Comments**

Craig Miller, 5 Ramapo Terrace, stated that a business in Radburn is having a Grand Opening this weekend. He contacted Fair Lawn TV in order to publicize the new business and received a reply stating that this was a public access channel and no advertising was allowed. He noted that Wayne Robbins promotes local businesses on Channel 77 and he is only trying to let residents know about this business.

Allan Caan, 19-62 Chandler Drive, spoke about nepotism and said that many Borough employees are related in some manner and are the best employees in many cases. He wanted to make sure that some of the best employees were not being eliminated. The present system where the Manager does the hiring works. Mr. Caan emphasized that everyone should be given the same opportunity for employment without any extra burden being placed on an applicant.

Harry Poster, 13-10 Second Street, said that his questions had been answered during the course of the Council meeting.

Jane Diepeveen, 14 Ryder Road, said she has received the Borough newsletter. She stated that Fair Lawn does not have a Mayor and Council government and the Mayor should be part of the Council.

### **Assemblywoman Wagner's Presentation re: Assembly Bill 3686**

Assemblywoman Connie Wagner expressed surprise at the turnout at tonight's meeting. Carol Lange from Trenton introduced herself along with Evonne Jenkins of JCADA. Carol Wagner who runs the Fair Lawn Alliance Program also introduced herself and the other Alliance members.

Assemblywoman Wagner stated that the Governor's Council on Alcoholism and Drug Abuse has been placed under the Division of Human Services. She proposed this transfer because it was not sound public policy to have this department under the Department of the Treasury. She felt that awareness and prevention should be together with addiction services. Assemblywoman Wagner reported that the comptroller's report did find some discrepancies and having one person in charge should avoid future discrepancies. She added that there must be consistency in the policy. There will be savings in administrative costs and it was never the intent of the bill to hurt the Municipal Alliance. Assemblywoman Wager said that she has been a long time member of the Alliance in Paramus. There is a fear that some grants would not go to the Municipal Alliance and non profits will be allowed to compete for the same grants. Assemblywoman Wagner said that she could not guarantee how much money will be available in the coming year and she repeated that this bill was not intended to hurt the Municipal Alliance.

Assemblywoman Wagner said that she would welcome any suggestions. She said that she knows people would like the grant process to be streamlined because it is very difficult for laypeople to do and she has written a letter to the Governor concerning this. She said that more representation from Bergen County on the Governor's Council is necessary.

Lorriane Fleming, 26-09 Fair Lawn Avenue, said that Fair Lawn is regarded highly in the eyes of Bergen County. She and Carol Wagner have spent many hours preparing grants and have written many of their own programs. She said she is familiar with the purchasing system in the Borough and she knows how important it is to monitor reimbursable grant money. Ms. Fleming said that she doesn't see anything wrong with the way this has been working.

Assemblywoman Wagner said that she appreciates everything that Ms. Fleming has done and she added that the Alliance membership has quadrupled in her town and they have developed meaningful programs. She pointed out that this program has not had an internal audit for nineteen years. Everything was done correctly in Fair Lawn, however, that is not the case in every town and there has to be consistency across the board. All of this discussion is good for the Municipal Alliances and there has been talk of raising this to a cabinet position. Assemblywoman Wagner stated that she truly understands addiction and the importance of prevention.

Ms. Fleming stated that the Alliance in Fair Lawn is responsible for getting signatures to have the ordinance passed for under age drinking. The Council was not aware of this problem since not every family is exposed to the problems of addiction and experimentation. The Alliance is not a 9 to 5 operation and everything is handled by volunteers. Ms. Fleming asked that Assemblywoman

Wagner advocate for the assembly bill regarding amnesty in order to get help to prevent alcohol poisoning.

Evonne Jenkins, a member of the Governor's Council on Alcoholism and Drug Abuse, stated that she is one of the original members of this group which began in January 1990. Ms. Jenkins stated that an audit had not been required because they relied on the County audit systems. The Governor's Council itself has never been audited because no one knew who was responsible to do the auditing. The Council follows some of the Treasury's laws, however, remains autonomous. This is a co-coordinating agency covering all eleven departments including human services with drug and alcohol prevention programs and addiction programs. Ms. Jenkins said that \$600,000 will be saved but this is nothing for administration when there are eleven people doing this work out in the field. She said that \$97,000 was the allowance for the entire year for all of the programs. She pointed out that there are so many checks and a balance in the Alliance that no one can say there is no accountability.

Assemblywoman Wagner is very passionate about the Alliance and she noted that every town in New Jersey has a DARE program. Fair Lawn funds nine programs with \$17,000 and this would not fund one program under the proposed system that would fall under Human Services because it will be evidenced based and the money will no longer be prevention money. The money will go towards early intervention and recovery support. There will be competitive bidding and no one here could do competitive bidding with \$17,000 and the volunteers cannot go up against the professionals.

Assemblywoman Wagner said that this bill is being rewritten and she doesn't see it coming up for a vote in the near future, however, she doesn't know what the Governor has planned. Ms. Jenkins stated that Human Services is a big bureaucracy that will do competitive bidding and this is not what the Alliances are about.

Assemblywoman Wagner stated that no one can deny all of the good work that the Alliance has done and she would not want to see a dollar being taken away from any of the Municipal Alliances. Ms. Jenkins noted that since 1990, \$164 million has been put into the Alliance. She stressed the importance of getting support to keep the Governor's Council autonomous and there will be no money available if this program becomes part of Social Services.

Carol Wagner stated that she could vouch for all of the hoops they have to jump through in order to comply with the grant, however it is worth it. She added that if it weren't for all the wonderful Alliance workers Fair Lawn would not be the great community it is today. It makes a difference that they are out at street fairs because these fairs bring the parents out to get the information on substance abuse.

Deputy Mayor Tedeschi asked who would do the work if this is turned over to the bureaucrats and the spirit is killed at the grass roots level. Ms. Jenkins said that this would go through Human Services under Addiction Services. There will be no volunteerism and it has been determined that the County system that was in place would no longer be necessary. There will be no system set up and no volunteer network and all of the money will go to a professional agency.

Assemblywoman Wagner said that this is the reason why the bill is being re-written at this time. It is apparent that these issues have raised the awareness level and the grant process has to be streamlined.

Pat Leder, Fair Lawn, stated that she is a volunteer and she believes a professional will not have the network devices are available to a community member. Volunteers come at no cost and the key here is the grass roots aspect. Ms. Jenkins agreed that the volunteers in the community know the residents better than any bureaucrat and they are aware of what the needs are.

Carol Ann Langford, Bergen County Alliance Co-coordinator, said that the Fair Lawn Municipal Alliance does a great job. Her concern is that if the proposed budget is passed there will be damage to the Alliance. Communities like Fair Lawn may not be able to take money from the municipal budget to keep the support going and what would happen then.

Assemblywoman Wagner said that the budget hasn't come up for presentation yet and she suggested that Ms. Langford, and everyone else, write to the Governor about this. Councilmember Trawinski noted that JCADA had written about this on December 24, 2008. Ms. Jenkins stated that she gave the comptroller comprehensive evidence regarding the \$90,000 and this five month investigation was due to the accusations of a disgruntled employee. Assemblywoman Wagner remarked that her bill was not intended to be punitive in nature

Deputy Mayor Swain said that she is glad that everyone came out tonight and she agreed with the importance of keeping grass roots efforts in place. She suggested that municipalities draft resolutions supporting this effort. Councilmember Baratta stated that the resolution will state that the Council opposes any changes to the Municipal Alliance. Mayor Weinstein said it is good to have all the players at the table, including Assemblywoman Wagner, because everyone has gained an understanding of what is really happening. He said he also supports the grass root method and added that there are two issues here which include the changing of the resources and budgeting which cannot be controlled. Councilmember Trawinski reminded everyone that the budgeting here doesn't come from general tax revenue but from the Drug Enforcement Demand Reduction Legislation and Penalties pursuant to an agreement between the counties, municipalities and the state.

Ms. Jenkins said that this is the money comes from fines collected with the understanding that it will go to the State but it will be funneled down to the grass roots programs. If it goes to Human Services the agreement is gone and the State will decide what to do with the money and it will not be sent back to the municipal level.

Assemblywoman Wagner said that the same kind of healthy discussion took place in Trenton. She stated that it was a just as much a surprise for her to see that this was in the budget as it was to everybody else. Ms. Jenkins said their goal is to ensure that this is not in the bill that Governor Corzine signs into law on June 30<sup>th</sup>.

Mayor Weinstein thanked everyone for coming out tonight.

### **Closed Session:**

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta the following Closed Session resolution was unanimously adopted at 8:45 P.M.

**WHEREAS;** the Open Public Meetings Act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Governing Body; and

**WHEREAS;** the Mayor and Council of the Borough of Fair Lawn desire to discuss Pending Litigation – Landmark; Personnel – Negotiations of Employee Benefits, Regular Promotions; Attorney/Client Privilege – Intoxicated, Drunk or Disorderly Persons;

**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 Baratta and seconded by Councilmember Trawinski the meeting was adjourned at 11:06 P.M.

Respectfully submitted,

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Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

The undersigned have read and approved the foregoing minutes.

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Mayor Steven Weinstein

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Councilmember Jeanne Baratta

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Deputy Mayor Lisa Swain

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Deputy Mayor Joseph Tedeschi

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Councilmember Ed Trawinski