

WORK SESSION JUNE 9, 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 and Councilmembers Baratta and Trawinski.

ABSENT: Deputy Mayors Swain and Tedeschi.

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

Issues at Mainardi Shopping Centre

Mayor Weinstein announced that the owner of the Dunkin Donuts at the Radburn Station intended to attend this meeting; however, he cannot make it.

Mr. Mainardi explained that he is hoping for assistance with crowd control from the Borough in order to facilitate catching whoever is damaging the businesses in the area. He asked the Borough Attorney about restrictions regarding signs and enforcement. He thought that if there are no stores open people lingering outside should be picked up for loitering or trespassing. .

Mayor Weinstein said that he discussed the situation with the owner of Dunkin Donuts who is going to reach out to Mr. Mainardi to discuss the possibility of sharing in the costs of a security effort. The Exxon station and Dunkin Donuts do have security cameras. Mr. Mainardi said that the back doors of the stores to the parking lot are closed after a certain hour. He said that there shouldn't be anyone lingering around the back parking lot and the question is whether this could be enforced.

Chief Rose said that it is a good idea to close up the backs of the stores. He further suggested that fencing and gates be installed. He recommended lights and cameras to reduce vandalism. Chief Rose had checked the reports up until the beginning of May and found that of the 65 calls regarding this area there were only two criminal mischief calls listed. He urged the business owners to call the police whenever there is an incident of criminal mischief.

Mr. Mainardi said that so much damage exists to the building now that, in most instances, he couldn't determine if anything further had been done to it. Councilmember Trawinski said that the Police Chief is looking for a predicate to be able to step up enforcement. Chief Rose said that the police need to establish that there is a problem and when it is occurring. If the damage occurs in isolated areas it might be a

good idea to install better lighting or some cameras, both real and dummy. The department is willing to work with the business owners but it has to be a collaborative effort. He has monitored the situation recently and there seems to be about 10 to 12 kids, not 30 as alleged, congregating by the tables at Panera Bread. The tables are an attractive nuisance and he suggested that the tables be dismantled or the chairs be eliminated in order to mitigate the situation. Chief Rose said that there are things that can be done but the police cannot violate an individual's civil rights.

Mayor Weinstein addressed Attorney Rosenberg and stated that this is private property. He asked Attorney Rosenberg if there are any types of signs or the ability for the police to move people along. Attorney Rosenberg referred to the enforcement of the Title 39 Motor Vehicle Laws. This statute must be clearly posted on the property and it can be enforced in Municipal Court if the proper and specific complaints are filed by the property owner. Attorney Rosenberg indicated that there are constitutional limitations and individuals have the freedom to loiter for innocent purposes which is protected by the due process clause in the 14th Amendment. There are trespassing regulations in addition to Title 39 that they can work with.

Councilwoman Baratta pointed out that this is private property and Attorney Rosenberg said that the issue is who is going to make the decision as to whether or not an individual is trespassing. It can't be left to the discretion of the police, however, a private security person hired by the building owner could state that a person is trespassing and the charge would have to be prosecuted in municipal court.

The question of signs was again brought up and Chief Rose reiterated that the back parking lot should be chained and locked. This would be more cost effective than going to Court. He said that everyone would have to be ticketed and after that happens once or twice they will no longer park there. A legal sign should be posted stating that the lot will be closed and locked with no access after 10 P.M. There is more than sufficient parking in the front to accommodate all the employees and customers after 10 P.M. and the problems would be moved to the front.

Mayor Weinstein said that working with the security guard at Dunkin Donuts across the street along with installing security cameras are other solutions. If there seems to be a threat, it is up to the store owner or security guard to contact the police. Chief Rose said that if a group of kids standing by the front door have been warned and refuse to leave, the police should be contacted and a car will be sent. He said that in some instances the kids are customers who have to be treated with respect.

Chief Rose said part of the problem is that CVS is open 24 hours a day and he noted that these types of problems didn't exist before that time. The parking lot is a large, open expanse and the question is how the parking lot can be delineated. Dave Henderson, of Panera Bread, said that in his experience private security guards have no authority. Police Chief Rose stated that if the kids are going to be chased out of Panera Bread the adults also must be chased out. He reiterated that if the appropriate signs are posted and individuals are given a warning that they can't be in the area, the police need to be called and they will respond.

Mr. Mainardi said he would put up the signs as advised but he needs some assurance that the town will remove these crowds of kids. The Chief again said that if someone representing the business owner asks the kids to leave and they refuse, the Police need to be called and will respond.

Mayor Weinstein asked Attorney Rosenberg if the police could be called if there were 30 kids in the parking lot, on the curb and at the tables and chairs if the store was closed. Chief Rose stated that if access is being denied to customers or if they are frightening customers away, business owners should call the police. Councilmember Trawinski explained that, in the case of private property, the police cannot enforce rights without the private property owner filing a complaint. Chief Rose said that if they see a large unruly crowd the appropriate action will be taken. He added that he has driven by the area several times recently and there he has not seen groups of 30 kids there.

Mr. Henderson said that there are not groups of 30 kids yet because it isn't the summer but last year he did see large groups of kids standing on the corner. Chief Rose said that there is nothing they can do about this because it is a free country. Mr. Henderson indicated that many times it takes him 30 to 40 minutes to sweep up the mess these kids have made with garbage and broken bottles. Chief Rose suggested that Panera Bread post and enforce a table charge of \$5 worth of food.

After more discussion, Mayor Weinstein said that he would give Mr. Henderson's phone number to the owner of Dunkin Donuts. He said that he would follow up with the store owners in the near future. Chief Rose reiterated that the store owners should call the police if there is any type of a disturbance such as kids breaking bottles. Mr. Mainardi said that there is a problem when the stores are closed and no one is present to call the police. Chief Rose said that they don't have the resources to put a policeman in this area twenty four hours a day.

Review of Tentative Agenda

Acting Manager Kwasniewski stated that there were no changes to the agenda. Councilmember Trawinski referred to tonight's consent agenda specifically the DOT Grant Application for Daly Field Bikeway Property for Capital Alternatives. He said that when he and Deputy Mayor Tedeschi met with the grants firm they learned there is a Wednesday deadline. Both he and Deputy Mayor Tedeschi realize that Fair Lawn may not be successful in receiving these grants but they should move forward and not miss the opportunity.

Acting Manager Kwasniewski pointed out that Capital Alternatives is not involved in Municipal Aid 2010

Mayor Weinstein stated that coordination of all the grants needs to be done by the Manager but they need to prioritize since they have to be cognizant of the money being spent. Councilmember Trawinski suggested that the Manager assign one individual from this office who has an overall coordination responsibility. Acting Manager Kwasniewski said that the annual report lists the grants that have been applied for and the grants that have been successfully received.

Acting Manager Kwasniewski announced that Capital Alternatives will be working with the Fire Department on the construction grant for George Street. The success rate of Capital Alternatives is 80% with the groups that are willing to use their help and no fees are charged for volunteer organizations. Regarding the Rescue Squad, there is another round of grant applications in February and Capital Alternatives will help them apply for a grant at that time if they are ready.

Council Liaison Reports

Councilmember Baratta reported that the River Regatta was a successful event. She stated that a Battle of the Bands had been held on May 31st. There was an article about this in the Bergen Record and a video was sent to one of the newspaper websites. The money raised from this event is being used to obtain an assistance dog for a returning Iraq veteran.

Councilmember Baratta said that she had attended the LEPC meeting with Carol Wagner and Emergency Management where H1N1 In The Work Place was discussed. Sheltering protocol for pets in an emergency situation at the High School was also discussed. Councilmember Baratta announced that the Farmer's Market is set to open on July 1st and seven vendors have signed up. They continue to look for an organic farmer to be part of the market.

Councilmember Trawinski reported that the ADA Committee Meeting took place on May 28th. Several potential members attended as well as someone from the school who deals with the learning disability program. Councilmember Trawinski recalled that he had spoken about the File of Life Campaign at the Public Meeting. He said that a new handicapped accessible door to the Municipal Building will be applied for through the Community Development Block Grant. Regarding snow busters, local landscapers will be approached to see if they could donate some of their time to help the disabled who cannot shovel their walkways. There was a question about discounted pool badges for disabled residents and Acting Manager Kwasniewski said that an individual has to be both disabled and have a low income to qualify. The same guidelines that were used for PSE&G assistance will be used to determine eligibility for these pool badges and Councilmember Trawinski said that this will be discussed further later tonight.

Councilmember Trawinski stated that the Environmental Center at Lyncrest had been discussed along with the idea of expanding this concept to TJ. Acting Manager Kwasniewski will discuss this with the Engineering Department to see if there are any engineering issues that would prevent this. The bulb crusher for fluorescent bulbs was discussed and it was agreed that the Borough would use their bulb crusher for the Borough's bulbs. This led to a discussion of whether the bulb crusher could be used by Borough residents since people don't take fluorescent bulbs to hazardous waste sites. Acting Manager Kwasniewski commented that this has the potential to pose a large budgetary expense and there was a question of whether any grant money might be available for the program. .

Councilmember Trawinski said that Acting Manager Kwasniewski asked the Rescue Squad to reconsider the concept of giving up a portion of street so that an expansion could take place. The Rescue Squad should be housed in one location because time is critical when they have to act. Councilmember Trawinski stated that If Capital Alternatives is successful in getting the Rescue Squad the money for the building expansion it could free up some funding for the street scape improvements that need to be made. Acting Manager Kwasniewski will speak to Tim Franco regarding a concept plan to be presented to the School Board.

Mayor Weinstein said that the Economic Development Commission (EDC) met last Tuesday and many issues were discussed. Money was received from the County for interest free loans through Columbia Bank. Ness Pizza received a \$35,000 loan and there was some discussion of reallocating money received from the Community Development Grant Fund for something like a study in Radburn or more work on Broadway infrastructure.

Mayor Weinstein stated that there would be a discussion of the All Sports turf field later this evening. He said that All Sports is having all coaches finger printed and the Police Chief said that this couldn't be done in Fair Lawn because there is a separate sports organization. He asked Acting Manager Kwasniewski if there would be any grant money available for All Sports to help with this process. The cost is \$26 per person and Acting Manager Kwasniewski said she would look into this.

Parking Around the High School

Acting Manager Kwasniewski said that Deputy Mayor Swain had arranged a meeting between Jim Marsella, the High School Principal; Cindy Yuskaitis representing the Board of Education; two student representatives; the Buildings and Grounds Committee Chairperson; Honey Morgenstern; Anne Lustgarten and Tim Franco. Many items were discussed including littering and disrespect. She said that most residents are more concerned about the mess and the disrespect demonstrated by the students than they are about the parking. Jim Marsella said that this will be emphasized in a letter that is going home to every student in September. The student representative of Buildings and Grounds recommended that tickets be issued because warnings are ignored. Councilmember Trawinski felt that the parents should be notified that warnings are over. A suggestion was made that students should do some of the clean up, however, there was a concern regarding liability since this is not school grounds. Students often block driveways and another suggestion was to mark off parking spaces on the street which would result in more parking spaces and alleviate the problem for the residents. Acting Manager Kwasniewski recommended this idea and said that it could be done in house.

Honey Morgenstern volunteered to speak to the people on Lexington Street about alternate side of the street parking. She said that this is probably a good idea and she would get input from the residents on the street. Mayor Weinstein reported that Deputy Mayor Swain had reached out to residents on Orchard Street. He stated that before they move forward with alternate side of the street parking, they need to get the consensus of people in the neighborhood.

Councilmember Trawinski questioned whether the residents of Orchard Street should be asked about the line painting option. Tim Franco and the Engineering Department could work together on this and Acting Manager Kwasniewski will follow up.

Support of Jessica Lunsford Act

Attorney Rosenberg stated that as a result of a sub committee meeting of the Assembly there is a modified version of the proposed legislation which leaves it up to each individual municipality to pass ordinances consistent with the Statute. The League of Municipalities is opposed to this Statute because they don't believe that this establishes the necessary State wide regulation regarding residency restrictions and they think that there could be litigation for each particular ordinance for each municipality. The League is going to meet with the Committee to try to deal with this issue before it goes back to the Assembly. Attorney Rosenberg advised that the Council could pass a resolution in support the Lunsford Act, however, it would not have League support.

Councilmember Trawinski pointed out that the League is not opposed to the designation of child safety zones. After a short discussion, Councilmembers agreed to adopt a resolution supporting child safety zones with appropriate state wide standards while at the same time supporting the League's position.

ADA Accessibility at Borough Pools

Councilmember Trawinski spoke about handicapped accessibility to the actual pool water. There is a handicapped ramp that is built into the water with a bar adjacent which helps the care giver of the handicapped individual. Some handicapped people are able to swim and exercise once they get into the water. Councilmember Trawinski suggested that the Council look into this possibility.

Acting Manager Kwasniewski stated that the Borough is applying for a grant for this type of ramp via Community Development Block Grant. She said that there is a first aid chair with large wheels available that can be used to get people into the water. The life guards are trained to use this wheel chair and she said that residents are probably not aware that this chair exists. Acting Manager Kwasniewski indicated that she would have information on this chair available for the next ADA meeting on July 23rd.

Sewer Evaluation for Glenfair and Jasper Road

Mayor Weinstein stated that he wants to hear the Engineer's opinion once again as well as obtaining information on the cost of the project from Malcolm Pirnie, the environmental engineers on this project. Acting Manager Kwasniewski reported that Malcolm Pirnie has been approached about a proposal.

Mayor Weinstein stated he had discussed this with Congressman Steve Rothman who indicated that there are earmarks for infrastructure that Fair Lawn has not received and this might be the type of project that would qualify for this type of funding.

Councilmember Trawinski stated that Ken Garrison, the Borough Engineer, did not support this project because the entire system had been redone in 1998 and there is nothing to indicate that there is a problem. This issue arises occasionally and Mr. Garrison thinks there is nothing wrong with the system. Despite Mr. Garrison's advice, Councilmember Trawinski recalled that the Council heard about the problem and then collectively agreed to appropriate funds of \$130,000 to do the study the following year. Mayor Weinstein stated that they did not have an environmental expert at the time and this is the appropriate time for the environmental engineer to get involved give an opinion. They would also need to try to obtain a grant to do the work.

There was some confusion and Acting Manager Kwasniewski clarified stating that the cost proposal from Malcolm Pirnie covers the study. She will make sure that the Borough gets the proposal back in a timely fashion. Councilmember Trawinski stated that if the study points to the need for a capital project they could explore the type of funding discussed by Congressman Rothman.

Councilmember Trawinski asked if Malcolm Pirnie could get back to the Borough within two weeks and Acting Manager Kwasniewski said that this time frame would not be feasible. He said that they are trying to determine whether there is anything in the Borough's sewer lines that would cause the effluent to back up into people's homes during times of intense rain and whether this is something that can be remedied. Acting Manager Kwasniewski said she would relay this to Mr. Garrison and have him communicate with Malcolm Pirnie. They will be notified that an answer to this question is needed for the July work session.

Attorney Rosenberg suggested that it might be important to know the scope or parameter of the availability of the funds since the study may have to be done in certain way in order to be eligible for the funding. Mayor Weinstein recommended consulting Congressman Rothman's office. Acting Manager Kwasniewski suggested that they should get the proposal to find out what kind of study is needed and the cost of the study. Councilmember Trawinski suggested soliciting proposals from two other environmental firms in order to save time.

Status of Implementation of Items Authorized by the Council

Councilmember Trawinski stated that in light of the sewage evaluation just discussed and the fact that it has dragged on for some time, the Council should be made aware of administration decisions that take place if the Council has authorized funds for a project. He said that the Manager should determine this process. Mayor Weinstein said that he agreed, however, the Department Head should have the ability to communicate any disagreement with Council.

Acting Manager Kwasniewski said that she has asked the CFO to review the last three years of approved projects and determine what money has not been spent. Councilmember Trawinski stated that the Council needs to be informed as to whether or not there is a better way or different way to handle a situation or if the Council should consider a better direction.

Street Sweeper

Acting Manager Kwasniewski reported that she hasn't had any further complaints regarding the area around the pool.

Creation of Green Team

Acting Manager Kwasniewski said that the Council had previously approved the formation of a Green Team. There was a proposal that the team would be comprised of Deputy Mayor Swain; Acting Manager Kwasniewski or designee; Ron Lotterman, as Recycling Coordinator; and, either Ken Garrison or Dan Balensky. Acting Manager Kwasniewski said that Mr. Balensky would be a good addition to the Committee. She also recommended Carol Wagner, a member of the Environmental Committee and Open Space Committee, along with two or three members of the public. She asked for suggestions since these would be Council appointments. Mayor Weinstein recommended putting information about the Green Team on the website and on Channel 77 and 38.

2010 Master Plan Update

Mayor Weinstein referred to correspondence from the Planning Board indicating that they are moving forward. Councilmember Trawinski said that he didn't think the Planning Board understands the scope of the Master Plan that the Council has agreed to. He said that this Master Plan will have significant public input and Attorney Rosenberg said that he has spoken to the Planning Board Attorney about this and he will also communicate with the Committee. Councilmember Trawinski said that he anticipates this to be a six month to one year process.

Follow Up on Location of Dumpsters:

Attorney Rosenberg stated that there are existing ordinances which deal with refuse. He had consulted with the Building Department and found that what can and can't be done depends on when a site was approved and how the site was configured. The Building Department would like approval to do a survey of the commercial properties within the Borough in order to determine what the site plans call for regarding how many dumpsters may have been approved compared to how many are currently on site.

Councilmember Trawinski questioned whether the Building Department has the time and resources to conduct this type of an investigation. Acting Manager Kwasniewski thought that it would be time consuming because they would have to look at each business's site plan and approval. Councilmember Trawinski said that this is a great opportunity to be pro active by enforcing site plan approval and he suggested that the Building Department begin the work and develop of assessment of how long it will take.

Attorney Rosenberg stated that the Health Department or Property Maintenance can enforce the ordinance but he thought the Council wanted a more detailed investigation. Councilmembers agreed that Attorney Rosenberg should move forward with the Building Department.

Regarding the ordinance on dumpsters, Attorney Rosenberg recalled that a vote had been taken stating that minor site plan for the placement of dumpsters would not involve a public hearing. This was done to reduce costs. An application form has been prepared calling for a \$300 fee per dumpster and Acting Manager Kwasniewski commented that this seems high for a non-profit organization. Councilmembers Trawinski agreed and he asked for a recommendation from the Acting Manager. Acting Manager Kwasniewski said that since no experts are involved, she thought that a \$75 fee would be fair. She will find out why \$300 was suggested and report back to the Council.

Clariant Update

Attorney Rosenberg stated that the Council asked him to report on the current situation between Clariant and the DEP approval. He recalled that he, the Mayor and Councilmember Trawinski met with the environmental attorney and the consultant for Clariant in November 2007. At that time, Clariant indicated that they were about to submit their remedial action plan.

Attorney Rosenberg met with the attorney for Clariant recently and learned that they are still waiting for the DEP to approve the remedial action work plan. Councilmember Trawinski suggested that the Council pass a resolution involving Senator Gordon, Fair Lawn's assembly members and the governor asking the DEP to move this along so that this site could be put to productive use. He added that the Mayor should be authorized to forward a memo to the Governor.

Mayor Weinstein stated that a resolution seemed appropriate along with a letter to the DEP. Attorney Rosenberg will draft a letter to Senator Gordon for signature by Mayor Weinstein asking him to intercede on behalf of Clariant and the Borough of Fair Lawn.

Grand Opening of Turf Field

Mayor Weinstein said that All Sports Football Association has asked for approval for a celebration at the end of July or beginning of August. He said that he supports the idea and added that the field should be finished around the second or third week of July. Councilmember Trawinski indicated that he would like to attend and asked that the Manager coordinate the schedule. Mayor Weinstein said that he would like to discuss this further with All Sports and the event will be scheduled through the Council.

Removal of Property from Tax Sale a(8-29 Henderson Boulevard)

Acting Manager Kwasniewski reported that several days before the Tax Sale, a woman came to her office and said that her husband was serving in Iraq although his name was not on the deed to the house. She explained that when someone is serving in Iraq the residence is protected from this type of action. Acting Manager Kwasniewski did not have sufficient time to research whether or not this was the case before the sale. She discussed this situation with the Borough Attorney. After these discussions, she decided to take this off the tax sale list and then do the investigation.

Acting Manager Kwasniewski this serviceman's name has now been added to the deed. She is asking for a resolution to remove this residence from the tax sale list retroactively. Attorney Rosenberg confirmed that this complies with the spirit and intent of the law.

Request from Fair Lawn High School Girls Varsity Lacrosse Team

Acting Manager Kwasniewski stated that she received an email from the Girls Varsity Lacrosse Team regarding fund raising that they want to do in order to attend a spring training program in Florida next March. They are asking for permission to conduct a bake sale at the 4th of July Fireworks. She told them that the sale would have to be approved by the Council. She has consulted with the Health Department who said that they couldn't sell anything with a filling that is perishable.

Councilmember Baratta noted that there are vendors at the Fireworks but they have to get a permit. She suggested that the girls set up a table at the Farmers Market and Mayor Weinstein and Councilmember Trawinski agreed that this would be a better idea.

Endorsing Board of Education's Application to the Bergen County Open Space Trust Fund

Acting Manager Kwasniewski stated that a resolution is needed in order for the Board of Education to construct a playground at Westmoreland School. Councilmember Trawinski commented that this will have no impact on the Open Space request.

Noise Variance Request

Acting Manager Kwasniewski reported that the Board of Education has some ongoing construction and repair programs that will go past the expiration date of the current ordinance related to noise. A boiler replacement is being done at Westmoreland School beginning June 24th with an expected completion date of September 30th. There is a replacement project at Memorial School that will begin on September 28th and the window replacement at the High School begins on October 12th and will run until November 6th. Councilmember Trawinski recommended amending the ordinance to allow these projects that are underway to continue to completion or until a certain date such as December 31st.

Special Meeting

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski the meeting was adjourned to the Special Meeting at 9:06 P.M.

Mayor Weinstein reconvened to the Regular Meeting at 9:07 P.M.

Public Comments

Craig Miller, 5 Ramapo Terrace, referred to Panera Bread at the shopping center and noted that there are several hidden areas or pockets in the rear parking lot where kids

could cause damage. Councilmember Trawinski said that there should be enhanced lighting in these areas.

Harvey Rubenstein, 17-38 Chandler Drive, said that a copy of the letter regarding Clariant should be sent to Judge Harris. Regarding the sewer situation on Glenfair Road and Jasper Road, he suggested looking at the records to locate the "Y"s and angles.

Mr. Rubenstein stated that the closing of the lot behind Panera Bread would probably be a violation of the site plan. He agreed with the idea of a \$5 table charge or a sign that reads "Reserved for Paying Customers" and suggested a review of the site plan.

Mr. Rubenstein said that there is a parking lot at the Radburn train station where there is a sign that reads "No parking except by resident permit 4 P.M. to 9 A.M., Monday through Friday except holidays". Another sign reads "No parking 2 A.M. to 5 A.M." Mr. Rubenstein said that parking should be allowed on Chandler Drive on Saturday and Sunday. He asked why cars have to be moved at 8 A.M. This restriction should only apply on the days when the street sweeper comes by. Mayor Weinstein said that they will look into this and Councilmember Trawinski commented that additional spots could probably be made available on Chandler Drive.

Councilmember Trawinski said that the Manager will determine who owns the lot and look at the signage and then the permits. Councilmembers agreed with this.

Mr. Rubenstein questioned Resolution #222-2009; DOT Grant Application: State Roadway Aid Various Streets. Councilmember Trawinski explained that this is the normal grant from the State for street paving.

Sheryl Cashin, 1 Glenfair Road, asked about the TV inspection and the popping of the manholes. She commented that no one has ever done this to her knowledge. Councilmember Trawinski said that this is not as obvious as you would think and Mayor Weinstein stated that excellent records are kept on these types of things.

Ms. Cashin referred to the earlier comment that "problems with the sewers in this area don't often happen". She said that this has happened three times and there was 24" of sewage in the neighborhood. Mayor Weinstein said that the Manager meant that this doesn't happen every time it rains. Ms. Cashin said that sewage should never be in anyone's home. She said that the check valves in the basement only work if the pipes are above ground and the homeowner has access in order to clean the valves out. Mayor Weinstein stated that they will learn more from the experts who are conducting the study.

Ms. Cashin spoke regarding Panera Bread and suggested that a decorative wrought iron fencing with a lock be installed. Mayor Weinstein said that this would be expensive but this is a good idea and he would pass on the suggestion.

Jane Diepeveen, 14 Ryder Road, asked for details about the bikeway at Daley Field. Councilmember Trawinski stated that one of the concepts that was discussed was to

connect it to the underpass for the school via Coopers Way underneath Route 208 and continuing it around. This would be subject to the engineer's comments. The resolution will keep the opportunity for funding open. They also discussed extending it to Fair Lawn Avenue if an easement was acquired across Hayward, however, this has never been discussed by the Council.

Ms. Diepeveen asked about a signed bike route on Berdan Avenue and Mayor Weinstein explained that there are various types of bike routes. This is simply a bike route and this is why there are no lines. Ms. Diepeveen asked about lines being painted on Abbott Road and Councilmember Trawinski said that this is a change in the curb configuration.

Closed Session:

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta the following Closed Session resolution was unanimously adopted at 9:50 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 – Police Promotion, Police Officer, Scheduling of Grievance, Appointments to Garden Club, Property Maintenance; Attorney/Client Privilege – Williams Street; and Pending Litigation – Landmark

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,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approved the foregoing minutes.

Mayor Steven Weinstein

Councilmember Jeanne Baratta

ABSENT
Deputy Mayor Lisa Swain

ABSENT
Deputy Mayor Joseph Tedeschi

Councilmember Ed Trawinski