

WORK SESSION OF JULY 21, 2009

Mayor Weinstein called the meeting to order at 10:35 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.

OPEN SPACE APPLICATION FOR NAUGLE HOUSE:

Acting Manager Kwasniewski stated there is a requirement to have an appraisal which is due on September 4. There are a few new requirements that are not due with the application. She received an estimate from Paul Beisser of Value Research. He is the Borough's appraiser so he has done the Pay to Play and everything else. His estimate is \$4,000 for the appraisal. She wanted the authorization to tell him to get started on the appraisal.

There was a unanimous consensus to authorize the Manager to proceed with getting an appraisal for the Naugle House.

MISCELLANEOUS PUBLIC COMMENTS:

Pam Coles, 13-34 George Street, stated the Historic Preservation Commission came across an application through the New Jersey Historic Trust a few months ago and they did not have the code, they reached out to Acting Manager Kwasniewski to be able to access any kind of grant information they could fill out. She wondered what the process would be if they come across anything like that in the future. Acting Manager Kwasniewski stated they would have to go to her.

Craig Miller, 5 Ramapo Terrace, stated the Planning Board never posts their Work Session Agenda on the website. Acting Manager Kwasniewski stated she will check. Mr. Miller stated at the Planning Board meeting there was an application for the Hiway Theater which should have gone to the Zoning Board. One of the members wondered if the Planning Board looked at it and approved it, the approval would be null and void. The Zoning Board would then have to consider it as a new application. They said they were equal boards but he thought the Planning Board should have recommended they go to the Zoning Board. Attorney Rosenberg advised that it is a jurisdictional issue in this instance and he will follow up on it. Obviously they went to the Zoning Board because they needed a variance to exceed the height limitation of 10%. He will follow up with it. Councilmember Trawinski said the Zoning Board would be the board to hear the D4. If they needed that relief he wondered why the site plan didn't go to the Zoning Board in the first place. Attorney Rosenberg advised because it occurred during the course of construction. Councilmember Trawinski stated he needed to look at previous cases that say even if the right board had jurisdiction and then there is something that would take to the other board, they would still stay with the original board.

CLOSED SESSION:

Upon motion by Councilmember Trawinski and seconded by Councilmember Baratta, the following closed session resolution was unanimously adopted at 10:41 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 and personnel - CFO; 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 Trawinski, the meeting was adjourned at 11:11 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

