

## **Regular Meeting of October 13, 2009**

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

**PRESENT:** Mayor Weinstein, Deputy Mayor Swain, Councilmember Baratta and Councilmember Trawinski

**ABSENT:** Deputy Mayor Tedeschi

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

### **COUNCIL COMMENTS:**

Mayor Weinstein announced that the Fair Lawn Rescue Squad was having a Blood Drive and Open House on Sunday, October 18<sup>th</sup> from 12:00 – 4:00 p.m. at the Rescue Squad Building, 16-01 Romaine Street.

The Open House for Fire Company #3 will also take place on Sunday. The Fire House is located on Plaza Road and Rosalie Street.

Councilmember Baratta thanked the people who participated in the Farmers' Market, which was successful. They are hoping to have additional vendors next year. The Farmers' Market will close on Wednesday.

She thanked the residents who donated to the Borough's Food Drive. She asked that residents remember the food pantry because supplies get depleted quickly.

Councilmember Trawinski stated they received a copy of a letter sent to Lt. Kneer from Robert Kugler, Chief of Saddle Brook Police, thanking Lt. Kneer and the Honor Guard for doing an excellent job at the funeral viewing and burial of Detective Ron Muletta. He read a portion of the letter that stated "A special and sincere thanks for the honor and compassion you exhibited in bestowing the United States flag to Detective Muletta's family at the final commitment of service." He thanked Lt. Kneer and the entire Honor Guard for going above and beyond.

He stated that they received an email from a resident who had a sewer blockage over Labor Day weekend, which was caused by large tree roots. The resident thanked Borough employees Glen Roselli, Dan Belinsky and Jacob Mamo for their efficient work. The resident noted that Mr. Mamo was very courteous and stopped back by her house to ask if she was okay. That gesture brought her to tears when she was "bleaching the floors at 2:00 a.m.". He wanted residents to know that the majority of Borough employees go the extra mile to help. He thanked them for their efforts.

Deputy Mayor Swain reminded everyone that Election Day was on November 3<sup>rd</sup> and encouraged residents to vote. She advised residents that "Vote by Mail" applications were available for out-of-area college students or residents who could not get to the polls.

Mayor Weinstein stated that the Historic Preservation Commission was having a presentation at the Community Center on Wednesday night at 7:00 p.m. to discuss historical properties in town. The presentations are very educational.

Mayor Weinstein stated that he received a call from Senator Gordon, who informed him that the Borough had been awarded a Department of Transportation Grant in the amount of \$115,000. Acting Manager Kwasniewski stated that they applied for the grant in June. The funds will be used to pave Phillips Street and Berdan Avenue, down to River Road.

**ORDINANCES ON SECOND READING:**

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

**ORDINANCE NO. 2165-2009  
(RESOLUTION NO. 334-2009)**

**AN ORDINANCE TO AMEND THE CODE OF THE  
BOROUGH OF FAIR LAWN 2000, SPECIFICALLY  
CHAPTER 125, ENTITLED "LAND DEVELOPMENT" MORE  
SPECIFICALLY SECTION 125-40B ENTITLED  
"TEMPORARY STORAGE UNITS."**

There being no comments by the public, upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Swain, Resolution No. 334-2009 adopting Ordinance No. 2165-2009 was discussed.

Mayor Weinstein stated that they were amending the Temporary Storage Unit Ordinance, which was adopted in response to residents who were upset over the storage units being kept on neighbor's lawns for long periods of time. They are trying to be understanding of people who need these containers during construction period and have made changes based on input from residents. He hoped this would resolve the issues.

Councilmember Trawinski thanked the residents who attended the meetings to express their concerns and offer input on the use of storage units. He thanked his fellow Council members for listening and addressing the residents' concerns, and Attorney Rosenberg for his efforts.

There being no discussion, Resolution No. 334-2009 adopting Ordinance No. 2165 was unanimously passed.

Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, it was unanimously agreed to read the following ordinance by title and open the time for public comments.

**ORDINANCE NO. 2167-2009  
(RESOLUTION NO. 334A-2009)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN  
EMPLOYEES OF THE BOROUGH OF FAIR LAWN,  
BERGEN COUNTY, NEW JERSEY AS AMENDED**

There being no further comments by the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Swain, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Swain, Resolution No. 334A-2009 adopting Ordinance No. 2167-2009 was discussed.

Acting Manager Kwasniewski stated that the ordinance changed an employee's title to more accurately reflect her duties as the Corporate and Cultural Events planner at the Community Center. Mayor Weinstein stated that she was doing a great job. Acting Manager Kwasniewski stated there was no salary change involved; this was only a title change. Councilmember Trawinski asked for verification that this was a not a new position. Acting Manager Kwasniewski confirmed that. Councilmember Trawinski agreed that the employee was doing an excellent job.

There being no further discussion, Resolution No. 334A-2009 adopting Ordinance No. 2167 was unanimously passed

**PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY:**

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, the time for public comments on Agenda items only was opened.

There being no comments from the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Swain, the time for public comments was unanimously closed.

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski, Consent Agenda No. 29-2009 containing the following items was unanimously passed.

**RESOLUTIONS BY CONSENT #29-2009**

- a. Resol. #335-2009 - Approval of Minutes:
  - Special Meeting 6/16/09
  - Closed Session 6/16/09
  - Regular Meeting 6/16/09
  - Closed Session 6/16/09

Closed Session 6/23/09  
 Work Session 6/23/09  
 Closed Session 6/23/09  
 Closed Session 6/30/09  
 Regular Meeting 6/30/09

- b. Resol. #336-2009 – Authorizing Contract with Steven Winter Associates, Inc. for an Energy Audit
- c. Resol. #337-2009 - Cancel & Refund Property Taxes – Veteran Property Tax Exemption – Block 3225, Lot 4
- d. Resol. #338-2009 - Refund of Overpayment of Taxes
- e. Resol. #339-2009 - Requesting Approval of a Special Item of Revenue – Justice Assistance Grant
- f. Resol. #340-2009 - Authorizing Application of a Public Health Emergency Response to H1N1 Grant
- g. Resol. #341-2009 - Issuance of New Liquor License under Hotel/Motel Exception
- h. Resol. #342-2009 - Authorizing Tax Appeal Settlement – Aperion Enterprises
- i. Resol. #343-2009 – Authorizing Tax Appeal Settlement – Space Station Fair Lawn, LLC
- j. Resol. #344-2009 – Authorizing Tax Appeal Settlement – Jimmy’s Real Estate Holdings
- k. Resol. #345-2009 – Authorizing Submission of an Application for the Fair Lawn Municipal Alliance Grant
- l. Resol. #346-2009 - Municipal Representative to Community Development

Mayor Weinstein referenced Resolution No. 336-2009 authorizing a contract with Steven Winter Associations, Inc. for an energy audit. He noted that this was a concrete first step in achieving energy efficiency in the Borough. He hoped the audit would suggest ways to save money and energy.

**RESOLUTION NO. 347-2009 – CANCEL & REFUND PROPEY TAXES – VETERAN PROPERTY TAX EXEMPTION – BLOCK 4519, LOT 3**

Councilmember Trawinski asked to be recused from this resolution.

Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, Resolution No. 347-2009 was passed, with Councilmember Trawinski recusing himself.

**RESOLUTION NO. 348-2009 - Approval of Minutes:**

Work Session 6/9/09  
 Special Meeting 6/9/09  
 Closed Session 6/9/09

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Resolution No. 348-2009 was passed, with Deputy Mayor Swain abstaining.

**PUBLIC COMMENTS:**

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski, it was unanimously agreed to open the time for public comments.

Harvey Rubenstein, 17-38 Chandler Drive advised the Council that Croucher Lane was used as an entrance and exit to the Industrial Park. He noted that Chandler Drive was also used as a main route to and from the park.

He stated that Deputy Mayor Tedeschi referred to the right of petition in the newspaper as "people using McCarthiasm", but the true definition of petition is a non-violent legal means of encouraging or disapproving government actions. The citizens who used the petition process were exercising their given right under the Constitution.

There being no additional comments from the public, upon motion by Councilmember Trawinski and a second by Councilmember Baratta, the time for public comments was unanimously closed.

**ADJOURNMENT:**

Upon motion by Councilmember Trawinski and second by Deputy Mayor Swain, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC,CMC, MMC  
Municipal Clerk

The undersigned have read and approve the foregoing minutes.

\_\_\_\_\_  
Mayor Steven Weinstein

\_\_\_\_\_  
Councilmember Jeanne Baratta

\_\_\_\_\_  
Deputy Mayor Lisa Swain

\_\_\_\_\_  
Absent  
Deputy Mayor Joseph Tedeschi

\_\_\_\_\_  
Councilmember Ed Trawinski