

REGULAR MEETING OF MARCH 25, 2008

Mayor Weinstein called the meeting to order at 7:30 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 14, 2007. 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, Councilmembers Baratta and Trawinski and Deputy Mayors Swain and Tedeschi.

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

COUNCIL COMMENTS:

Mayor Weinstein stated the latest report from Iraq is 4,000 of our young men and women have died. Our hearts and prayers go out to those families and to the families that have men and women returning home with severe injuries and wounds.

Councilmember Baratta echoed Mayor Weinstein's sentiments. She mentioned the River Walk by Memorial School. There is a wooden sign at the beginning of the walk. The Boy Scouts made signs and put them up showing the foliage and wildlife that is there. The Borough will be holding a Canoe Regatta at Memorial Park on May 31, 2008. More information will be forthcoming. Hopefully it will be an annual event in Fair Lawn.

Councilmember Baratta congratulated Fair Lawn All Sports Track and Field Program because they are going to be hosting the New Jersey Striders Youth Track and Field Invitational on June 1, 2008. It is a very big track meet. These track meets bring people from all over the County and they are expecting over a thousand people to attend.

Deputy Mayor Swain felt the track meet will be a very exciting event. This is the first time they are hosting in many years.

Deputy Mayor Swain spoke about a 5K race by the Susan J. Kolman Foundation that raises money for breast cancer. The North Jersey Affiliate, For the Cure, will host its first annual race for the cure in Branchbrook Park in Newark on May 5, 2008, which should be a beautiful time of year with the cherry blossoms. They are looking for teams of people. The team consists of 10 or more people with a team captain. Their goal is \$1,250 per team. This is something she would like to do she loves 5K's. If anyone is interested in being on her team or having their own team, contact her through the Borough.

Deputy Mayor Swain talked about Fair Lawn High School's group of kids that are part of the Animal Rights Club that are trying to make a difference in U.S. Soldiers who have been stationed in Iraq. There was a story about a police officer who was able to get his dog back from Iraq and that is what they are trying to do. They want to raise money to bring the dogs

back there. If anyone is interested, they can contact the Fair Lawn High School to make a donation.

Councilmember Trawinski thanked the Office of Emergency Management and the Management Director, Ira Marks. Last night at the Open Space Committee meeting he learned that there are three municipalities in the State of New Jersey that have approved FEMA mitigation plans, Atlantic City, Wayne and Fair Lawn. That is a real credit to Ira and his persistence in getting that mitigation plan approved. The consequences of that mitigation plan mean that grant applications that the Borough submit now and in the future to FEMA have a great probability of being approved.

Councilmember Trawinski also thanked the members of the Open Space Committee because of their commitment and dedication. There are two items of property they would be acquiring that would be added to the Open Space inventory. He felt that by the end of April or May they will have at least acquired one and maybe the second one which the Council has agreed at no cost that is the Lackland pocket park on River Road. For the people who have not seen much happening with open space, he wanted to assure them that the Open Space Committee is hard at work and it is happening.

Councilmember Trawinski mentioned that on April 14, 2008 at the Fair Lawn Community Center from 7:00 p.m. to 9:00 p.m. Councilmember Baratta and he will be sponsoring an educational forum for the group that does the Operation Goodie Bag and Operation Freedom Walk for the troops. Operation Goodie Bag is a program that is recognized by the Department of Defense, in addition to providing a little taste of town, the troops in Iraq and on the ships in the Persian Gulf; it also provides an opportunity for grammar school students to provide letters to the soldiers. The soldiers and other military personnel deployed in Iraq and the Persian Gulf have written back telling the students what they were doing at the time they received their goodie bag package. It provides an interesting historical insight. This is just an informational program to explain it and will let people know how to help if they want to.

Deputy Mayor Tedeschi commended Councilmember Trawinski and Councilmember Baratta for bringing a little bit of home to those troops overseas. He would like them to see a bigger bit of home by bringing them home.

Deputy Mayor Tedeschi spoke about the Broadway Redevelopment Plan. It is going to take time. Hopefully, they will see successes there.

Mayor Weinstein complimented all of the members on the Council for so diligently working on the budget which should be introduced on April 8, 2008.

MANAGER'S REPORT:

Manager Metzler stated there were no changes or additions.

ORDINANCES ON FIRST READING:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, it was unanimously agreed to read the following ordinance by title.

ORDINANCE NO. 2111-2008**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED AVEHICLES AND TRAFFIC@, ARTICLE II, APARKING@, SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS**

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Swain, Resolution No. 115-2008 introducing Ordinance No. 2111-2008 was discussed.

Manager Metzler explained that this Ordinance will restrict parking between 8:00 a.m. and 10:00 a.m. on Hillery Street from Jasper Road to Halsey Road and on Hartley Place from Rosalie Street to Watkins Avenue. The Ordinance will also restrict parking between 10:00 a.m. and 12:00 p.m. on the west side of Hartley Place from a point 100 feet north of Route 4 to Rosalie Street.

There being no further discussion, Resolution No. 115-2008 introducing Ordinance No. 2111-2008 was unanimously adopted.

ORDINANCES ON SECOND READING:

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

ORDINANCE NO. 2110-2008**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2007, BY AMENDING CHAPTER 241, ENTITLED "WATER", SUB-SECTION 241-50, "WATER RATES"**

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

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, Resolution No. 116-2008 adopting Ordinance No. 2110-2008 was discussed.

Manager Metzler explained that this Ordinance will increase the water rates to \$4.50 per thousand gallons.

There being no further discussion, Resolution No. 116-2008 adopting Ordinance No. 2110-2008 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

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

Harvey Rubinstein, 28 Rutgers Terrace, questioned Resolution No. 120-2008. Mayor Weinstein explained that it was for the Route 208 corridor along with Chandler Drive, Abbott Road and other areas. It is for improving business around a train district.

Mr. Rubinstein questioned Resolution No. 121-2008 asking what was the change order for. Manager Metzler explained there were adjustments in the project totaling \$43,498.13.

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

RESOLUTIONS BY CONSENT # 7-2008

Upon motion by Deputy Mayor Tedeschi and a second by Councilmember Trawinski, Consent Agenda 7-2008 containing the following items was unanimously passed.

- a. Resol. #117-2008 – Approval of Minutes:
 - Work Session 1/22/08
 - Closed Session 1/22/08
 - Regular Meeting 1/29/08
 - Work Session 1/29/08
 - Work Session 2/4/08
 - Closed Session 2/4/08
- b. Resol. #118-2008 – Transfer of Funds
- c. Resol. #119-2008 – Click It or Ticket
- d. Resol. #120-2008 – Smart Growth Grant Application
- e. Resol. #121-2008 – Change Order: Project #2145 Roadway Improvements 2006
- f. Resol. #122-2008 – Confirmation of Fire Board Actions
- g. Resol. #123-2008 – Refund of Overpayment of Taxes

PUBLIC COMMENTS

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

Arlene Rubinstein, 28 Rutgers Terrace, stated at the last Work Session, Councilmember Baratta made the motion to eliminate the \$2,500 stipend and the health benefits for the Council. The Council very nicely voted for it. Mayor Weinstein stated it was only the \$2,500 not the health benefits. Arlene Rubinstein stated she was told it was for health benefits. She

thought they should eliminate health benefits. Basically Councilmembers are in a volunteer position, she assumed that all of the them have health insurance from their jobs or spouses jobs. This is at the taxpayer's expense.

Mrs. Rubinstein stated they could cut their stipends so that the Office of Emergency Management could be paid their salary. She thought that was a very good trade off.

She expressed concern that the reputation of the Borough Manager and the Chief Financial Officer was tarnished. She finds it highly objectionable that this was a partisan issue. If that is the case, then everyone can begin the case.

Mayor Weinstein stated that she should not assume, because her facts were wrong that they have other health insurance.

Mrs. Rubinstein stated she does know that most of the members do have health insurance. She assumed that people run for Council to benefit Fair Lawn because they care about the town not because they owe someone in Hackensack.

Claude Bienstock, 39-11B Broadway, asked what was happening with Daly Field. He wondered if they were going to build a shopping center there, townhouses, single family homes or individual stores or will it stay as it is open space. Mayor Weinstein stated he would not comment about it because it was in litigation but the Council did promise to keep Daly Field green.

Stuart Golding, 14 Rutgers Terrace, in regard to the purchase of the Manager's vehicle, it seemed strange that the process was not followed correctly. The money had already been budgeted. He did not know why the Council spent so much time on it. He also wondered why Mayor Weinstein's diligence was not used during discussions of the building the Recreation Center.

Sylvia Gaddi, 9 Maltese Drive reminded everyone that the Board of Education candidates would be attending a forum on April 3 at 8:00 p.m. in the High School Cafeteria.

Rita Golding, 14 Rutgers Terrace, asked about the time frame for remediation of the Kodak site. Mayor Weinstein stated he did not know but they have been talking to the DEP about it. Ms. Golding stated they should look for businesses that can bring in revenue. Mayor Weinstein stated that the EDC did a study through the State and have taken into consideration all of the various types of business that could be built on that site. They have even talked to a company that wanted to make sneakers in Fair Lawn. Ms. Golding said she was glad to hear that.

Harvey Rubinstein, 28 Rutgers Terrace, said in regard to the sneaker factory he suggested not holding out hope for that. He spoke about the picnic tables at Memorial Park and what they were made of. Deputy Mayor Swain told him they were made of recycled material. He went on to say that at last night's Zoning Board meeting they approved an application for a house to be enlarged. It did not make sense to him since there is so much flooding going on there.

He felt the Borough should advertise that space is available for business or commercial use in the New York Times so that the companies that see it might become interested in Fair Lawn.

Lisa Yourman, 66 Nottingham Road, spoke about shared services and the safety of the Board of Education buses. Mayor Weinstein informed her that she needed to address these issues to the Board of Education.

JoMarie Sachinelli, 23-17 Ellington Road, thanked Councilmember Baratta for mentioning the track meet.

Anna DiNardo, 13-06 2nd Street, said she heard people talking about politics and health benefits and just wanted to add that there are millions of people that don't have insurance because it is so expensive.

Sheryl Cashin, 1 Glenfair Road, thanked the Council for funding the sewer study. She offered special thanks to Manager Metzler for going out of his way calling her this past weekend when the storm was coming. She mentioned Lisa Yourman talking about the safety of the buses and felt that was the kind of person she was. Mayor Weinstein said the buses were taken off the road. He felt the respectful thing to do would be to talk to the Board of Education because coming to the Mayor and Council would not get any answers. Ms. Cashin stated that she has seen on the buses that the arm does not come down. She did not know how the bus could pass inspection.

Councilmember Trawinski felt it was hard to believe that the Board of Education would put the buses on the road knowing there are safety issues. He is concerned about the shared services between the Borough and the Board of Education and felt they will be address at a meeting. He thought a breakdown in communication had taken place somewhere. He also felt this discussion did not belong here. It has been made very clear to him that if the Borough mechanics worked on the buses, there would be safe. Ms. Cashin said she did not care who fixed the buses as long as they were safe. Mayor Weinstein informed her that his children ride on the bus and he feels secure.

Harvey Rubinstein, 28 Rutgers Terrace, stated that the Borough bought the lift to fix the buses therefore the Board of Education should not be going out of town to have them repaired. He thought the mechanics and the garage should be used. Mayor Weinstein said they should wait to see what happens at the meeting.

Manager Metzler said the Borough is just another vendor. Also, the request for the lifts came before shared services. It was purchased to work on the Borough's big trucks.

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 Baratta and seconded by Councilmember Trawinski, the meeting was adjourned at 8:30 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