

## WORK SESSION OF APRIL 1, 2008

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

**PRESENT:** Mayor Weinstein, Deputy Mayors Swain and Tedeschi, and Councilmembers Baratta and Trawinski.

**ALSO PRESENT:** Manager Metzler, Municipal Clerk Kwasniewski and Attorney Rosenberg:

### **Closed Session:**

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, the following closed session resolution was unanimously adopted at 7:30 p.m.

**WHEREAS;** the Open Public Meeting 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 – Lentini and Landmark at Radburn;

**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 the 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.

Mayor Weinstein reconvened the meeting at 8:00 p.m.

### **Review of Tentative Agenda (4/8/08):**

Municipal Clerk Kwasniewski asked to add a Resolution for Refund of Overpayment of Taxes. She stated that CFO Eccleston requested that two items of revenue be added: one for water rents and one on the debt service.

Councilmember Trawinski inquired as to when they would receive the RRIC and BIC budgets. Municipal Clerk Kwasniewski stated that they would receive them on Friday.

### **Council Liaison Reports:**

Deputy Mayor Swain stated that the New Jersey Striders Invitational Meet would take place in Fair Lawn on June 1<sup>st</sup> at 1:00 p.m.

Councilmember Baratta stated that the Historical Preservation Commission had inquired about their budget request. Manager Metzler stated that \$2,000 was in the budget. Councilmember Baratta stated that the Commission would like to come in to discuss historic designation by ordinance for some of the historic properties, such as the Naugle House. Municipal Clerk Kwasniewski will add this to the agenda for the first work session in May.

Councilmember Baratta stated that the Alliance for Substance Abuse Prevention has a bike rodeo scheduled for May 10<sup>th</sup> at Memorial Park which will take place at the same time as the Touch-a-Truck program. The rodeo will take place rain or shine.

She and Deputy Mayor Swain attended the 501(c)3 meeting. They informed the members that the meeting with the Board of Education would take place on May 5<sup>th</sup>, as they were interested in the parking situation. Hurdy Gurdy has signed on for another year. Friends of the Fair Lawn Community Center will be presenting a report to the 501(c)3 at their June meeting.

Councilmember Baratta thanked Attorney Rosenberg for putting together the information the Tree Committee requested. The Committee will be meeting quarterly and wondered if formal minutes were required. Manager Metzler stated that minutes were not required. Councilmember Baratta asked if she had voting rights as Council liaison. Attorney Rosenberg stated she did not. Councilmember Baratta reported that the County would be planting 100 trees on County roads. Twenty five residents have requested trees. The Committee is working on a policy for tree planting ten feet from the curb. The right of way is sometimes not wide to plant a tree and causes the sidewalks to become raised. Municipal Clerk Kwasniewski asked if the Committee had drafted their letter yet, as she had prepared the mailing labels. Attorney Rosenberg stated that he had made changes to the letter for the tree specialists. Councilmember Baratta stated that the Committee liked the revised letter but questioned the four inches in the ordinance because Walter Neill thought that might pose a problem. She will have Jane Spindel call Municipal Clerk Kwasniewski.

Councilmember Trawinski stated that the Open Space Committee is close to having the second appraisal for George Street. They discussed the \$300,000 grant for the turf field. The Committee asked Manager Metzler to research if there would be a savings if they installed the field off season. Manager Metzler stated that he believed there would be savings. The Committee was upset that they lost a recording secretary due to budget cuts.

### **Capital Alternatives Presentation:**

Deputy Mayor Tedeschi introduced Marlene Casey and Glen Carney from Capital Alternatives. He stated that the Council has been discussing outsourcing the process of obtaining grants. He noted that Capital Alternatives successfully obtained grants for the Borough from December 1994 through June 2001.

Ms. Casey stated they have an interest in working with Fair Lawn, but are concerned because the State of New Jersey is almost out of funds. By now, they should have a list of the most asked-for programs along with deadlines and parameters. Currently, only two programs have been announced and they do not know how much funding there will be. As a result, they cannot offer an opinion as to what the chances of success would be and/or the amount of money that could obtain. She wanted to find out which programs the Borough was interested in and present information on the programs that were announced to see if there was an interest in proceeding.

Mr. Carney stated that the report contained information on how municipalities can use their own employees and agencies to obtain smaller grants online. He felt they needed to take a proactive approach. They are available to offer guidance. Ms. Casey felt that if the employees became more familiar with the tutorial it might help to get everyone thinking outside the box. Councilmember Trawinski noted that there were five grant opportunities listed that should be brought to the attention of the Historical Preservation Commission.

Ms. Casey has been following the Naugle House progress and stated that Bergen County had announced its first round of open space grants. She noted that Fair Lawn will be receiving grants for the turf field and pointed out that there were other categories under that same program, one being the historic element, which is a 50/50 matching grant. Rather than have them appropriate matching funds, they would multi-source the application and put the other half into the New Jersey Historic Trust Application which comes out later in the year. The Historic Trust is currently a funded program. The Historic Application is quite large and would need to be done twice so that it could be multi-sourced.

Mayor Weinstein stated that they had just received a \$19,500 grant from the County for the architect for the preservation plan for the Naugle. They received another \$90,000 for acquisition. Ms. Casey felt that if they were to request funding for restoration it should be in the area of \$350,000 - \$400,000 so that there would be enough funding to stabilize the house. Ms. Casey stated that they could go to the New Jersey Historic Trust. Two applications would be prepared. One would be submitted to the County, who would be notified that the matching funds would not be municipal funds but would be from another grant application. There is no caveat that states you cannot match State funds with County funds or that the matching funds have to come from the municipality.

Mayor Weinstein asked Ms. Casey if she would be willing to meet with the Historic Commission. Ms. Casey stated she would be willing to give them guidance. She felt that once the budget is settled the programs will come slowly. The competition will be strong. She noted that the Department of Transportation Municipal Aid Road Program was announced. In addition to the usual categories such as municipal road aid for a street, there is also the discretionary category, which is what they used for the Arcadia/Berkshire drainage system. They should look into this if they needed funding to finish a project.

Councilmember Trawinski inquired if discretionary funding could be used to fund a study. Ms. Casey stated it could not. There were other ways to fund a study if it had to do with roads and drainage or sewer problems, but they have missed the deadlines for this year as it was in January.

Mr. Carney stated that this year was unique in how applications were filed. Ms. Casey explained that the State has decided that all applications will be filed on line. She noted, however, that she has tried to file applications several times and the State's computers were down. Mayors and Administrators are given a password and ID. Capital Alternatives would enter the application and the administrator is asked to review it online. The application is submitted upon approval.

Mr. Carney thought it was a good idea to meet with the Historic Preservation Commission. Manager Metzler suggested that either he or a councilmember be present when Ms. Casey meets with the Commission to remind them that Council's original goal for this site was to preserve it and then sell it as a preserved historical site. Deputy Mayor Tedeschi stressed that it was essential that everything go through the Manager's office. Ms. Casey stated that they ask for a Council liaison, in addition to the Borough Manager. Mayor Weinstein stated that he and Councilmember Trawinski will work together as liaisons.

Councilmember Trawinski noted that there was a Preservation Easement program listed. Ms. Casey stated that there were small grants that provide for schooling on preservation easement and restoration. There are also similar programs for the Planning Board and the Environmental Commission, and grants to help do a tree inventory. She noted that they have had previous success with the Homeland Security Fire Fighter's Assistance Act Grants. They offer free assistance to Firefighters and Police, who should create the application online with everything but the narrative, which is faxed to Ms. Casey. She will critique their report and make corrections.

Ms. Casey stated that Elmwood Park and Glen Rock were clients. She felt they would do well by combining all three towns in grant applications.

It was the consensus of Council that Capital Alternatives serve as grant consultants to the Borough.

### **Curbside Textile Recycling:**

Ron Lottermann, Recycling Coordinator stated that there was interest from Planet Aid and Goodwill in purchasing collected textiles. He felt this could be worked into the current recycling program with the existing manpower and trucks. The residents would call up and schedule a pick up on a recycling day.

Recycling Coordinator Lottermann stated that statistics show the average person throws away 65 lbs. of textiles per year. Fair Lawn has 31,000 residents. With a 25% cash in rate down the road, they are looking at \$40,000 in potential earnings. As these items

would no longer be put out in the garbage, they would realize a reduction in the garbage tipping fees in the area of \$20,000. There is a potential to save \$60,000 a year once the program takes off.

Recycling Coordinator Lottermann stated that he will be keeping the clothing bins at the Recycling Center, as there was concern about what would happen to Salvation Army and other agencies if they decided to go with Goodwill. He clarified that residents would still have a choice as to which organizations they could donate to. They would not be giving receipts. He received a proposal from Planet Aid, which has had some negative publicity and Goodwill, which is doing good work in New Jersey. He did not want to start the program without having two markets, because if one market dried up he would be left holding these materials.

Deputy Mayor Swain asked if there was a place to store the bags of textiles until pickup. Recycling Coordinator Lottermann stated that Goodwill was willing to leave a truck at the center to handle storage and would pick it up once it was filled. He could also drop the bags off at Goodwill's facility in Harrison. He is ready to get the program started immediately.

Attorney Rosenberg stated that they would have to look at the bidding aspects of this program. Recycling Coordinator Lottermann stated that the marketing of recycling is exempt in the State of New Jersey.

It was the consensus of Council that Attorney Rosenberg research this further.

Deputy Mayor Tedeschi asked how residents would be notified about this program. Recycling Coordinator Lottermann stated information would be on the website and flyers would be left at the Senior Center, the Library, at Borough Hall and handed out in the schools. They can also have a contest with the schools to see who collects the most materials. Mayor Weinstein thought it would be a good thing for the town and thanked him for his presentation.

### **Alternative Revenue/Advertising:**

Manager Metzler stated that Ron Lottermann made a proposal to him about advertising on the Recycling trucks. He noted that Superintendent Ron Conte was opposed to the idea.

Recycling Coordinator Lottermann stated that the BCUA newsletter showed one of the companies that makes signage for the side of the garbage trucks. The town could sell advertising space. Another company sells recycling containers that vendors could advertise on. New York City is advertising on the side of their garbage trucks and receives over \$100,000 in revenues. He was not sure if they would be in the same range, but he wanted to see if Council was interested in pursuing this. One of the companies, RDI is based in California and has a list of several large companies they

have worked with. This could also be used to advertise the Borough's own programs if they were unable to sell advertising space. Mayor Weinstein asked if there were any local towns using this type of advertising. Recycling Coordinator Lottermann was not aware of any.

Manager Metzler stated that Superintendent Conte was opposed to any advertising on any of the DPW vehicles. Manager Metzler felt it might be worthwhile to try on the mini buses and garbage trucks. Attorney Rosenberg felt it would have to be bid on like the bus shelters. The advertising would be controlled in the same way that bus shelter advertising was controlled.

Mayor Weinstein stated the concern was about the type of advertising. Manager Metzler stated the next step would be to have Attorney Rosenberg research this further and then try this for a 24 month trial period to see what type of feedback they receive. Deputy Mayor Tedeschi wondered if Recycling Coordinator Lottermann could obtain prices of ads for the various vehicles, explain the process and come up with a reasonable expectation so that they could make a decision. He was reticent about advertising on trucks. Manager Metzler stated the yellow trucks are viewed as a recycling truck and not a garbage truck. He felt there may be more businesses willing to advertise on a recycling truck.

It was the consensus of Council that this issue be researched further by Attorney Rosenberg and Recycling Coordinator Lottermann.

Manager Metzler announced that Recycling Coordinator Lottermann has been chosen by New Jersey Clean Communities to speak at this year's League of Municipalities Conference in Atlantic City.

### **EDC Presentation:**

Transportation Enhancement District - Councilmember Trawinski stated that the Planner for the Route 208 Corridor Study recommended they have a specific transportation enhancement district and provide for specific funding to deal with programs that they would want to implement in that district. It was suggested they offset costs associated with transportation enhancements through special assessments as allowed under State law. There are issues on Route 208 that need to be dealt with even if there is no further development. New businesses cannot be made to pay for existing problems, only the incremental effect. He asked that Attorney Rosenberg review the statute and suggest an ordinance with options. This is one of the positive items that have come out of the study.

Deputy Mayor Swain asked what happens once the money is put into the fund. Councilmember Trawinski stated that the long term plan was to get the funds and decide what needs to be done from a design and planning perspective. Mr. Smartt stated there was a list of eleven suggested areas of improvement that Council would need to prioritize. Councilmember Trawinski stated this plan would help them with future grants.

It was the consensus of Council that Attorney Rosenberg research the State statute.

EDC Presentation: Mayor Weinstein stated that the EDC has been in effect for three years. He felt it was an important entity for the future of Fair Lawn. The Council agreed to provide them the seed money of \$90,000. He noted that the EDC took the lead in the Route 208 study and has provided the Smart Growth Grant for the Radburn business district study.

Stu Herrmann, President of the EDC, introduced Steve Kiel, treasurer for the EDC and a representative of the Radburn Association and Charles Tredigo, attorney and treasurer of the BIC. He stated that the Joint Leadership Committee, consisting of the Boards of the EDC, RRIC and BIC appeared before the Council on March 11<sup>th</sup> to ask that the Council approve funding for the EDC out of general tax dollars. It was Council's consensus not to fund the EDC that way for 2008, leaving the EDC with three options. Option one was to close the private/public partnership of the EDC, which the EDC did not feel was an option due to the large amount of time and energy devoted to the economic development of Fair Lawn. Option two would have the EDC go into quiet mode, as there is currently no plan for funding beyond July 1<sup>st</sup> for projects, marketing or business recruitments. There would be no further representations at meetings and minimal activity towards advocacy. They would continue their grant administration and any legal accounting requirements under their not-for-profit obligations. Option three would be a third SID with an umbrella type organization called the EDC, which would be run by the three SIDS and possibly the Chamber of Commerce. This proposal was presented to Council at a previous meeting. Funding for this option would result from the leadership of Council in establishing the SID and its assessment power.

Mayor Weinstein wondered if they had reached out to the districts affected by the creation of a third SID in the same way that they reached out to River Road and Broadway. Mr. Herrmann stated they would reach out to the districts in the same manner and would hold community and business community meetings to answer questions and address concerns. Mr. Smartt stated they would use the same methodology and philosophy that was used to set up the RRIC and BIC. Mr. Herrmann stated that they have reached out to many businesses and have stepped up their recruitment for Route 208 and areas outside River Road and Broadway. There has been interest from five or six individuals.

Mayor Weinstein recommended that Council attend the meeting to hear the comments. He suggested doing a survey for people who could not attend the meeting. Mr. Smartt stated they would use the methods they have developed over the past 17 years. They want to hear directly from the businesses that will be assessed and will use the same extensive efforts that they used in the past. Mr. Herrmann was not sure a survey was necessary with the wide use of emails and websites. Mayor Weinstein stated that they have received letters in the past, both pro and con. Mr. Smartt felt they would hear from anyone who wanted to be heard. They need to know if Council would be willing to implement this alternative plan if the business participants ask for it.

Councilmember Trawinski stated that he would support this plan if it is done in a manner consistent with the way it was done with RRIC and BIC. There has to be a buy in from those affected by the SID. He felt it was a way to establish funding from the business

community for efforts to help all of Fair Lawn. The stronger the ratable base in the business districts, the better it is for the residents. Deputy Mayor Tedeschi agreed, provided a process is put in place to identify the need, desire and willingness of the businesses to participate in being taxed. Over the past three years, they have spent \$90,000 worth of tax money and he wasn't sure what they had received in return. He felt that before a tax was imposed on an area bigger than River Road and Broadway, they should have a sense of the ability of the EDC to meet the needs of those people who are being taxed. He was concerned that they were trying to create a revenue stream before knowing what they wanted to do.

Deputy Mayor Swain wanted to know the role of the Chamber of Commerce, how the funding would be used and how the businesses felt. Mr. Herrmann stated that the Chamber of Commerce has been kept up to date. Some of the Board members were for and some were against the idea of an assessment. He tried to get the full Board to take a vote but they did not want to. The umbrella EDC would be made up members from the BIC, RRIC, the third SID and the Chamber of Commerce whose membership includes 180 Fair Lawn businesses. He does not know which way the vote would go.

Mr. Smartt stated that the role of the Chamber of Commerce on River Road has changed. Seventeen years ago they were the leader of the discussions. Now they have a membership on the Board and are no longer a funding mechanism. They will be invited to play whatever role they wish. Deputy Mayor Tedeschi asked if the Chamber of Commerce supported this proposal. Mr. Herrmann reiterated that he would not know that answer until a vote was taken.

Mr. Tredigo stated that he was invited to join the BIC when it was formed and they intend to follow the same process with the new proposal. He did not feel it would be any less of an organization without the Chamber's presence, although he hoped they would participate. A master plan will be presented to Council later this year. Mayor Weinstein stated that the whole purpose of the townwide meeting was to hear what these people envision as their future and learn the EDC can help them.

Mr. Herrmann explained that the Chamber was invited to join the BIC Board as they were already on the RRIC Board. Some past presidents have been active and some have not. He hopes that they will be involved with the third SID and there is already a representative on the EDC. He noted that the March 11<sup>th</sup> packet discussed their plans for business marketing and recruitment. Having a planning professional available for advocacy issues and legal needs is a big part of the budget including administration and grant administration.

Mr. Smartt stated that there were certain strategies that they have not employed Borough wide. A number of strategies were employed on a district wide basis on River Road. They did a development manual that was given to the Chamber of Commerce and the Borough. They did a business recruitment program and investment program only on River Road. He felt the marketplace would support these programs being applied Borough wide. They will articulate these programs to the community with greater detail. Mr. Smartt stated that he spoke with various individuals from the other smaller districts

but felt it was very important to have public dialogue to obtain everyone's feelings. Councilmember Baratta felt the key was to get the community involved. She felt that they should move forward with the meeting but could not state whether or not she would support the plan.

Deputy Mayor Tedeschi inquired if they could identify the businesses that would be included in the third SID. Mr. Smartt stated the third SID would include commercially zoned 4A and 4B properties, such as banks, the industrial properties and offices. Mayor Weinstein noted that when the first meeting took place, he walked through the districts knocking on doors to make sure people came to the meeting. Mr. Herrmann stated that there were 400 commercial properties and 66 industrial properties.

Deputy Mayor Tedeschi pointed out that the third SID is not contiguous and it will be hard to build a consensus. Mr. Smartt stated it will be their job to reach out to the businesses and answer their questions. Councilmember Trawinski stated that businesses will move if they sense that a municipality is not committed to maintaining and enhancing their business districts. It does make an impact.

Mayor Weinstein stated that Rick Mainardi reached out to the Borough before he brought Panera Bread to Fair Lawn. A key aspect was meeting with the EDC members and receiving support. Mr. Herrmann stated that Mr. Mainardi was approached initially about economic development and he was not interested. He is now thinking of joining them after seeing how the town helped him with his business.

Mayor Weinstein asked for Council's thoughts regarding a town meeting. Deputy Mayor Swain stated she wanted to move forward to develop and maintain business but felt she needed more information. Councilmembers Baratta and Trawinski were in support of the meeting. Deputy Mayor Tedeschi felt it was the EDC's obligation to prove its value and place in the community.

Mayor Weinstein thanked Mr. Herrmann and Mr. Smartt.

Mr. Smartt stated that an approach was made to the Zoning Officer regarding the establishment of a 24 hour business in a commercial property on River Road. They were told that under the current zoning they were allowed to do that.

### **Kipp Street Parking:**

Manager Metzler stated that he surveyed the residents on Kipp Street to see on which side of the street parking should be restricted. Mayor Weinstein stated that he spoke with a resident who felt they should allow parking on the residential side, as he had a small child and did not want him running across the street. He recommended allowing parking on the residential side of the street and restricting parking on the Community Center side. He felt this would give the residents some relief. He suggested reviewing the matter at a later date to see if it is working out.

Councilmember Trawinski stated that the driveway aprons reduced the number of parking spots. He wondered if more children would dart out between the cars. He inquired if Traffic Safety Officer Franco made a recommendation. Manager Metzler stated that TSO Franco recommended parking on the field side because there were more spaces. Deputy Mayor Swain agreed. Mayor Weinstein stated he was thinking about the residents themselves.

Manager Metzler stated that everyone was mailed a letter, in addition to knocking on doors. There are six houses and one house is vacant. He received three responses. If people do not response he assumes they do not care. One resident did not want parking on the field side and two residents did not want parking on the residential side.

It was the consensus of Council that no parking would be allowed on the residential side of Kipp Street.

### **Total Makeover of Memorial Pool:**

Deputy Mayor Swain suggested they look at Memorial Pool again. There are some low cost alternatives that could be implemented. Councilmember Trawinski stated that there was a consent order entered into with the State in 1986 that the facility would be upgraded. In 1995 there was a new consent order. They received a special permit from the DEP that allowed them to use chlorine. Then they did the studies. They had wanted to put that report out in a referendum to the voters, but it was cancelled by the new Council. They continue to waste 45 million gallons of drinking water every season. He thought they should put it to the voters.

Mayor Weinstein said they will need new numbers and then they could have a town meeting. Councilmember Trawinski indicated he would not support doing anything unless there is a referendum. Mayor Weinstein concluded the discussion by asking for the preliminary reports.

Deputy Mayor Tedeschi explained that there were three stages. Plan A was \$2 million dollars, Plan B was a \$4 million dollar fix and Plan C was a replica of East Brunswick's water park for \$6 million dollars. It was supposed to be on a referendum, but it was cancelled when Councilmember Trawinski left office and the new Council took over.

### **Defining Local Flood Areas**

Councilmember Trawinski stated that he has the ordinance from Franklin Lakes which would involve coordination with engineering. They would establish the special flood areas in Fair Lawn. In order to do something on properties in the special flood area, a special development permit would be required in addition to whatever other approvals are required. It defines criteria that requires building structures above the base flood elevation. It would also set standards for subdivision approvals. It is a local effort to deal with the flood ways and flood hazard areas. He felt that Attorney Rosenberg should look at Franklin Lake's ordinance and report back to the Council.

He continued that when Elmwood Park did it the argument that was made was that people would not be able to sell their homes but that was not the case. Manager Metzler wondered if this would address neighborhood flood areas. Councilmember Trawinski replied that it would address the areas that fall within the FEMA flood maps but also areas that the Council might want to add because of the stream flooding.

The consensus was to explore this matter further.

**Volunteer Center:**

Manager Metzler stated that the Volunteer Center asked for a link to the Borough's website. Deputy Mayor Swain stated that she is familiar with them through the YMCA. Manager Metzler recommended that they permit the Volunteer Center to have a link. The Council concurred.

**Marine Corp. Resolution:**

Manager Metzler stated that Gary Hickey, a Borough employee and Marine Corps. veteran has asked that the Mayor and Council adopt a resolution that condemns the action of the Berkley California Council who called the recruiters "uninvited and unwelcome intruders".

The consensus was to adopt the resolution.

**Fair Lawn High School Marathon:**

Manager Metzler reported that the Marathon Committee has requested permission to hold the Marathon on the weekend of May 16. Municipal Clerk Kwasniewski added that the Mayor and Council usually adopts a resolution granting permission and listing the conditions for that approval.

Councilmember Baratta reminded the Council that last year they had given them permission to use the Community Center for a lockdown during Project Graduation but there was not enough interest. John Cosgrove did a survey of the senior class which showed that 70 percent of the seniors were in favor of doing a lockdown at the Community Center one of the nights of the marathon. She thought the Alliance would help fund it. The members of the Alliance are willing to supervise it.

The consensus was to allow the marathon.

**Council Policy on Notification of the Mayor and Council:**

Manager Metzler had emailed a draft policy in February. He wanted to know if the Council agreed.

The consensus was to adopt the draft policy.

**Award of Lease COWS:**

Manager Metzler reported that they received bids for the COWS. They have been reviewed by the attorney, Manager Metzler and Engineering. New Cingular Wireless bid \$48,000 as the base rent for a five-year term with increases for each additional five year term. Verizon bid \$31,512 as the base rent with increases for each additional five year term. The bid covers 25 years. He recommended that they award both of them.

The consensus was to award the bid to both vendors.

**Meeting Dates**

After discussion it was agreed to cancel the work session on April 16 and move the work session to April 22 and the regular meeting to April 29.

**Public Comments:**

Harvey Rubenstein, 28 Rutgers Terrace noted that one resolution on the consent agenda was not included on the Borough's website. Municipal Clerk Kwasniewski indicated that she would check with the webmaster since the resolutions are sent to him every Friday. She added that all the resolutions are posted on the door by the Council Chambers for the public to review. She indicated that she would have the resolution for Mr. Rubenstein for next week.

Mr. Rubenstein critiqued the presentation by the EDC indicating that they spoke in generalities and have not done anything for the businesses.

Howard Mark, 12-23 Ferry Heights questioned the new plan for the Naugle House. Attorney Rosenberg indicated that the new plan is for 13 units. Mr. Mark then wanted to know how much land will be saved with the Naugle House. Attorney Rosenberg indicated that it is .200 acres.

Sheryl Cashin, 1 Glenfair Road objected to the advertising on the side of the Borough vehicles.

Anna Dinardo, 12-06 Second Street expressed concern about the trees not being maintained. She wanted to know what happens if the trees are planted nearer to the houses and they fall down and damage the homes. Councilmember Trawinski indicated that they cannot plant trees on anyone's property without permission. He explained that they can plant on the portion of the property that is Borough owned. Councilmember Baratta reminded her that the trees are being planted on County roads. Ms. Dinardo objected to spending tax dollars on Memorial Pool.

Craig Miller, 5 Ramapo Terrace asked if the yield to pedestrian signs were going to be put back. He did not see a problem with putting advertising on the mini bus but thought it was tacky on the recycling trucks.

Ed Wilson of Goodwill Industries stated that they are a nationwide organization. In 2007 they provided services for 120,000 people. They currently employ 2500 people of which 1400 are disabled. Ninety-three percent of their net income is returned to their mission work. They have been encouraging people to recycle and go green since 1902. They are the original recyclers.

Randy Leavitt of Goodwill Industries stated that they have been working with Mr. Lottermann on this program which will help the environment. Jobs will be created locally to sort and resell the goods. It will have a local impact. They would welcome the opportunity to work with the Borough on this program.

Ann Dinardo wondered if it would be possible to get receipts for curbside recycling. Mr. Wilson stated that if she made a donation at one of the store locations, she would get a receipt. The new tax law states that the goods must be in good condition. It is up to the donor to make that decision. He has suggested making a list or taking pictures.

**Closed Session:**

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, the following closed session resolution was unanimously adopted at 10:35 p.m.

**WHEREAS;** the Open Public Meeting 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 Contract Negotiations – Fair Lawn Deaf Center – Anslei Lubavitch Community Center Land Acquisition, Personnel – Appointments Cable TV Board;

**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 the 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.

Mayor Weinstein reconvened the meeting at 10:50 p.m.

**ADJOURNMENT:**

Upon motion by Councilmember Baratta and second by Councilmember Trawinski the meeting was adjourned at 10:50 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

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Deputy Mayor Joseph Tedeschi

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Councilmember Ed Trawinski