

REGULAR MEETING OF APRIL 29, 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 and Attorney Rosenberg.

PROCLAMATION: CHILD ABUSE PREVENTION MONTH

Municipal Clerk Kwasniewski read the proclamation.

INTRODUCTION OF LYNCREST SCHOOL STUDENT COUNCIL

Mayor Weinstein indicated that he had the honor of attending the installation of the Lyncrest Student Council. The Council decided they should reciprocate and have them take their place on the dais for this evening. He introduced Maria Corso, Principal, Sharon Burke and Jane Shabo, 3rd grade teachers, Gail Kilman and Nadia Yar, 4th grade teachers, Patty Burke and Debbie Kempen, 5th grade teachers and the members of the Student Council.

The Mayor and Council, Manager Metzler, Municipal Clerk Kwasniewski and Attorney Rosenberg left the dais and the students took their seats.

STUDENT COUNCIL COMMENTS

Melissa McParland stated that "if I were Mayor of Fair Lawn, the safety at pedestrian crossings would be one of my concerns. The town has done a good job of putting up school zone signs although I think more needs to be done. I would raise fines for vehicles that don't stop or speed at these areas and have random police enforcement. I've also begun to research retractable speed bumps which could be raised during school hours. Let's not wait before it is too late."

Daria Ortega stated that "if I were a member of the town Council an issue or concern I would like to address is to have many carnivals and fundraisers to help kids with cancer and other diseases because some them can't afford treatment or help to their diseases".

Jeremy Fine stated that "I find that some schools have gym only twice a week, including Lyncrest School. I think we should have gym five times a week because I heard on the news that pre-school children are becoming obese, and eventually they will grow up to be very unhealthy kids. By having gym more often we as children will be healthy and fit. Also some

kids just want more gym because it's fun, and that's a good thing. So let's do something about this!"

Rachel O'Mara stated that "if I were a member of the Town Council an issue or concern I would like to address is putting more stop and yield signs by schools so there are less accidents because it would be dangerous for children to be near fast moving cars."

Miguel Torres stated that "if I were a member of the town council an issue or concern I would like to address is having more skate parks in Fair Lawn. Because there is no skate park in Fair Lawn and there are about 5000 people that skateboard in Fair Lawn. Some skateboarders get in trouble for being in public places so that is why I want to put more skateboard parks in Fair Lawn."

Samantha Lomuscio stated that "if I were a member of the town council an issue or concern I would like to address is that the Rec. center only allows the 5th grade to come to the arcade on Friday nights. This concerns me because being in 4th grade I would want to go too and I know that 4th graders would be just as responsible."

Noelle Gaetano stated that "if I were a part of the Town Council an issue I would like to address is safety of pedestrians crossing the street. Police officers need to be more active and ticket drivers more often for not allowing pedestrians cross the street at crosswalks."

Ryan Kelleher stated that "if I were a member of the Town Council an issue or concern I would like to address is the town should make more eco friendly things. I think the town should make more eco friendly things because it would make the earth more beautiful."

Emily McParland stated that "if I were on the town council, I would raise the environmental awareness. We're doing a lot at Lyncrest with the assemblies and fixing up the area behind the school, but I would like to see more involvement from the community. I would start a community outreach program to educate and get the town's people more involved. One way to do this is by producing a program on Channel 77 to inform people on how to be more sensitive to the environment. Our school could spread the word town-wide about the program."

Ryan Atkinson stated that "if I were a member of the Town Council an issue I could change in Fair Lawn would be to fix the traffic light on the corner of Morlot Avenue and River Road. My mom is always complaining that it is too confusing and dangerous of an intersection. I would like to make sure that the timing is correct and will make turning onto either road easier."

Zachary Martocci stated that "Good evening Mr. Mayor, Councilmembers and citizens of Fair Lawn. If I was a town councilmember I would advise the Mayor that all of the playgrounds in the town to be tested for contaminated soil. All children have the right to play in a safe environment."

Jonathon Graziano stated that "if I were a member of the town council an issue or concern I would like to address is the closing of the recreation center in March. I would like to address this because when it closes in March the kids who went there have nothing to do, and they

would probably get no physical exercise like they did playing basketball or anything else at the recreation center.”

Lisa Swain, 6 Fernwood Drive, thought many of the ideas presented were wonderful. She asked if they had any ideas on how to improve the safety of crossing the streets. Melissa McParland suggested having more crossing guards at Morlot Road and River Road.

Deputy Mayor Swain then wondered what they could do about the parents who do not park where they should creating hazardous conditions. One of the students suggested that they be fined.

Jeanne Barratta, 12-02 Fair Lawn Avenue, asked what they were doing at the school concerning the environment. Emily McParland stated that were assemblies and they had a walk-a-thon to clean up the back area of the school and to raise money.

Councilmember Baratta suggested that Emily and her classmates make a video and the Mayor and Council might put it on Channel 77.

Joe Tedeschi, Deputy Mayor of Fair Lawn, asked them if they would mind if the Mayor and Council made their comments a permanent part of the history of Fair Lawn. The students agreed.

Edward Trawinski, 2-33 Lyncrest Avenue, former Mayor, advised Miguel Torres that he does not have to wait until he is on the Council to do something about a skate park. Many ideas come from students. Two student groups appeared before the Council requesting that they save the Naugle House. They have street hockey rinks as a result of a 5th grade student from Lyncrest School who presented a petition to the Council about 15 years ago. They presented many good ideas. The Mayor and Council just talked about the hours at the Rec Center. It is important for the Council to hear from everyone.

Mayor Weinstein stated that the children who came to the Mayor and Council to save the Naugle House are being honored next week at the County for their efforts. He complimented them for a terrific job.

Mayor Weinstein and Deputy Mayor Swain distributed copies of Know Your Town to each of the students. Principal Corso stated that their slogan was “the leaders of tomorrow attend Fair Lawn schools today.” They were honored to have been allowed to participate in the Council meeting.

MANAGER’S REPORT

Manager Metzler indicated that there were no changes.

COUNCIL COMMENTS:

Mayor Weinstein stated that on April 30 at Baskin Robbins will be doing a fund raiser for the Fire Departments from 5:00 p.m. to 10:00 p.m. He continued that Jacob Rosenberg came in

1st for eight year olds at the track meet in Paramus. He concluded that the Bergen County Freeholders are replacing the Morlot Avenue Bridge. It is a \$3 million project that will start on May 5. The detour route will be put on the website and the local television station.

Councilmember Baratta stated that this weekend there will be an Open House celebrating the 75th Anniversary of the Library from 2:00 p.m. to 4:00 p.m.

Deputy Mayor Swain complimented the students who did such a wonderful job. Those suggestions were outstanding. Those issues are ones that the Council talks about every Tuesday. The Council takes all ideas very seriously. She encouraged them to continue to share their ideas with the Council.

Deputy Mayor Swain stated the Recreation Committee is working on a kids' triathlon. She urged them to start training by swimming and biking. The Council is concerned about the safety issues. She thought one of the ways to address safety begins with the parents who sometimes park in the wrong places making it dangerous for the students. She urged them to tell their parents to pick them up in the designated places.

Deputy Mayor Swain urged everyone to do everything they can to encourage fuel efficiency in light of the cost of gas. She thought the Borough needs to make sure that the Borough cars are not sitting idle. She urged everyone to wear their seat belts.

Councilmember Trawinski complimented the students and the teachers. Councilmember Baratta and he had the privilege of participating in an Operation Goodie Bag program at St. Anne's School. The 4th and 5th graders from Paramus Eastbrook Middle School founded Operation Goodie Bag. They were able to distribute goodie bags to all Fair Lawn first responders except the Police Department.

Fair Lawn was privileged to welcome Lance Corporal Elliot Favaro home from Bagdad.

Deputy Mayor Tedeschi stated that he and Councilmember Baratta were present to welcome Lance Corporal Elliot Favaro home. The young people of this country are honorable and brave. He presented the proclamation. Elliott was a Lance Corporal serving in the 2nd Marine division, in the 8th Marine Regiment, 1st Battalion, Alpha Company. Deputy Mayor Tedeschi indicated that he was in that same division, regiment, battalion, company and platoon 42 years ago.

MANAGER'S REPORT:

Manager Metzler stated there were no changes or additions.

ORDINANCES ON FIRST READING:

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

ORDINANCE NO. 2114-2008

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

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, resolution No. 143-2008 introducing Ordinance No. 2114-2008 was discussed.

Manager Metzler explained that this Ordinance will establish the hourly rate for seasonal Recreation employees that have had prior employment with the Borough.

There being no further discussion, Resolution No. 143-2008 introducing Ordinance No. 2114-2008 was unanimously adopted.

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

ORDINANCE NO. 2115-2008

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

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, resolution No. 144-2008 introducing Ordinance No. 2115-2008 was discussed.

Manager Metzler explained that this Ordinance will lower the hourly rate for new seasonal Recreation employees.

There being no further discussion, Resolution No. 144-2008 introducing Ordinance No. 2115-2008 was unanimously adopted.

ORDINANCES ON SECOND READING:

Upon motion by Councilmember Trawinski 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. 2112-2008

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2008 (N.J.S.A. 40A: 4-45.14)

There being no comments by the public, upon motion by Councilmember Baratta and a second by Councilmember Trawinski, 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. 145-2008 adopting Ordinance No. 2112-2008 was discussed.

Manager Metzler explained that under the guidelines when a Council by ordinance increases the expenditures over the 2.5 percent cap, the one additional percent which is \$273,982 not utilized in the 2008 budget can be applied to future budgets.

There being no further discussion, Resolution No. 145-2008 adopting Ordinance No. 2112-2008 was unanimously passed.

ORDINANCE NO. 2113-2008

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED VEHICLES AND TRAFFIC, ARTICLE II, PARKING, SUBSECTION 232-9, NO PARKING AT ALL TIMES ON CERTAIN STREETS

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, Resolution No. 146-2008 adopting Ordinance No. 2113-2008 was discussed.

Harvey Rubinstein, 28 Rutgers Terrace stated the side of the street they are going to close off has about 16-18 cars spaces which would disappear. On the side next to the Community Center there could be anywhere from 23 -24 cars parked. He stated at the end of the street by the railroad station there are people that respect the stop sign because there is a sign that say you have to park 50 feet behind the sign. There is no 50 feet sign and some people park in that area but that is the difference between 23 and 24 cars. He suggested previously to Manager Metzler and wanted the Council to be aware that by virtue of the reality and the nature of the street he believed that the stop sign could be moved forward to where the street sign is. He felt there would be no question about anyone parking the car in that space. He felt they should stripe street so parking spots are defined. He reminded them that when the Community Center was established it was put on the record before the Planning Board that arrangements for parking were made with the Mental Health Center and the High School. He also reminded them that he had asked the prior Council to put in a sidewalk so that no one would have to walk down the middle of the street.

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

There being no further discussion, Resolution No. 146-2008 adopting Ordinance No. 2113-2008 was unanimously passed.

PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY

Mayor Weinstein stated Resolution #155-2008 would be taken off the Consent Agenda.

Upon motion Councilmember Trawinski and a second by Deputy Mayor Swain, 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 Tedeschi, the time for public comments was unanimously closed.

RESOLUTIONS BY CONSENT # 10-2008

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, Consent Agenda 10-2008 containing the following items was unanimously passed.

- a. Resol. #147-2008 - Approval of Minutes:
 - Budget Meeting 2/26/08
 - Regular Meeting 2/26/08
 - Work Session 2/26/08
 - Closed Session 2/26/08
 - Closed Session 3/1/08
 - Budget Meeting 3/1/08
- b. Resol. #148-2008 - Confirmation of Fire Board Actions
- c. Resol. #149-2008 - Extension of Contract: Printed Supplies
- d. Resol. #150-2008 - Refund of Overpayment of Taxes
- e. Resol. #151-2008 - Award of Bid: Radio Repair and Maintenance
- f. Resol. #152-2008 - Approval of Knights of Pythias Hand of Friendship Day
- g. Resol. #153-2008 - Appointments to the Fair Lawn Borough Garden Club
- h. Resol. #154-2008 - Professional Services – Bond Counsel Services: Hawkins Delafield & Wood LLP
- i. Resol. #155-2008 - Professional Services – Environmental Consulting “As Needed” Services: Malcolm Pirnie – REMOVED???
- j. Resol. #156-2008 – Liaison to the Property Maintenance / Facelift Committee

Resolution #155-2008 - Professional Services – Environmental Consulting “As Needed” Services: Malcolm Pirnie

Upon motion by Deputy Mayor Tedeschi and a second by Deputy Mayor Swain, Resolution #155-2208 was adopted, with Councilmember Baratta and Councilmember Trawinski dissenting.

PUBLIC COMMENTS

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

Harvey Rubinstein, 28 Rutgers Terrace, stated that he has no problem with the Borough of Fair Lawn opening up the pools to the residents of Paramus on Monday through Friday due to the contamination of their pools. He objected to Saturday and Sunday since the parking is already a problem. Last summer the pool was crowded on the weekends and this summer, with gas prices being high, families will choose to stay in town. This Mayor and Council along with Paramus' should petition the County's Executive, Mr. McNerney to make Darlington and other county facilities available to the Paramus residents on the weekends.

Mr. Rubenstein stated that at the last Planning Board meeting there was a motion for consensus to move forward with the Route 208 study. The League of Woman Voters gave their opinions and observations to the Kodak site. It was only a consensus, not a vote to adopt that study to the Master Plan.

Mr. Rubenstein noticed in the Manager's Report that Public Service was only paid \$5,000 this month, as opposed to \$80,000 per month normally. Manager Metzler explained that if the bill is not received by our cut off date, it will be processed during the next cycle.

Mr. Rubenstein also noticed that the Cali Carting bill seems to be much higher. He wondered if that contract was renegotiated or did the borough receive an automatic increase. Manager Metzler explained that the contract specified where they would be dumping the garbage and that site has changed. This change caused a modification to the pricing because they are carting it a further distance. Manager Metzler also stated that the current contract expires the end of this year. They will go out to bid by the end of September.

Anna DiNardo, 13-06 2nd Street, asked about the microphone situation in Council Chambers. It was difficult to hear.

Mayor Weinstein stated that when the room is being redone, it is a perfect time to upgrade the system. Cablevision is coming to speak with them about some issues that they want, so it is a good idea to bring this up.

Councilmember Trawinski suggested that as board chairs and committee members change, there should be a training process on the microphones. There is a handheld microphone that the Boards do not use. There are times that he has attended the meetings and sat in the back and had to ask that people speak louder or into the microphone. He asked that the Manager speak with the Board secretaries about a training session. That handheld microphone is available for those who are giving presentations and experts.

Manager Metzler stated the hand held microphone was set up for a number of meetings and nobody used it. At that time there was a resident that got up and voiced the same complaint. They can bring the hand held microphone back to try it out.

Claude Bienstock, 39-11B Broadway, asked what was happening with the Clariant property. Mayor Weinstein stated that he believed they put in their clean up program with the DEP. At this point, they do not know what is going to happen after the clean up.

Anna DiNardo, 13-06 2nd Street, agreed with possibly splitting the microphone system for the meetings. She feels that the handheld microphone is not the solution.

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

CLOSED SESSION

Upon a motion by Councilmember Trawinski and seconded by Councilmember Baratta, the Resolution was unanimously adopted.

ADJOURNMENT

Upon motion by Councilmember Baratta and seconded by Councilmember Trawinski, the meeting was adjourned at 8:32 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/MMC
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

