

## WORK SESSION OF JUNE 19, 2007

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

**PRESENT:** Mayor Weinstein, Deputy Mayors Etlar and Tedeschi, and Councilmembers Baratta and Trawinski (late)

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

### **Review of Tentative Agenda:**

Municipal Clerk Kwasniewski added two resolution to award bids for Maintenance and Cleaning Services and Hydrant and Hydrant Parts. The Manager's recommendation will be ready for next Tuesday's Council Meeting.

### **Council Liaison Reports:**

Planning Board - Deputy Mayor Etlar stated the Planning Board discussed hours of operation in the B4, B5 Zones. It was the consensus of the Board that the 5:00 a.m. to 12:00 a.m. hours of operation be implemented. Deputy Mayor Tedeschi noted a Chamber of Commerce flyer advertised for tenants and inquired if 7-Eleven was still interested in the space. Mayor Weinstein stated that 7-Eleven was asked to be more flexible. He felt they realized Council would not change their mind about hours of operation.

Historic Preservation Commission - Councilmember Baratta reported that the Commission had inquired if Michael Hakim could help with grant applications. Mayor Weinstein clarified that Mr. Hakim would be paid a percentage of the grant and would not be paid hourly. He asked Manager Metzler to obtain a proposal for Council's vote.

Councilmember Baratta reported that people have reached out about the Naugle house as a result of an article in the Record, including Naugle family members. The Commission will have a showcase at the Library. There will be a presentation on October 10<sup>th</sup> with guest speakers and a slide show. They will work with people from the Cadmus House and Garreston Forge.

ASAP - Councilmember Baratta thanked Carol Wagner and Sgt. Bastinck for their hard work on the joint meeting. Lt. Kneer set up a Mother's Against Drunk Driving display.

Councilmember Trawinski arrived at 7:35 p.m.

Councilmember Trawinski discussed the proclamation he presented to Capt. Ross Berkoff who had just returned from Afghanistan. He had attended his Eagle Scout ceremony as Mayor in 1997. It was a privilege to welcome him back home.

RRIC - Councilmember Trawinski did not attend the RRIC meeting. He reported that an ADA Committee meeting had been scheduled.

BIC - Deputy Mayor Tedeschi stated that the BIC has begun working on their master plan.

Mayor Weinstein stated he attended the Character Award Program at Memorial School. He read their slogan which he felt should be displayed in Borough Hall. He commended Laurianne Brunetti and Gregg Pepe on their tremendous efforts. It was the consensus of Council to post the statement in Borough Hall.

Mayor Weinstein and Manager Metzler met with Superintendent Graff, Assistant Support Specialist Jim Van Kruiningen, and All Sports President Jack Susser to discuss the use of recreational fields by Fair Lawn schools. The fields at Memorial School need to be upgraded. All Sports would contribute top soil and seed. The Borough would contribute manpower to do the grading. The BOE will install a sprinkler system. Manager Metzler advised Joanne Wilson, BOE Business Administrator that the fields will be shut down through the winter and will not be available until spring 2008. This will affect gym classes.

Shared Services - Manager Metzler reported that BOE athletic fields are being used by out-of-town organized leagues. They have asked the Borough for help. They considered using Auxiliary Police but there are restrictions as to what they can do. Auxiliary Police will do surveillance for a two-three week period to determine which fields are being used and the time of use. Teams will be advised they can no longer use the field. Trespassing summonses will be issued if teams continue to use the fields. The BOE will need to make sure proper signs are in place. Deputy Mayor Etler inquired when this will be in place as he did not want teams to use the fields illegally through the summer. Memorial and Thomas Jefferson fields are used all day Sunday. The BOE will send a weekly list of permits holders. Proper signage is necessary before the Borough can enforce. The BOE must pass a resolution stating that use of field is trespassing.

Attorney Rosenberg wanted the Municipal Prosecutor to have the strongest enforcement action possible when trespassing cases come to Court. This is done through signage and notices.

Berkshire and Arcadia Roads - Mayor Weinstein attended a joint meeting with Manager Metzler and the Mayors of Saddle Brook and Elmwood Park to discuss flooding on Berkshire and Arcadia Roads. The County Engineer, Borough Engineer Garrsion and engineers from Saddle Brook and Elmwood Park also attended.

Manager Metzler stated drainage projects are done working downstream up. Their situation is unusual as the most upstream portion of the Berkshire and Arcadia Road project is completed. The County solicited proposals for the extension of the pipe that currently ends at Arcadia and Midland Avenue, down to the man-made drainage ditch installed when the corrugated factory was constructed. The County has agreed to dredge the drainage ditch from Midland Avenue to the railroad tracks at their expense. Saddle Brook will remove the dirt. The County will terminate phase two at the railroad tracks. The widening and deepening of the ditch will increase water storage capacity by 40%. Restricting the flow under the tracks will prevent additional flooding downstream. As part of phase three they will clean the culverts in Elmwood Park. Birdsall Engineering has the proposal but changes were made as a result of the meeting.

Deputy Mayor Etler inquired if piping could be installed in addition to the dredging. The engineers did not feel that was necessary. The Mayors will send a joint letter to the County and Assemblyman Gordon supporting the funding of the design phase.

Councilmember Trawinski suggested a joint request from all three towns to the DOT for grant funding. Municipal Clerk Kwasniewski stated the request would be due in July. Deputy Mayor Tedeschi stated the work would be delayed if a grant was used. They could use the grant for the second and third phase.

Community Center - Manager Metzler distributed a memo regarding the donation of four marble pedestals. The items were once displayed in the Capital. He asked for Council's approval to accept the items. It was the consensus of Council to accept the donation to the Community Center.

The Disney High School Musical will be presented at the Community Center. The company will pay to have a dress rehearsal and will issue 171 tickets for the rehearsal for campers.

Fair Lawn Jewish Center - Mayor Weinstein attended a meeting with Manager Metzler, Attorney Rosenberg, members of the Center and residents to discuss the noise issues. It was agreed the windows and doors will remain closed.

#### **Rotary Grove in Memorial Park:**

Deputy Mayor Etlar reported that the Rotary would like to dedicate a portion of Memorial Park as Rotary Grove. They had put in stone chess and checker sets in Rotary Circle and would now like to fix up the grove. Glen Stubaus, 26-02 Broadway was present to represent the Fair Lawn Rotary.

Mr. Stubaus reported that the Michael Canger Memorial was recently refurbished. Rotary is considering donating a second chess table and chairs. They would like to designate an area of Memorial Park as Rotary Grove. They do not need specific borderlines but would like to place a small sign to keep the Rotary name in the public. The area is on the south side of the park between the parking lot and walkway around the pool.

It was the consensus of Council to support a Rotary Grove in Memorial Park. Mayor Weinstein thanked Mr. Stubaus for his presentation.

#### **Closed Session:**

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski the following closed session resolution was unanimously adopted at 8:00 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 - Yirce; 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 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 8:40 p.m.

**Municipal Building Cell Tower/C-O-Ws:**

Manager Metzler presented cost estimates for the radio tower replacements. The cost with labor was \$208,105. Deputy Mayor Tedeschi wanted to know how the estimated was reached. Manager Metzler explained it was \$175,000. for the mono-pole, \$29,250. for the antennas, \$2,050. for cable for each antenna and \$1,850 for mounting brackets, cable connectors and lightning protection. The contractor is the person who installed the water tower antenna. The lights have been restored on the water tower as the new antenna requires illumination.

Manager Metzler stated they would lose three parking spaces. The tower would be relocated to the rear center of the building. The old tower would be removed and they would put the dumpsters there. Deputy Mayor Tedeschi did not think they should proceed. Mayor Weinstein did not support a 130 foot tower at this location and expressed concern about the residents. He suggested further research to see if a better location existed. Councilmember Trawinski explained his decision to support the towers. Ten years ago he faced the same decision and they looked at every option. He felt it was a balance between the Police and Emergency workers having consistent and reliable communication. He would favor the water tower as an alternate location.

Manager Metzler explained the water tower and Nabisco had a police antenna and repeater. Councilmember Trawinski explained a Police Officer is at risk when he works in a zone where he cannot communicate. He does not like the a 130 foot tower behind the Municipal Building but does not want to put a police officer or emergency responder's life in jeopardy.

Mayor Weinstein reiterated his concern for residents and his request for more research. He had concerns about the height. Deputy Mayor Tedeschi inquired about the location of dead zones and suggested an impartial party investigate the sites. The core reason for installing the tower has switched to a communication issue. Councilmember Trawinski recommended an expert from Drexel do an analysis and advise what was needed. Mayor Weinstein agreed. It was the consensus of Council to obtain an impartial analysis.

Councilmember Trawinski asked for clarification on the cell on wheels (C-O-Ws) Attorney Rosenberg explained that the C-O-Ws would be re-bid. They had postponed discussion until Deputy Mayor Tedeschi returned so a full Council would be present.

Manager Metzler distributed a drawing which showed the C-O-Ws location at the Recycling Center. The consultant recommend a 30 x 40 foot area. Engineer Garrison determined that three C-O-Ws would fit in the designated area. Three to four trees would have to be removed. Only two

additional carriers can be permanently located until the structural issue is resolved. If they allow a third carrier it would leave one permanent, temporary C-O-W.

Manager Metzler stated when this was bid one carrier had reached an agreement with the owner of the tower to relocate it at no cost. The owner would waive the co-locator fees until capital costs were reimbursed. He does not know what will happen when they rebid. Attorney Rosenberg reminded Council there was a carrier who objected to only having two carriers. It was the consensus of Council to re-bid for three C-O-Ws.

### **PODS:**

Deputy Mayor Etlar thought the proposed ordinance was good but wanted it only for one month and then it would have to be removed. Councilmember Trawinski wondered if residents had a viable option if construction lasted more than one month. Mayor Weinstein clarified that PODS were to be filled and then removed to storage. Residents need time to fill the PODS. He felt they should be given one month initially. Attorney Rosenberg explained the draft stated the Zoning Officer could use his discretion and extend the time limit in the event of a residential fire, hurricane or natural disaster. The ordinance needed to specify the duration of the time period in which the 14 or 30 days would apply. Deputy Mayor Etlar wanted a twelve month period. Deputy Mayor Tedeschi did not think 30 days was adequate for the typical construction job. Attorney Rosenberg stated most PODS were not moved off site due to the cost. Councilmember Trawinski did not want to discourage residents from doing renovations. Mayor Weinstein thought residents should be given 30 days initially and be able to obtain an extension from the Building Department. Attorney Rosenberg suggested amending the ordinance to allow the Zoning Officer to issue extensions due to unusual construction circumstances. Councilmember Trawinski suggested a trial run with a sunset date of December 31, 2008. It was the consensus of Council to allow the PODS for 30 days in any twelve month period with extensions granted at the discretion of the Zoning Officer.

### **Review of Implementation of Hiring Freeze:**

Manager Metzler had distributed a draft hiring freeze policy. Councilmember Trawinski suggested that they want to continue the present hiring freeze in effect. He thought the Manager could fill any new or current position that was expressly budgeted for in any given year. If someone retired, Council wanted to review the position to see if it should remain or be eliminated through attrition, as 50 - 70% of the budget was salaries, benefits, and employee related expenses. The Manager would need to justify why the position should continue. He felt they owed this to the Fair Lawn taxpayers and was not intended as a reflection on the Manager. He thought the new policy seemed too broad and felt it should be fine tuned.

Deputy Mayor Tedeschi agreed. He thought Paragraph A defined what they meant by a hiring freeze without justification. He felt Manager Metzler left too many instances for new hires. The Manager should come to Council for approval as they are accountable tax wise to the residents. The Borough might be better served by adding an employee to the department with greatest need rather than replicating positions. Councilmember Trawinski stressed comments did not apply to a particular employee and referred only to the positions. Deputy Mayor Etlar felt the Manager should be able to state a position was necessary. Mayor Weinstein felt they should discuss this

issue annually and agreed that new positions should be discussed with Council. Councilmember Baratta agreed.

Deputy Mayor Tedeschi felt the Manager's wording did not indicate a hiring freeze. Councilmember Trawinski did not feel an employee returning from a leave of absence needed Council's approval. Approval should be required to replace a terminated, retired or deceased employee and that has been the practice with past Managers. He did not feel seasonal positions needed approval. All professional service appointments require Council approval. He felt return of an employee from leave of absence and seasonal positions were the two exceptions. Manager Metzler will redraft the policy.

### **Recording of Site Plan Conditions:**

Councilmember Trawinski said Bill Cox suggests that there are circumstances where subsequent owners of the property or lenders need to be aware of the existence of conditions imposed by site plans or variance relief. The court case of Aldridge vs. Schwartz suggests there should be a county-wide system for recording of Governmental approvals such as site plans and variance approvals. Legislators have never acted on this. As an interim step those resolutions that have conditions that run with the land be reflected in the chain of title. It is not a big burden or expense yet the Planning and/or Zoning Board has declined to implement this.

Councilmember Trawinski was the Planning Board Attorney in 1986 when the Board imposed a variety of conditions on a resolution he prepared for the St. Anne's Convent site. No one in Borough Hall can find those conditions. There was a requirement that there be a densely planted evergreen strip maintained by the owner of the property for the parking lot on the corner of Lyncrest and Broadway. The property owner came in and repaved the lot. The bushes deteriorated and were not maintained. The Borough allowed the parking lot to be redesigned and repaved without the plantings. He knows it was the Board's intention to have the headlights blocked from shining out onto Broadway and not shine out into Lyncrest. If the resolution was recorded they would not have to find it. This is a way to get the resolution memorialized and protect the perceived needs of the resident or municipality. This would only be used when there are conditions that need to run with the land. Attorney Rosenberg would need to draft the language as there has to be a rational basis for the difference. This would be particularly true in commercial non-residential areas that abut residential. He suggested Attorney Rosenberg prepare a draft and have it reviewed by the respective boards. When they are sent to the County the County will mark it as recorded deed. There is a deed and a chain of title. It would be like an attached codicil. Attorneys either pull out the conditions and note it in the deed or they record the whole resolution. It was the consensus of Council to have Attorney Rosenberg prepare the draft.

Councilmember Baratta inquired why they did not have the paperwork on the Broadway property. Councilmember Trawinski explained there was no place for it to be recorded. This information was lost through the passage of time. Municipal Clerk Kwasniewski stated they had every resolution that had been done. She found it difficult to believe it could not be located. Councilmember Trawinski had asked the Manager and the Planning Board secretary and he could not find the resolution in his files. Manager Metzler had informed him that the owners would not be planting the same type of shrub. The owners went before Zoning and asked for permission to change the plants. Councilmember Trawinski apologized for using this case as an example.

Municipal Clerk Kwasniewski felt it would be a good back up plan. Their records are in file cabinet and safe that are fire proof but not necessarily waterproof. Attorney Rosenberg will present a draft in August.

### **Fair Lawn Cultural Diversity Day:**

Councilmember Baratta reported that she and Deputy Mayor Tedeschi will work together. She asked for guidance from Council so the group could start working. Mayor Weinstein stated they will need to do a resolution listing the purpose of the committee. They will need funding. Councilmember Baratta has obtained cultural information from the Manager. She will get the Chamber of Commerce and the ethnic restaurants involved. The target date is spring or fall of 2008, possibly September. They do not want to conflict with other town events such as the Street Fair. They will request a representative from the BOE. Municipal Clerk Kwasniewski will supply a sample resolution.

### **Clothing Bins:**

Manager Metzler reported that additional bins could be placed at the Recycling Center. Superintendent Conte had informed him the bins could be placed temporarily on gravel until the paved area was extended. Manager Metzler stated Sgt. Bastinck did not favor relocating the bins as they have been profitable for DARE. Deputy Mayor Etlar feels all the bins in town should be removed and placed at the Recycling Center. He stated the Police earned \$3,000. from the DARE bins and suggested putting that amount in the budget for the DARE Program. He thinks the bins are an eyesore and impacted negatively on quality of life. The actual proceeds from the DARE bins was \$8,400.

Councilmember Baratta explained that the proceeds are also used for the Junior Police Academy, Explorer Program and to purchase uniforms. The Police rely on these funds and she did not want to take it away. Mayor Weinstein stated the Property Maintenance Committee preferred that bins be located at the Recycling Center. Their main concern is that bins are controlled through a permitting process. He was concerned about the decreased revenue for the Police.

Deputy Mayor Tedeschi wondered if other charitable organization would approach them about lost revenue if they made special arrangements for DARE bins. Mayor Weinstein thought they should try the permit process and sunset it. If this does not work they will move the bins to the Recycling Center. There are currently 21 - 23 bins in town. Three bins do not benefit the Police Department or their programs.

Manager Metzler stated that Sgt. Bastinck immediately responds to complaints about DARE containers. They will place a sticker on each container listing a local number to call with complaints. Property Maintenance will monitor the conditions at the bin sites. The bins would be controlled by permit through the Construction Official. A fee will be imposed.

Manager Metzler stated Construction Official Kolano requested that each permit have a site plan showing the bin's location. Failure to present a plan would be reason to have the container removed. The fees will be retroactive to existing bins. Councilmember Trawinski felt it should be called a location plan or survey showing location as there were fee implications associated with

a site plan. He suggested the Manager obtain the administrative costs of regulation from Construction Official Kolano and make a recommendation. The Manager will present his findings in July.

### **Scope of and Fees for Special Attorney Services:**

Deputy Mayor Etlar thought too many cases were being turned over to the Special Attorney. He felt they were paying for two Borough attorneys and that was wrong. Councilmember Trawinski agreed but felt Attorney Lustgarten should continue with the Landmark Litigation. Attorney Lustgarten has done an excellent job and knows the history. It would not be fair to turn the case over to any new attorney. Attorney Lustgarten does an excellent job with Tax Appeals and does not feel Attorney Rosenberg and his firm should be saddled with them. He thought that new litigation from January 2007 was included in the scope of Attorney services and should go to Attorney Rosenberg. This included the Naugle House. He feels Attorney Lustgarten should continue with Landmark litigation, tax appeals and Workers' Compensation. Deputy Mayor Tedeschi clarified that Attorney Rosenberg's firm would bill for these services. Councilmember Baratta agreed that Attorney Lustgarten has done a good job. She supported new litigation being turned over to Attorney Rosenberg. Mayor Weinstein and Deputy Mayor Tedeschi agreed. It was the consensus of Council to have Attorney Rosenberg's firm handle new litigation.

### **19 Block Jordan/2 Block Grunauer - No Parking 8:00 a.m. to 10:00 a.m.:**

Manager Metzler reported that TSO Franco was seeking a consensus from Council for No Parking 8:00 a.m. to 10:00 a.m. in the 19 block of Jordan and the 2 block of Grunauer. Deputy Mayor Tedeschi inquired if the petition contained 100% of the residents who would be effected. Manager Metzler could not confirm that but assumed that was the case. It was the consensus of Council to support this ordinance.

### **Request to Install Fence in Easement - 3 Mayfair Court:**

Manager Metzler discussed a request from a resident from Maywood Court who wanted to fence in an easement. The Borough Engineer recommended permission be granted. The standard license agreement would be signed and recorded. It was the consensus of Council to allow this.

### **Community Development Block Grant Program:**

Manager Metzler asked Council to name the representatives. Mayor Weinstein would like to continue as the representative with Deputy Mayor Etlar as alternate. Manager Metzler proposed Engineer Garrison as the employee representative. It was the consensus of Council to support these recommendations. Municipal Clerk Kwasniewski will prepare the resolution.

### **Special Meeting:**

Upon Motion by Councilmember Baratta and second by Councilmember Trawinski the Work Session was recessed to the Special Meeting at 9:45 p.m.

Mayor Weinstein reconvened the Work Session at 9:50 p.m.

## **Public Comments:**

Harvey Rubenstein, 28 Rutgers Terrace stated that at least three Planning Board members thought the hours of operation in B4 - B5 zones should be 10:00 p.m. to 6:00 a.m. Mr. Rubenstein questioned the cost for operating Memorial Pool during the month of June. Manager Metzler will obtain the figures. Councilmember Trawinski stated there were environmental issues involved and the BOE did not like the pool open during school hours.

Mr. Rubenstein felt the marble pedestals at the Community Center should be anchored. He questioned the size of the Rotary sign that will be installed at Memorial. Mr. Rubenstein felt they should obtain a report on Homeland Security scientific technology advancements for communications. There are numerous developments in communications equipment. He felt they should wait to obtain state-of-the-art equipment.

Mr. Rubenstein wondered how much revenue would be generated from the C-O-Ws. Manager Metzler stated the last bid came in with a high bid of \$33,000. and a low bid of \$30,000.

Bob Gremillot, 1 Bristol Place read about a funding project to clean up the Passaic River. He thought Fair Lawn and adjacent towns should seek funding to fix the sewer systems. Councilmember Trawinski stated the system went through a comprehensive review. To combat the 500-year storm would require \$300 billion dollars to have the system go from here to Newark. Paterson has an archaic system with waste and sanitary water combined. Fair Lawn's system did not fail. There was a communication failure on the part of Emergency Management and other departments who were out doing their job. Elmwood Park had flooding for the first time in 60 years due to the storm. Bergen County Utilities pumped more gallons of water than they did during Hurricane Floyd.

Councilmember Trawinski continued that he is aware of residents' concerns. They will improve the communication issues. Council has not finished their critique. Deputy Mayor Etler felt the problem was in Newark where the sewerage was processed. There are two siphons that go out and under the river and connect to pipes on Paterson's side. They go down to Passaic Valley Sewerage Commission in Newark. There are four towns that have closed systems where the sewer system and surface water go into the same pipe. Passaic could not process it fast enough under the storm conditions and the system became backed up. The Commission is planning a \$295 million dollar expansion at the plant.

Deputy Mayor Tedeschi stated sewer systems are dramatically effected by infiltration and inflow (I & I). Infiltration is the result of pipes cracking. A municipality will tv the lines to look for cracks. They do I & I on their line on a routine basis.

Kathy Moore, 13-16 Plaza Road inquired about Daly and Heyward property which was removed as an agenda item. Deputy Mayor Tedeschi had just come back from vacation and was not prepared to discuss this issue. Ms. Moore lives within 200 feet of the property and wanted to be notified when this issue was going to be discussed. Mayor Weinstein explained that agendas are completed by Thursday afternoon. She would be notified of re-zoning issues as a resident who lives within 200 feet. Notices are sent by certified and regular mail. Deputy Mayor Tedeschi suggested residents be placed on an e-mail list when they begin discussion on this issue. Attorney Rosenberg felt they would not be in compliance with the Open Public Meeting Act if they selectively decide who receives an e-mail.

Ms. Moore stated that construction renovations always take longer than estimated. She did not feel 30 days for a POD was long enough.

Robert Gulack, 4 Bancroft Place felt that some people think this is the time for Council to act under eminent domain by seizing Daly Field property and paying the Radburn Association. He did not agree. The Radburn homeowners seeking self government are in court and moving forward as rapidly as they can to obtain mediation. The time to acquire Daly Field and appropriately compensate the Radburn Association is when Radburn becomes a self governing community. Currently the Radburn Association is illegal under State law. It should not be the recipient of four million dollars of tax payers money. The Radburn Association is improper and should be replaced. It should not be rewarded for violating Radburn's own restrictions and signing a contract with Landmark in 2004 without giving the required prior notice. The Radburn Community does not support this unelected authority. It showed its support for reform by electing and re-electing June Myerson and voted two-to-one to elect reform trustees. Those votes were thrown in the garbage and the losing candidates were seated on the Board of Trustee.

During 2003 - 2005 the Radburn Association spent \$500,000. in legal fees without any notice to the community. Radburn was required to do so under its bylaws. Any money now provided to Radburn Association will most certainly disappear in the same manner. The correct way to stabilize Daly Field is to seize the Heywood property which would cost one million dollars. Landmark would be out of the picture. The plan to acquire Daly Field should have been brought to the voters' attention before the Primary. Radburn has come out at every opportunity to cast their vote for reform.

**Closed Session:**

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski the following closed session resolution was unanimously adopted at 10:05 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 Personnel - Environmental Commission and Attorney Client Private - Naugle House/GRC

**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 10:05 p.m.

**ADJOURNMENT:**

Upon motion by Councilmember Baratta and second by Councilmember Trawinski the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

\_\_\_\_\_

Joanne Kwasniewski, RMC/CMC/MMC  
Municipal Clerk

The undersigned have read and approve the foregoing minutes.

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

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

\_\_\_\_\_  
Deputy Mayor Martin Etler

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

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