

WORK SESSION OF JULY 10, 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

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

Review of Tentative Agenda:

Municipal Clerk Kwasniewski stated Bergen County is sponsoring a first responder identification card program. All first responders will have an ID card within the County. A resolution is required for participation. She will add the resolution to next week's agenda.

Council Liaison Reports:

ASAP - Councilmember Baratta reported that the town hall meeting last month on underage drinking was very successful. Some of the parents who attended the forum attend the ASAP meetings. It was a good dialogue.

ADA - Councilmember Trawinski stated a meeting was scheduled for Thursday, July 19th at the Municipal Building. He thanked Municipal Clerk Kwasniewski for her assistance with the notices. He welcomed suggestions from Council for agenda items. The first meeting will be to introduce members and elect a chairperson. One issue will be handicap accessible polling places.

EDC - Mayor Weinstein attended a joint meeting with the Route 208 study Committee, Freeholder Ganz, Assemblyman Gordon and representatives from the State and County. They received several good ideas from the State and County. Manager Metzler will research Metro-link which helps with the routing of mini buses. The EDC's report will be distributed in September.

CAD System: Mayor Weinstein stated they have 60 days from receipt of bid to accept or reject it. There is still time for the sub-committee to meet with the Police Department to see if the current program was working. He suggested meeting with Police Departments who already have this system. He wanted Council to wait before rejecting the current bid until they do their due diligence.

Councilmember Baratta stated they received a package from the Chief. She has a number of questions. Before they reject the bid they can meet with the Police Department to review the bid. They may still reject it, but they still have time. Deputy Mayor Etlar was concerned about the cost. He questioned why no other major companies submitted bids. He did not think this was the only company that could service their needs. Councilmember Baratta agreed but felt the Police did a tremendous amount of work on this project and should be given the benefit of the doubt.

Councilmember Trawinski wondered about the legal parameters. Attorney Rosenberg explained there can be no communication with any bidders once bids are opened. They have the right to do an internal analysis on the bid specifications within the 60 day period. Councilmember

Trawinski questioned if they would be prejudicing their right to reject if they did not reject the bid now. Attorney Rosenberg stated they have the absolute right to reject within the parameters of the statute.

Deputy Mayor Tedeschi wondered if there was only one bidder because of the 12 working-day window. He wanted to visit Paramus and Ridgewood who have the old system. He went online with Spielman to obtain information on what was available but no discussions took place. He did not feel his actions were inappropriate.

Manager Metzler stated the 60 day period would expire on August 10th. A special meeting would be required if the subcommittee recommends awarding the bid. Municipal Clerk Kwasniewski stated the vendor could agree to offer an extension. Deputy Mayor Etlar thought they should reject this bid now and re-bid it. Councilmembers Baratta and Trawinski felt they should wait. Deputy Mayor Tedeschi felt waiting would not answer the question about the 12-day time frame. Mayor Weinstein felt they would have a better understanding of how the specifications were drafted and why the Manager felt 12 days was sufficient time for the bidding process if they waited.

Manager Metzler stated four letters were received regarding the bid. One vendor complained about the time limit. One vendor was not in a position to bid, one had bonding issues, and the fourth vendor heard about the bid on the closing date. They would not be able to determine why there were no other bidders.

Manager Metzler noted Council's previous concern that a 12-day bid period would restrict the number of potential bidders. He thought that once the specifications were reviewed they will find they were not written around a particular vendor. Several vendors contributed to the specifications. Deputy Mayor Tedeschi did not think twelve days was enough time. Mayor Weinstein felt it was a matter of opinion based on the process that was used. They may come back and say a full 30 days was needed. He felt they should give it a chance.

Councilmember Trawinski would welcome Councilmember Baratta and Deputy Mayor Tedeschi's input as to whether they thought the bid was tailored around one vendor. Councilmembers Baratta and Trawinski supported waiting. Deputy Mayor Tedeschi did not. Mayor Weinstein suggested scheduling a special meeting for August 7th. Deputy Mayor Tedeschi felt this came close to being a professional service because the software is proprietary to the company. Attorney Rosenberg stated the sub-committee may decide they need independent consultation. The fact that there is only one bidder does not give them the right to reject the bid. They could reject if the subcommittee recommends an extension of time or if the specifications significantly changed. They could also reject if they find they do not need a new CAD system. Municipal Clerk Kwasniewski pointed out that the length of time was in the advertisement and not the bid specification.

Deputy Mayor Tedeschi inquired what would happen if they rejected the bid tonight, asked for the response back in 30 days and continued to do due diligence and then award the bid based on their findings. Attorney Rosenberg stated they would have to rebid. Deputy Mayor Tedeschi stated that if they awarded the bid tonight they would not see this system up and running until

January or February 2008. Mayor Weinstein stated they would set a special meeting for August 7th to discuss this issue. The resolution concerning the CAD System will be removed from the Consent Agenda.

Fair Lawn Economic Development Corporation:

Stu Herrmann, President of the EDC, Bob Landzettel, president of RRIC, Bob Beshlian, president of BIC, Barbara Simon, Vice President of EDC and Don Smartt the administrator for the three organizations were present.

Mr. Herrmann presented the background of the EDC since June, 2004 when the Business Leadership Committee issued their recommendation for a local economic development corporation to facilitate, coordinate and advocate for the strengthening of Fair Lawn's economic and commercial vitality. He listed the goals of the EDC. The current EDC Board has 15 members: 3 resident representatives, 2 public representatives/liaisons, 2 SID representatives, 1 Chamber of Commerce representative and 1 Radburn Association representative, who have put up their time, talent and treasure. The Borough committed to funding \$90,000. over three years. To date, the EDC has received \$75,000.

In 2006 they determined that they will need to be self sustaining. A subcommittee of EDC Trustees met from April through December 2006 to explore sustainable funding. Meetings were held for eight months to identify synergies and address the role of the two current SIDS. They agreed that an EDC is needed to address business interests Borough-wide. They proposed a borough-wide SID. The assessments for the BIC and RRIC would continue.

Bob Landzettel stated River Road and Broadway would continue to do things that are unique to their districts. Business recruitment and administration would be Borough-wide. The EDC would recruit and maintain business, create the proper climate to attract new business and maintain the tax base. The report detailing the vision for improvement on Route 208 will be ready in September. A Smart Growth grant was obtained to study the future of the industrial park. There is new investment and development within the park.

Mr. Landzettel stated the RRIC and BIC have each contributed \$5,000 to the EDC. Private business entities have also contributed. The BIC district pays 24% of the total taxes collected from commercial properties, RRIC pays 19 % and 57% is from the remaining commercial properties. Residents are not taxed. They developed budgets. River Road's budget based on the new assessment is \$145,000. Broadway is \$118,000. currently but will be increased as the Borough subsidy has expired. These properties pay 5% of Borough taxes into the SIDS. They are recommending that an overall Borough assessment for the EDC would be roughly 1% of the total estimated taxes for 2008. The estimated taxes are \$15,316,000. They are proposing an EDC assesment of \$155,000 of which approximately \$100,000 would fund the administration of the River Road and Broadway SIDS which would leave \$50,000 for the advocacy part for the EDC.

The EDC proposed budget is \$182,000 which includes the \$15,000 commitment from the Borough and private contributions from Board members. The assessment is roughly 1% of the total taxes for commercial properties. No residential property will be assessed.

Deputy Mayor Tedeschi inquired about the total administrative expense for all three budgets. Mr. Landzettel stated it was approximately \$160,000. now and is proposed at \$150,000. under the new plan. Deputy Mayor Tedeschi stated this was roughly a 30% administrative fee. Mr. Herrmann felt it was important that they understand that this was a conceptual format for the EDC going forward. They will need to have public forums, meetings and reviews on budgets and/or procedures. They do not want to formalize anything until they have input from the Council, businesses and organizations. They feel this is important in order for the EDC to continue. The Borough cannot continue to support the EDC and neither can Broadway or River Road.

Mr. Beshlian stated the BIC is making good progress. He was initially skeptical about coming under the umbrella of the EDC. He now realizes the benefits to the commercial districts and feels this should be pursued. He requested input and support from Council. The EDC will be able to do things on a town wide basis that could not be achieved as individual SIDS.

Mr. Smartt stated the organizations recommend that Council consider the creation of a Borough wide special improvement district and designate the EDC as the district management corporation. The result of that designation would cost approximately 1% of the existing taxes paid by commercial properties. The funds would be delivered to the EDC as the district management corporation. They would use the money to benefit the River Road and Broadway districts as well as commercial areas not capable of sustaining a specific SID. The two SIDS will retain their autonomy and continue to submit budgets in October for Council's approval. The three organizations will pool resources to take advantage of economies of scale.

Deputy Mayor Etler inquired if this tax was in addition to the tax already paid by commercial properties. Mr. Smartt explained there would be two assessments. One was district-specific only. It would be reduced to reflect the shift of administration fees away from the districts to the EDC. There would be a second assessment. Deputy Mayor Etler inquired if these businesses would pay more if the plan was put into effect. Mr. Smartt stated River Road would actually pay less.

Deputy Mayor Etler did not feel the industrial park area should pay extra to support the River Road and Broadway districts. Mr. Landzettel stated the Route 208 study showed the companies they met with were glad to see an effort to work with industrial community and maintain the tax base. The study will make recommendations to improve the park which will improve the tax base. They have had new investment in the park but are also dealing with losses such as Kodak and Lea & Perrins. Deputy Mayor Etler stated the EDC had three years and \$90,000 of Borough money. He felt they should establish their own office and bill the companies that are involved. He did not feel the Borough should impose another tax.

Mr. Landzettel thought properties who contributed might feel they were entitled to special treatment. He felt it was better to go with a broad base. The idea is to make the whole district more vital and have the tax base grow with new ratables. Deputy Mayor Etler felt there would be commercial properties who did not have an interest in EDC. Mr. Landzettel stated RRIC has not receive any objections in the past 12 years.

Mr. Herrmann stated that when the Business Leadership Committee was formed years ago, Council requested they look at several issues. The end result was the formation of the EDC and the BIC. In making recommendations to the Radburn area there were areas where the EDC, as

a private business entity, could look at. EDC initially looked at the New Jersey Transit study. They applied for a grant to look at the Radburn and Broadway train stations and transportation areas. The grant was denied. The EDC board is 15 people who can only do so much. There is no one to do business recruitment or represent areas of town such as Morlot or Maple Avenue. Fair Lawn needs to have someone advocating for the entire town.

Mr. Smartt felt that business and property owners will feel the assessment is an investment whose time has come. It is a self-help financing effort in a public-private partnership. Deputy Mayor Tedeschi felt telling the majority of the businesses that they were there to help them and they will pay for this help, varies dramatically from a River Road and Broadway organization created by business owners who wanted to come together. Mr. Landzettel stated they will ask the business owners to participate. Deputy Mayor Tedeschi suggested they have the EDC as a single entity since River Road and Broadway would be a part of the EDC. Mayor Weinstein agreed this was a good point.

Mr. Beshlian stated they were taxing themselves at a higher rate as there were projects they wanted to work on within their own district. They pick up papers and keep Broadway clean. These are things the EDC will not do. Deputy Mayor Tedeschi felt the EDC would reduce their costs allowing them to do such things. Other parts of town would subsidize some of the things they were doing. Mr. Smartt explained costs would be reduced as they would pay one administrative fee instead of three separate fees. The entities enjoyed their independence and had specific, unique needs. Mayor Weinstein stated they would need to see specific responsibilities of the three entities.

Barbara Simon, Vice President of the EDC stated the Joint Leadership Committee had discussed this issue. Each group wanted to keep some autonomy and be able to do things specific to themselves. Mr. Herrmann stated there is a need for autonomy. The EDC would advocate for the entire town including River Road and Broadway. The Broadway and River Road SIDS will have representation on the Board and would handle their own programs. The make up of the board has not been fully determined but will be Borough wide. There will be representatives from each district.

Councilmember Baratta felt the program would be more advantageous to the River Road and Broadway districts. She was concerned that other small businesses would not receive equal attention. If the Council supports this plan it would become mandatory that property owners pay this tax. Mayor Weinstein explained that the Business Leadership Committee considered making the Radburn business district a SID, but concluded it was too small. The EDC has tried to help small districts but do not have the funding to sustain continued efforts. Councilmember Baratta stated some businesses on River Road and Broadway feel this is a double tax and they do not get any benefits.

Councilmember Trawinski inquired if there was support from the business community outside the River Road and Broadway districts. Mayor Weinstein stated the Route 208 businesses were interested in the future of their district. Deputy Mayor Tedeschi wondered if Council should participate in the vision of the EDC. Mr. Smartt stated Council had been involved in each phase along the way.

Deputy Mayor Etler felt their suggestion was a double tax on businesses that may not have a direct interest. Mr. Beshlian stated to get a benefit there will be a cost. Deputy Mayor Etler stated the funds came from Community Block Grants and not the EDC. Mr. Beshlian felt that the EDC would be a vehicle through which grants could be obtained for other districts. He felt 1% was not a lot to ask considering the benefits that would be obtained.

Mr. Herrmann stated \$25,000 a year in private funds was obtained. The 15 trustees cannot continue contributing time and money. Councilmember Trawinski wondered if the EDC should be the umbrella organization for the non-SID business districts or whether the EDC should conceptually be the SID for the other business districts. Mr. Landzettel explained that River Road and Broadway would still retain the ability to select the administration and administrator of their choice. He clarified that the 1% assessment would mean the River Road and Broadway assessment would drop from 5% to 4%. They would also pay the town wide assessment which would bring them back up to their original percentage.

Councilmember Baratta inquired why they chose an umbrella plan versus an individual SID for the districts. Mr. Herrmann stated it made financial sense for what was needed as an EDC for the town to eliminate 43% of the assessment base. More could be accomplished at a single meeting. Mayor Weinstein stated that there is a combined committee for design studies made up with members from EDC, BIC and RRIC. Deputy Mayor Tedeschi inquired what happened to the rents on River Road during the last 12 years. Mr. Landzettel stated they are able to obtain the rents they request.

Mayor Weinstein thanked the committee for their presentation.

Acquisitions of Various Properties:

Passaic River Frontage - Mayor Weinstein reported that the Open Space Committee has agreed to accept the Lackland property. Bob Landzettel would like to see the property made more visually attractive. RRIC helped do a clean up at the site. Councilmember Trawinski supports this acquisition. Mr. Smartt stated the RRIC will use public and private partnerships to raise the necessary funds and services needed to implement the plan. They will maintain the property upon Council's request. He suggested Attorney Rosenberg reach out on their behalf. He asked to serve as facilitator of the cross agreements between all the parties. Lackland will not turn over the property until a secured maintenance plan is in place. RRIC is willing to accept responsibility as the designated maintenance entity.

Councilmember Trawinski was advised by Michael Hakim that they will establish credit with the DEP by acquiring a property in their Open Space Plan. Deputy Mayor Tedeschi asked about the removal of poison ivy and the clean up of river site. Mr. Smartt stated some clean up has already taken place. The cost for the clean up is estimated to be \$10,000. The Passaic River Coalition is also a partner in this. Mr. Smartt stated they will raise the donated services and money to implement the plan.

It was the consensus of Council to support this acquisition. The RRIC was asked to raise the funds and maintain the property. Attorney Rosenberg was authorized to reach out to Lackland and proceed.

Second Street property - Manager Metzler stated the property had repetitive floodings. The property owners expressed interest in the FEMA Mitigation buy out program. A copy of the plan was submitted to the State and a response from FEMA mitigation is expected in 60 - 120 days. The property could be added to the Open Space inventory and acquired using open space funds if FEMA funding is denied. There is a new program called Blue Acres which is State funding for the buy out of properties in the flood plane. Removing the home would restore the area to the flood plain. This would reduce flooding to other homes. This property could become the exit for the planned Passaic River Walk.

Councilmember Trawinski inquired about the total cost if the property is acquired through the Open Space funds or FEMA funds. He did not want to use these funds and foreclose any possibilities with Daly Field, Heywood or the Naugle property. Manager Metzler stated FEMA funding would pay for 75% and their share would be approximately \$100,000. They could obtain \$50,000. from the Open Space Acquisition Fund. Blue Acres is matching funds. The cost would then increase to \$200,000. Manager Metzler stated the CFO has certified 1.7 million dollars for Open Space acquisition. They will be generating about \$250,000 a year in Open Space taxes. He felt the Second Street property should be moved into the Open Space inventory. The grant process has not even been established for Blue Acres funding. It was the consensus of Council to add the Second Street property to the Open Space inventory.

County Grant Regarding Vanderplatt - Mayor Weinstein stated this is a resolution requesting County Open Space funds for an artificial turf field at the Dobrow Complex. The application deadline is August 31, 2007.

The consensus was to apply for the grant.

Environmental Pesticides:

Mayor Weinstein received a packet of letters from residents concerned about the use of pesticides in public parks. Manager Metzler stated that Fair Lawn parks have not used chemical pesticides since 1986. They use natural fertilizers and pesticides. Mayor Weinstein will send a written response to the residents.

Clothing Bins:

Manager Metzler stated Construction Officer Kolano recommended a fee of \$250 per year, per bin for any container placed at the Recycling Center. The fee for off site bins would be \$500 per year, per bin. Deputy Mayor Etlar suggested they only allow clothing bins at the Recycling Center. He suggested adding a budget line to compensate for the financial loss the Police Department may experience as a result of this relocation. Councilmember Baratta disagreed. She felt the Police Department was raising their own money and she did not want to take that away. Councilmember Trawinski indicated that he did not see the problem with bins throughout the town. He did not want to fix problems that do not exist at the expense of the Police Department. He suggested regulating them and if that does not work, then put them at the Recycling Center. Deputy Mayor Tedeschi felt the bins should be at the Recycling Center and limited to only charitable organizations. A charitable organization would be defined as not-for-profit 501(c)3. Councilmember Trawinski felt new bins should require minor site plan approval.

Manager Metzler stated the majority of the bins benefit the Police Department. Three bins are on private property. There is one at the Enright Gas Station, one at Rivera's and one at Broadway Boys. He offered to contact the three locations to find out if the property owners were paid a fee to have the container at their site. If revenue was received they should obtain site plan approval. Councilmember Baratta inquired if they could keep only the bins associated with a town organization. The DARE bins are on Borough property. Attorney Rosenberg felt they would have a hard time justifying this if it was challenged. A charitable organization must be registered and follow State requirements. Mayor Weinstein felt they should only allow a charitable organization. Proof of charitable registration would be required by the Building Department and they would be required to pay a fee. He felt they should review this issue at the end of 2008.

It was the consensus of Council that minor site plan review by the Planning Board be required for all bins.

Filming Standard Operating Guideline:

Manager Metzler developed a standard operating guideline that was forwarded to the New Jersey Motion Picture and Television Commission for review. The guideline was amended to include their recommendations. There was no provisions in the ordinances to charge an hourly rate. The production company made a donation equal to the amount paid out for salaries. The new agreement will designate a liaison whose salary will be reimbursed.

Manager Metzler stated public and private property was included in the guideline as film projects impact on the surrounding neighborhood. Deputy Mayor Tedeschi felt there were numerous hidden costs for filming projects. Manager Metzler explained the fee is \$1.00 plus reimbursement of costs for Borough personnel that are assigned. The film company hires off duty police officers. Deputy Mayor Etlar felt the reimbursement costs were too low. Deputy Mayor Tedeschi suggested charging a fee of \$500. per day. Mayor Weinstein felt their costs should be covered. The new guideline provides for proper reimbursement. They would retain the right to deny any film project deemed unacceptable.

It was the consensus of Council to approve the guideline.

Municipal Clerk Kwasniewski stated an ordinance would be required to collect a fee. The ordinance would require an hourly amount. Attorney Rosenberg will prepare a fee schedule.

PODS:

Attorney Rosenberg investigated this issue with other municipalities and spoke with the Borough Planner, Cheryl Bergaglio. Many municipalities feel there should be a distinction between PODS used for temporary storage prior to a move and construction renovations. The Planner felt PODS should only be used to move property off site due to small lot sizes in town.

Deputy Mayor Etlar felt residents should have two weeks to load the POD and then they have to remove it. Councilmember Baratta agreed. The Planner recommended PODS not be allowed for more than three days in a 30-day period. Attorney Rosenberg requested clarification on the time span. Councilmember Baratta felt the number of PODS per year no longer mattered as they would be removed off site.

Attorney Rosenberg would make sure temporary storage container was broadly defined to include items such as trailers. Attorney Rosenberg clarified that the ordinance would be for ten days. Rentals would not be limited within a twelve month period.

It was the consensus of Council that Attorney Rosenberg draft the ordinance.

Minimum Bid for Cell Tower Rebid:

Attorney Rosenberg stated a resolution was needed to establish a minimum bid for the specifications under the Land Lease Bidding Statute. The minimum bid was established at former Borough Attorney Kate's recommendation.

It was the consensus of Council to authorize the resolution.

Amending Special Counsel's Contract:

Manager Metzler stated the funding for Attorney Lustgarten was almost expended. Council would need to amend the contract to fund his services for the remainder of the year for the Landmark litigation, tax appeal cases and workers' compensation (JIF). The additional fees will be \$53,700. Attorney Rosenberg reminded the Council that the CAD litigation has to be budgeted.

It was the consensus of Council to approve this funding.

Increasing Time to Pay Delinquent Water Bills:9

Manager Metzler stated a \$5.00 penalty was previously approved for delinquent water accounts. Some residents who were charged a penalty felt 30 days to pay the bill was not sufficient. He recommended that they not change the time period.

It was the consensus of Council to leave it at 30 days.

Request to Use Walsh Pool by Midland Park:

Manager Metzler stated this has been done in the past and involves two or three families. It was the consensus of Council to allow Midland Park residents to use Walsh Pool.

Interlocal Agreement with Board of Education:

Manager Metzler stated there was a clause in the Shared Services Agreement that stated the agreement would expire on June 1, 2007 unless both parties sent a letter by April 15th indicating they wanted to continue.

It was the consensus of Council to authorize a resolution to renew the agreement. Deputy Mayor Tedeschi recused himself.

Conte Pool Easement - 5-06 6th Street:

Manager Metzler stated resident wished to install an above-ground swimming pool over a 25 foot sewer easement. The resident supplied a survey showing that the pool would not extend over the sewer pipe.

It was the consensus of Council to approve this request. Councilmember Baratta recused herself.

Knights of Pythias Circus:

Municipal Clerk Kwasniewski received a letter from the Knights of Pythias concerning their annual circus.

It was the consensus of Council to approve their request.

Manager Metzler is meeting tomorrow with Joanne Wilson, BOE Business Administrator, Tom Sanko, Superintendent of Parks and Recreation Jim Graff and Borough Engineer Garrison. The All Sports Association will supply the top soil. The Borough will seed and grade the field and supply fencing. The BOE will insure proper watering. The fields cannot be used by gym classes during the winter and they will discuss these concerns with the principal.

Special Meeting:

Upon motion by Councilmember Baratta and second by Councilmember Trawinski the Work Session was recessed to the Special Meeting at 9:55 p.m.

Mayor Weinstein reconvened the Work Session at 10:05 p.m.

Public Comments:

Mayor Weinstein stated they would hold the two Fire Department issues as Matt Ahearn was not present.

Harvey Rubenstein, 28 Rutgers Terrace felt they should include trees and benches in the bump outs on River Road. He felt the public should speak out at EDC meetings. The improvements in Radburn were the result of a deal between Panera and Minardi. A sturdy and attractive fence was placed around the dumpster. He felt that particular type of fence should be included in the Zoning regulations if a buffer could not be planted. He was told the Borough sweeps Broadway and the BIC stated they cleaned the highway. He felt Mr. Landzettel and Mr. Beshlian were not the right people to request an EDC. Mayor Weinstein clarified the BIC supplemented the cleaning of Broadway.

Mr. Rubenstein inquired if Don Smart's status was resolved with regards to professional development fees. He inquired if the BIC and RRIC donated \$5,000 of Borough money to the Route 208 study. The only improvement he noticed on Broadway were with the signs. He felt they should charge a \$1000 fee for clothing bins. He felt they should charge higher fees for film projects.

Michael Roney, 14 Burnham Place wished Mayor Weinstein a happy birthday. He felt the fees for film productions should be increased and that a daily rate should be charged. He felt they could charge \$500. or more per day.

Mr. Roney inquired about a letter sent in March to Radburn's attorney citing an inaccuracy in their slap suit. He wondered if the correction was made. Attorney Rosenberg stated a letter was sent to Judge Contillo, who declined to act.

Larry Koplick, 6 Reading Terrace suggested they contact other municipalities to establish a competitive fee. He wondered what took place when the Sopranos filmed in front of the Radburn Building several years ago. He thought there should be guidelines for the clothing bin site plan review so that they would not obstruct traffic. Such restrictions would rule out certain locations entirely. Deputy Mayor Etler suggested Attorney Rosenberg include wording to prevent bins from being placed at school locations. Councilmember Trawinski stated school property is not subject to site plan review.

Mr. Koplick inquired if there will be a fine if a POD is kept longer than allowed. He questioned what they will do if a resident rents a U-haul or van and parks it on their driveway. Attorney Rosenberg will establish broad rules about containers. He will include a penalty in the ordinance.

Barbara Gremilott, 1 Bristol Place questioned the grants obtained by the EDC. She asked if the EDC installed the new canopy over the Radburn station. Councilmember Trawinski stated it was installed by New Jersey Transit. She inquired who the principles were that gave money to EDC. She asked if Mr. Smartt and Mr. Herrmann had salaried positions. Mayor Weinstein clarified that Mr. Herrmann, Mr. Landzettel and Mr. Beshlian were volunteers. Deputy Mayor Tedeschi stated that Mr. Herrmann was the purest volunteer in the entire group as his only intent is to improve the business community. He does not own a Fair Lawn business. Mrs. Gremilott felt they were not taking the residents into consideration and were only concerned about the businesses.

Craig Miller, 5 Ramapo Terrace inquired if the five day limit on the POD was business days. Mayor Weinstein clarified that it would be five calendar days. Mr. Miller then inquired about the green fence around Memorial Pool. Deputy Mayor Etler explained it kept non-residents or non-paying residents out of the pool. Councilmember Trawinski stated Council voted against this fence. Mayor Weinstein instructed Manager Metzler to look into the fence. Manager Metzler thought Councilmember Trawinski was referring to the \$90,000 for a permanent fence around the pool. He does not know if Council's decision was conveyed to Superintendent Graff. He will look into it.

Jane Diepeveen, 14 Ryder Road stated the FAR Ordinance on the website was exactly like the draft that was circulated for comment. There is no regulation for property between 7,000 square feet and 7,501 square feet. Municipal Clerk Kwasniewski stated the online version was not the definitive version. Municipal Clerk Kwasniewski will mail her the revised ordinance.

Felice Koplick, 6 Reading Terrace asked how the EDC guidelines and design standards works with the master plan. Mayor Weinstein explained that the EDC was doing a study on Route 208. The report will be presented to Council and brought before the public. The EDC can make a recommendation but it will have no affect on the master plan. Council will make the final decision as to any changes but they were not even close to that point. Councilmember Trawinski explained

Councilmember Baratta pointed out that they did not have to accept something simply because River Road put it in their master plan. The Planning Board adopts the master plan not the Council. The Planning Board will have input into the EDC's master plan. Mayor Weinstein stated the EDC has appeared before both Fair Lawn and Glen Rock's Planning Boards and the Glen Rock Council.

Mrs. Koplick inquired if CVS would be allowed to put back the clothing bins that were removed. Mayor Weinstein explained they would need to do a site plan and meet Borough criteria. Mrs. Koplick felt the bins could be placed in the Recycling Center without hurting DARE.

Mrs. Koplick stated she received a call from a history professor and an Englewood businessperson regarding the Naugle property. Mayor Weinstein spoke with the professor who wanted to be updated on the progress.

Bob Gremilott, 1 Bristol Place stated that he understands the Committee has a wish list and that properties are prioritized. He questioned why Daly Field was removed from a previous agenda. He asked about the property adjacent to the fire house. Mayor Weinstein discussed this at an Open Space Committee meeting. Matt Ahearn was to have discussed the deed but was not present. Mayor Weinstein could not provide the cost of the fire house property until they obtained an appraisal. Mr. Gremilott inquired about the properties listed as top priority. Mayor Weinstein stated the Open Space Recreation Plan list included the Naugle, Daly, Heywood, Topps and Clariant properties. The list is in tiers. There is \$1.7 million dollars in the fund.

Closed Session:

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, 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 Personnel - Environmental Commission - Police - Fire Prevention - ADA Committee Appointment - Fair Lawn Borough Garden Committee - Standby Animal Control Officer, Contract Negotiations - Department Heads and Attorney/Client Privilege - Landmark Litigation

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.

interfaith council. He will reach out to the houses of worship in town to see if there was interest interest or any concerns. It was the consensus of Council to support the re-establishment of an interfaith council.

ADJOURNMENT:

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