

REORGANIZATION MEETING OF JANUARY 3, 2006

Assistant Municipal Clerk Bojanowski called the meeting to order at 7:06 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, 2005. 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: Councilmembers Etler, McCarthy and Weinstein.

ALSO PRESENT: Assistant Municipal Clerk Bojanowski.

Invocation by Father Joe Doyle

Invocation by Reverend Marc S. McGrath

Assistant Municipal Clerk Bojanowski recognized the following dignitaries in attendance: Congressman Steven Rothman, Senator Joseph Coniglio, Assemblywoman Joan Voss, Assemblyman Robert Gordon, Teaneck Mayor Jacqueline Kates, Saddle Brook Mayor Louis D'Arminio, former Assemblyman Nicholas Felice, Freeholder Elizabeth Randall, Sheriff Leo McGuire, County Executive Dennis McNerney and Teaneck Councilwoman Monica Honis.

Swearing in of new Council Members

Freeholder Randall swore in Councilmember Baratta and Councilmember Trawinski.

Nominations for Mayor

Councilmember Weinstein stated that he proudly nominates a person who has given more than 40 years of effort and his heart and soul to this community, he cannot think of another person who deserves this honor more than this person. He nominated Martin Etler for Mayor. Councilmember McCarthy stated he seconded that nomination.

There being no other nominations, the time for nominations were closed. Councilmember Etler was unanimously elected Mayor and took his Oath of Office.

Mayor Etler assumed the chair.

Nomination for Deputy Mayor

Councilmember McCarthy nominated Councilmember Weinstein, Mayor Etler seconded the nomination.

There being no other nominations, the time for nominations were closed. Councilmember Weinstein was unanimously elected Deputy Mayor.

Nomination for Deputy Mayor of Community Affairs

Deputy Mayor Weinstein nominated Councilmember McCarthy, Mayor Etler seconded the nomination.

There being no other nominations, the time for nominations were closed. Councilmember McCarthy was unanimously elected Deputy Mayor of Community Affairs.

Swearing in of Mayor and Deputy Mayors

Mayor Etler stated he was going to be sworn in by Congressman Rothman and he will be using a bible that has been in his wife's family since 1837. It is a Dutch bible. It has a lot of luck and reverence for him.

Congressman Rothman swore Martin Etler in as Mayor.

Congressman Rothman acknowledged the dignitaries that were in attendance. He thanked Marty Etler who was kind enough to ask him to swear him in. Marty and his wife Vi have been dear friends for over 25 years and it is fair to say that upon their first meeting they established a bond that has never been shaken. He thought that he and Marty voted on and agreed on everything except for two things. Marty Etler, as you all know, is a very special human being. You instantly understand that he is a person of great integrity. He has a very low threshold for political double talk. He is a person of action. He is very loyal and dedicated to individuals and to the Borough of Fair Lawn. So we are lucky to have him as our new Mayor. Marty has a certain common sense and good judgement that will serve us well. Sometimes things are not as complicated as they seem, it just takes a person with a clear vision to see through the fog. He also congratulated his dear friend, Ed Trawinski, for being elected to the Borough Council, and to Jeanne Baratta for her election. He wished them both much happiness and success in their time here. He knows that they are committed to moving Fair Lawn forward and to doing a wonderful job and they have his full support.

And to our two new Deputy Mayors, continued success and continued good work as you help Fair Lawn grow.

He is in a special position, not only being the rep for the 9th Congressional District which happens to include Fair Lawn, but he is a resident of Fair Lawn too. So look how lucky we are to have these dedicated people representing us. They are people from both sides of the aisle represented up here tonight, both sides of aisle are in the audience.

He wished Mayor Etler great happiness and success in what he knows will be another important chapter in Fair Lawn's history, following upon so many other chapters.

Assemblyman Gordon swore in Councilmember Weinstein as Deputy Mayor. County Executive swore in Councilmember McCarthy as Deputy Mayor of Community Affairs.

Remarks of the Mayor

Mayor Etler read the following: Let me say to my colleagues, many thanks for their support to this office of Mayor for this great Borough. By keeping Fair Lawn first, these are the things that I will strive for:

1. Courtesy to the public.
2. Controlled development and re-development.
3. Preservation of the things that make Fair Lawn a great place to live and a correction of the things that need improvement.
4. More use of grant money.
5. Better allocation of resources for more effective government.

We should also not forget that we need to make the types of changes in municipal government, that will allow employees to function at their best and highest level without political interference. We need to remember that public service is just that, serving the public and to remember who pays their salaries and that goes along with accountability.

In my fifty-three years in town with twenty-seven years on our Zoning and Planning Boards and six years on this Council, I have met many of our citizens. One of my hallmarks has always been to be accessible, and I will always continue to do so. There is a vast silent majority out there who are concerned with the quality of life in Fair Lawn. Their needs have to be listened to and taken into account.

As to our future, it looks bright. We will soon be opening our new Community Center and with all it's activity it will be the "heartbeat of Fair Lawn". We will continue to upgrade our Fire Department, Heavy Rescue, Ambulance Corps and for the protection of Homeland Security, our Office of Emergency Management. I will never compromise on Fair Lawn's health, safety and welfare. Our ship of state will sail on.

To my wife, Violet, who has been with me for fifty-one years, I salute you. To my many friends and family who are here to share this great event with me, I give you my heartfelt thanks.

And so that skinny little kid who came from Brooklyn in 1936 and grew up in Paterson, soon found his way over the Morlot Avenue Bridge to swim in the Sand Pit, that is now Memorial Park, has grown up to be it's Mayor. I ask all of you to help me with this endeavor.

In closing, let me say that while Fair Lawn may be a great place to visit, it is still a better place to live. Once again many thanks for all your good tidings and may God Bless this great Borough of Fair Lawn.

Remarks of the Deputy Mayor

Deputy Mayor Weinstein made the following remarks: Good evening Mayor Etler and Council and fellow Fair Lawn residents. As we enter 2006 we must readjust our thinking and come back to basics. In the past few years we focused on our visions of Fair Lawn's future. Going forward we must continue to think about our future but with more focus on the maintenance of the gains we have made over the last several years.

The enhanced quality of life has encouraged many of our residents to expand their homes and businesses and others to become new residents. We must now manage this process. Like a portfolio of investments where the success of the fixed income allocation exceeds its desired percentage of holdings the equity holdings must be balanced.

In Fair Lawn, under my leadership, investment in our business districts through the Economic Development Corp, River Road and Broadway Improvement Districts has given incentives to old businesses to improve and expand their establishments while cultivating solid interest by class "A" businesses to move into Fair Lawn. The new Mayor and Council must continue this support as we watch business succeed, continue to give back and support our volunteer organizations, create new jobs for our residents, increase needed ratables and create an exciting and vibrant business community.

Through my creation of the Fair Lawn Recreation Facility Committee, our residents, the Borough Manager, Department Heads and staff, Board of Education representatives and Councilmembers initiated the improvement and effective use of our parks and fields. By providing lights on our sports fields, Center Rec, Memorial and soon Thomas Jefferson fields thousand through many activities - lacrosse, soccer, football, softball, and baseball will utilize what was previously unavailable. We are completing the task of regrading and improving Berdan Grove - a major park in town with something to offer every resident.

I will persuade the new Mayor and Council to continue the maintenance of these facilities and activities for all the residents who so actively participate.

About three years ago our Superintendent of Parks, George Frey and myself revisited an issue that had confounded the Borough for many years - that was the need for a new "Old Library Theatre" and Recreation Center. Residents were tired of the antiquated and drafty theater. It was functionally obsolete and not economical to maintain or modernize. The Rec Center was in a similar state of disrepair - a leaky gymnasium and a small and outdated youth lounge and game room.

What was needed was a modern multipurpose facility that would meet the needs of all our people. In a few months we will have that facility. Now, I must take a few moments to thank the members of the Fair Lawn Non-Profit Community Center led by John Cosgrove for all their energies and expertise in completing this task.

It took guts and leadership by last year's Council to move forward with this idea as it took leadership by prior Councils, under adversity, to move forward with the Library (one of the most successful in Bergen County) and the Senior Center which is always occupied and

valued tremendously by our seniors. I will support and request the new Mayor and Council to continue to work with the Fair Lawn Community Center Board to continue its major role in providing the economic underpinning for such a greatly needed amenity.

In regards to our emergency services, I supported the creation of the new department - Office of Emergency Management, the addition of two new police officers, and the resources necessary for all of our emergency departments.

I will continue to support and will look for prudent ways to continue the effectiveness of these men and women in protecting theirs and our security.

Our Department of Public Works is one of the best in Bergen County. As I drive through other towns after snow storms I always remark how well our streets are plowed compared to other municipalities. I will continue to support the proper funding of the DPW and will look for ways to cut costs through the sharing of supplies and vehicles.

The success of all of the above activities has increased the value of our properties and the threat of over development. And we must deal with that threat! We must protect our open space and preserve our historical landmarks.

Proper development is important, but it must be balanced with the preservation of our open space and history. Councilmember McCarthy and I formed the Borough Open Space Committee last year. We have already had two meetings and will be meeting with an expert from the State Green Acres Program next week. I commend the Concerned Citizens for Radburn's Future and now Fair Lawn's future for their persistence in making the Borough and Council aware of our open space issues and for their success in getting the Borough-wide open space tax passed. We have a lot of work ahead of us and look forward to working with newly elected Councilmember Ed Trawinski on the Open Space Committee this coming year.

There has already been discussion by the Council regarding a floor area ratio ordinance. However, what we must do before we pass any ordinance is to determine where the problem really lies. We need to provide the Building Department, the Zoning Board of Adjustment and the Planning Board with clear guidelines to enable them to make good sound judgements on homeowner applications. I do not want to completely dissuade people from improving their homes, but would like to prevent over expansion where it is a detriment to residents living in the same area.

Another area of concern that was recently highlighted by last weeks unfortunate event, concerns the issue of pedestrian and traffic safety. It is clear this issue must be a priority and dealt with in 2006. Whether it is a County road or a local road the issue is clearly

one of traffic safety for Fair Lawn's residents. I am committed to working to achieve solutions to this ongoing problem.

Another issue of concern is “pay to play”. We just went through a heated campaign season. There were some truths and an equal number of exaggerations. The one major truth was that there was a lot of money spent by both parties in this past campaign. The State has already tightened campaign contribution rules. I will lead and support any effort that is reasonable and responsible and leads to less money in our campaigns. As the saying goes - “Actions speak louder than words” - if you are doing the job the message will get out to the public.

In selecting professionals to work for the Borough, I have always appointed highly qualified people who have been assets to our community and will continue to do so!

In a few weeks the Council will be tackling the 2006 budget. Again we will be balancing the need to maintain quality services while cutting out the fat. We must always remember that the needs of one resident may be viewed as extravagant by another. The Budget is a challenge and I will work hard with all my colleagues on this Council and in this government to bring in the best one possible!

I welcome and look forward to working with new Councilmembers Jeanne Baratta and Ed Trawinski. Although our points of view may start out at different places, our destination is the same - a better Fair Lawn for all its residents! A place where the quality of life is the best that we can make it while keeping taxes under control.

The word “change” is the operable word this year. But, I do not agree with change just for the sake of change. I will be the voice of moderation this year as we consolidate and manage the gains of the last few years.

Before I close, I would like to thank former Mayor David Ganz and former Councilmember Allan Caan for their years of service and for what we achieved as a team for the benefit of the Borough of Fair Lawn.

I also want to express my gratitude to former Borough Attorney, Richard Lustgarten and former Borough Manager, Joanne Kwasniewski for their efforts, counsel and endless hours of service. It will not be forgotten!

Fair Lawn's foundation is volunteerism and I want to thank all those volunteers who serve our community. From our municipal boards and committees to the volunteer Fire & Ambulance Corps, to all those charitable groups - the Chamber of Commerce, Rotaries, Knights of Pythias, Knights of Columbus, the Community School, Fair Lawn All Sports, Fair Lawn Football Association, Fair Lawn Hockey Association, Club Fun, PTA's and PTO's, the Board of Education, our Neighborhood Block Watches and one of the finest CERT teams in New Jersey, and there are many, many more.

Finally, I must never forget my family, my wife Linda and my children Sari, Zachary, and Ashley, without your love and support, I would not be able to serve our community as well as I want to.

I look forward to an exciting new year. Always with a vision about Fair Lawn's future, but with a little more accent on managing and maintaining what we have accomplished over the last few years. Happy and healthy new year to all!

Remarks of the Deputy Mayor of Community Affairs

Deputy Mayor McCarthy congratulated Mayor Etler who has lived in the Borough longer than most homes have existed. He is confident that he will use the experience of living here all those years as well as his knowledge from his frequent trips around town on his scooter to the benefit of all in the community.

He welcomed Congressman Rothman, Senator Coniglio, Assemblyman Gordon, County Executive Dennis McNerney, Freeholder Randall and other elected officials, friends, family and guests. To our higher elected officials that are here, on behalf of his colleagues, he thanked all of them for their continued support and particularly the financial support that you have supplied to the Borough during his two years on the Council and for that, we all do thank you.

It was difficult for him to imagine sixteen years ago as a high school junior, sitting in the audience watching Municipal Court for his drivers education course that one day he would be sitting here on the dias as Deputy Mayor. For someone educated in the Fair Lawn school system and growing up playing on the recreational fields it is a great honor to be elected to this position. He looks forward to this opportunity and promised to live up to the high standards set by his predecessors. While there are many accomplishments of the past year, he thought it was critical to look forward and to focus on the times ahead.

In approximately three months the new Community Center will be opening. He is certain that the Community Center will be an immeasurable resource for the Borough and all of its residents since it truly does have something to offer for every resident of every age. He encourages everyone to personally attend the center and to see first hand what the center has to offer and the hard work of all those individuals involved in creating this facility.

Last month the State legislature approved a new series of laws that would now preempt pay to play laws at the municipal level. Unfortunate events and scandals occurring through out our state, at all levels of government, have increased the public levels of distrust in our government and our officials. He thanked our legislature for allowing municipalities to create laws that are more stringent than the State laws. The focus of

this distrust arises from the issue of campaign donations. Included in the areas of reform that they will be working on is setting a maximum contribution that any individual for any local office could receive from any contributor. Too much money coming into our government increases distrust of the people of our community. He looks forward to working with his colleagues in addressing this issue in the weeks ahead.

At our final work session of the year, Mayor Etlar introduced a floor to area ratio ordinance focusing on the issues of McMansions and the effect on the community. He welcomes the opportunity to address this issue with his colleagues on the Council and members of the Zoning Board and the staff at Borough Hall to ensure that any ordinance that is created will be fair to all parties.

One of the best qualities of growing up in Fair Lawn was the sense of character and community that was unique to each neighborhood in the Borough. Unfortunately, the Borough has dealt with the death of three pedestrians in the last three months. Additionally anyone who has driven across the Borough realizes the issue of traffic flow, congestion and grid lock is increasing. While the areas of pedestrian safety and traffic flow do not always walk hand in hand, he believes that it is possible with the aid of the Traffic Safety Officer and our Engineering Department to address this issue and balance the need of both groups.

He thanked the citizens, especially the handful of dedicated residents in obtaining the approval of open space tax. The members of the Open Space Committee have been diligently working and contacting various organization and agencies to discuss additional funding and financing opportunities to preserve the remaining areas of open space in the Borough.

He would be remiss if he did not thank the individuals who no longer are sitting on the dias besides him. As anyone who has ever sat on the dias as an elected official knows, it is a difficult position to find yourself knowing that each decision you make will ultimately be criticized by someone. Your contributions and hours of service to the Borough will always be appreciated. He wished them all the best in their future endeavors. He congratulated the new members of the Council. He looks forward to working with them to make sure that the Borough of Fair Lawn will continue to remain the community he is proud to call home for 32 years.

He thanked his family and his girlfriend, Mora Connor, for the support they have given over the last year. As anyone has been elected to a public office knows, without the support of family, it is impossible to live up to the obligations of the position that we are elected to and for that he thanked them.

Remarks of the Council

Councilmember Baratta said good evening everyone. She is delighted to see so many people here this evening and especially to recognize so many faces. She also wanted

Page Nine

Reorganization Meeting

January 3, 2006

to thank all of the dignitaries that came out on this very wintry night.

For about nine months now, she has tried to convince people that she is not a politician. She is just an average citizen like the rest of us. No they said, now you are a politician. As soon as you agreed to run in this race, you became a politician. She fought back - no way did she want that label. Well, tonight she has a label that gives her great pride and humbles her - tonight she is Councilmember Baratta. She thanked them all for that.

She said she is not going to forget how she got here and she is not going to forget all the people that volunteered, encouraged and supported her and Ed for the last nine months. We are beholden only to you, the taxpayers of Fair Lawn. This November, the people of Fair Lawn sent a clear and concise message, they will no longer stand for business as usual in this municipality. They will not stand by and watch Fair Lawn get auctioned off to the highest bidder. They will no longer be silent to watch political patronage run amok in town. When she and Ed ran, they ran on real issues, issues that affect us all. She wanted everyone to know that they were not empty promises just used to get elected, they plan on acting on everyone of those issues. Those issues that got so many of you motivated to lead the charge for this overwhelming victory.

We talked about McMansions and she is glad that her fellow Councilmembers are on the same page with that. With the help of the new Mayor and Council, we have got the ball moving on that and will be looking adjusting our limitations to curbing this practice. We must remember that residents are entitled to ask for relief in the form of variances and it is ultimately up to our boards to approve or deny. With the reorganization of the Planning and Zoning Boards, she believed they have very good people that will make proper decisions based on what Fair Lawn is and always looking to preserve our precious open space.

Taxes - oh boy, no one wants to talk about taxes. This is a daunting task. We have been left with not so pretty a picture here where we say 66% increase with our previous administration, for what we have seen so far, it will take some doing to get Fair Lawn back to stable taxes. It seems that we have been robbing Peter to pay Paul and vice a versa the last couple of years. She would like to see the surplus brought back up and more realistic budget proceedings to take place.

Traffic - Deputy Mayor Weinstein talked about this. We are all shocked and saddened by the recent traffic fatalities in town and our deepest sympathy goes out to the families. We have been studying this for awhile and have been testing a lot of solutions. This needs to be a priority this year. She would like to revisit the traffic studies of the past and look into some creative solutions that have been done in other towns. For instance, Morristown has implemented some very good traffic calming measures that are worth looking into.

Pay-to Play - politics at it's worse. On January 1, the New Jersey State Senate's Anti-play-to-play legislation went into effect. This legislation is weak. Luckily it reserves the

right of municipalities to make stronger legislation and that is what they intend to do. She is a member of the Center for Civic Responsibility. She and Councilmember Trawinski will be proposing an anti-pay-to-play ordinance for Fair Lawn that will be much stronger than the one passed by our Senate. She hopes that her fellow Councilmembers will see the light and get on board with this important issue. She is concerned that they might not feel as strongly about this. Tonight they will be voting on a handful of professionals, many of them she will be voting no on. Their combined contributions on the municipal and county levels add up to more than \$200,000. For these vendors political contributions result in fat municipal contracts for their firms. She wished that she could convince all of them that business as usual practice will no longer be tolerated by New Jersey citizens and in

particular Fair Lawn residents. She knows that it remains unethical and it is time to put an end to this practice. She hopes that when these votes come up, they search their conscience and vote accordingly.

Some other issues that they would like to look into - Councilmember Trawinski and herself were surprised to find out that the mini bus does not stop on Chandler Drive. Many of the seniors would benefit by this service. They would like to see Chandler Drive added as a permanent stop. She is concerned the State's proposal on shrinking the drug free school zones and would like to follow the lead of towns like Rutherford that are fighting this and have our own overriding ordinance.

The Community Center - although they were against the way the center was funded, they were never against the center itself. Now that the building is almost completed, Councilmember Trawinski and she will do everything in their power as Councilmembers, to see that our Community Recreation Center is a success and is utilized by residents of all ages. She expressed her gratitude to John Cosgrove and his group for overseeing this project. They volunteered hundreds and hundreds of their own hours to make sure this would be the cutting edge facility that it is.

She believed they are off to a fine start. She has great respect for her fellow councilmembers and our new Mayor and although there are times they will disagree, they will do so in a professional and courteous manner. We have begun this year with some new changes. She welcomed Tom Metzler as our new Borough Manager and wished him well. You will also be meeting a new Borough Attorney, Michael Kates, and she could not stress enough what a wonderful addition Mr. Kates will be to Fair Lawn. His references and resume are impeccable. She is certain that he will work for the best interest of Fair Lawn and serve all members of this Council well.

In closing, she thanked everyone that helped put her and Councilmember Trawinski in these seats. She especially wanted to thank her husband, Rich, and her children Amanda, Ricki and Maria and her Mom who was there. Her Dad was not there because he has been ill but hopefully he is watching on TV. She thanked Councilmember Trawinski for being a mentor to her before and during this process. She wished her fellow Councilmembers well for 2006 and congratulated our new Mayor on his much deserved appointment. Congratulations Mayor Etlar.

Page Eleven

Reorganization Meeting

January 3, 2006

Councilmember Trawinski stated WOW!!! Just look at how this Council Chamber is packed! This usually occurs only when there is something controversial but tonight, tonight belongs to the people of Fair lawn! We thank you. Ten years ago to the day I sat here and said I was in awe of the democratic process. Tonight, I am equally in awe as all of you celebrate with us this reaffirmation of our democratic process.

Jeanne Baratta (or should I say Councilwoman Baratta) and I are here tonight because an overwhelming majority of the people of Fair Lawn sent us to this Council. They sent us not because they like us (although hopefully some of them do!), not because of our political affiliation, not because of our gender...rather they sent us because they wanted a Council that serves the people. They sent us because we have no hooks, no ties, no anchors, no

dues to pay. They sent us because they wanted representatives on the Council who believed in representative government, people who would represent them, not the special interests and not the political bosses. Representatives that will be guided first and foremost by one simple question: What is in the best interests of the people of Fair Lawn?

And so to the people of Fair Lawn, from the bottom of my heart, I say thank you. Thank you for your support and willingness to make a change this past November.

To my family, to my late father, and to my mom, who never misses the opportunity to remind me that none of this would have been possible without her, to my wife, Diane, for her unending support, love and willingness to allow me to serve...and to my children, Natalie, Nicholas and Lyndsey. To all of you, each and every one of you, from the bottom of my heart, thank you, and all my love.

I would also like to thank all those who worked in our campaign – you know who you are – just too numerous to mention. And thank you to all of you who came out tonight to participate in this reaffirmation of our democratic process.

Thank you to the many dignitaries who are here tonight - Congressman Steven Rothman, our County Executive Dennis Municipal Clerk Nerney, Assemblyman Bob Gordon, Assemblywoman Joan Voss, Mayor Jackie Kates from Teaneck, Mayor Lou D'Arminio from Saddle Brook, Freeholder Lisa Randall, Sheriff Leo McGuire, Former Assemblyman Nick Felice and former Mayor Joseph Tedeschi.

Tonight, I would like to highlight some of the changes that Councilmember Baratta and I will be proposing to the Council and to the people of Fair Lawn, all of which are consistent with our message throughout this past campaign:

1. As we pledged during our campaign, we will propose the toughest ordinance anywhere **BANNING PAY TO PLAY.**
2. Working with the Council & Mayor Etler (congratulations Mayor Etler - it is long overdue!) We have already started working on ending McMansions in Fair

Page Twelve

Reorganization Meeting

January 3, 2006

Lawn. We will accomplish this in part by a carefully crafted floor area ratio ordinance and a proportionality ordinance.

3. We will propose a moratorium on development on the Heyward parcel, Daley Field, Archery Plaza and the Topps property. We believe that the vapor intrusion reports presented to the New Jersey Department of Environmental Protection affecting the homes in the immediate area of these properties establishes a basis to do so.
4. We will propose the acquisition of Daley Field, Heyward and Archery Plaza so that they will remain open space forever. I look forward to working with Deputy Mayor Weinstein on the Open Space Committee to make this a reality. Open space and historic preservation will be a priority.

5. As everyone knows our Council regular meetings are broadcast live on cable. We think this should be expanded so that all public meeting of the Council, Zoning and Planning Boards are also broadcast live. We will work to make that happen. There will be more volunteer help needed at FLTV to accomplish this and I encourage all our citizens to support them so that we can make this happen.
6. As soon as we can afford to do so we must reexamine and re-do our master plan. We need a new vision for fair lawn. Our ordinances should not allow for McMansions. Our ordinances should not allow for massage parlors. Our ordinances should not allow for town houses (except for senior citizen housing). I realize it has only been two years but the numerous issues that have arisen tells us that a more comprehensive visionary Master Plan must be put into place. We simply cannot afford to allow the current Master Plan to remain in effect any longer.
7. We will propose to the Council that the Borough of Fair Lawn adopt a planned community democracy ordinance. Some of these communities act as mini-governments unto themselves and deny their residents the fundamental governmental rights that all of us otherwise enjoy. Since the state regulatory authorities have failed to act, we will act to protect our residents.
8. We will propose a Fair Lawn ordinance that would prohibit your Council from exercising the power of eminent domain as grossly expanded by the United States Supreme Court in the Kelo case. The existence of the threat of government taking anyone's home on the guise of economic development should not and will not happen in Fair Lawn – not on our watch.
9. As parents, Jeanne and I are deeply concerned about the numerous recent occasions in New Jersey and elsewhere throughout the United States in which

convicted sex offenders have been released from custody and then turn around and repeat the unlawful acts for which they have been convicted. We are aware that Megan's law requires registration of sex offenders. Megan's law does not prohibit convicted sex offenders from residing or living near areas where children regularly meet and congregate therefore, in order to help protect the health, safety and welfare of the children of the Borough of Fair Lawn, we will propose additional regulations banning sex offenders from residing within 1,000 feet of an elementary school or secondary school, playground or child care center. Towns such as Hamilton, Cherry Hill, Eatontown, Brick, and Phillipsburg have already implemented such ordinances and the legislature of the State of New Jersey has been talking about doing something like this statewide for some time now. To those who will suggest that protecting our children in this manner is unconstitutional, I would call your attention to the United States Court of Appeals decision for the 8th circuit, Doe v Miller, decided just this past April, in which it unanimously held that the residency restriction as we would propose is not unconstitutional.

10. The day after the election Jeanne and I rolled up our sleeves and started to review the Budget and spending. We all knew that things were bad – we have all received our tax bills. However, things are worse than we ever imagined. We have already identified numerous examples of what we can only characterize as poor fiscal policy, mismanagement and irresponsibility - not by municipal employees, but by the leadership of the prior council. Unfortunately all of us will have to pay the price for that in this year's budget. Of course, we will do everything we can to tighten our belts and reverse the current trend of large annual tax increases. But we will not want to mislead you. We cannot fix this mess in one year. The good news is that Jeanne and I believe that working together with all of the members of the Council, Tom Metzler our new Manager, Michael Kates, our new Borough Attorney, Barry Eccleston our longtime CFO, Joanne Kwasniewski and Marilyn Bojanowski our Municipal Clerks, together with all 211 municipal employees, and you the taxpayers, we can and we will restore fiscal responsibility such that taxes can truly be stabilized again and not at double digit rate increases.

Jeanne and I know that the items that we have outlined in our comments are ambitious, but we believe that these are the reasons that an overwhelming majority of the people of Fair Lawn sent us here - to stabilize our taxes, control our spending and end the cancer of corruption that has allowed for McMansions, over development and the gradual elimination of our precious open space.

We look forward to working with the people of Fair Lawn, and with Mayor Etler, Deputy Mayor Weinstein and Deputy Mayor McCarthy as we all set about to do what is in the best interests of the Borough of Fair Lawn.

Page Fourteen

Reorganization Meeting

January 3, 2006

Tonight, you will hear Jeanne and me, in all probability vote no on a number of appointments. As we do, we want to make it clear that we do so not for partisan political reasons, rather we do so to give credence to your mandate that the time has come to end pay to play in Fair Lawn and stop “doing business as usual”. Thank you! May God bless you and may God continue to bless us all.

MAYOR'S APPOINTMENTS

Mayor Etler announced his appointments.

- a. Library Trustees - Jerome Weiner and Bruce Rein
- b. Environmental Commission Chairperson - Wendy Dabney
- c. Board of Education Liaisons - Mayor Etler, Deputy Mayor Weinstein
- d. Planning Board designee - Michael Cohen
- e. Class II Planning Board Member - Alan Neggia

RESOLUTIONS BY CONSENT #1-2006 COUNCIL APPOINTMENTS:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor McCarthy, Consent Agenda 1-2006 containing the following items was unanimously adopted.

- a. Resol. No. 1-2006 - Tax Appraisers
- b. Resol. No. 2-2006 - Planning Board
- c. Resol. No. 3-2006 - Zoning Board
- d. Resol. No. 4-2006 - Fire Officers
- e. Resol. No. 5-2006 - Liaison to Fire Board
- f. Resol. No. 6-2006 - Environmental Commission
- g. Resol. No. 7-2006 - Senior Citizen Advisory Board
- h. Resol. No. 8-2006 - Rent Leveling Board
- l. Resol. No. 9-2006 - Holiday Celebrations
- j. Resol. No. 10-2006 - Youth Advisory Board
- k. Resol. No. 11-2006 - Property Maintenance/Facelift Committee
- l. Resol. No. 12-2006 - Insurance Commissioners Self Insurance
- m. Resol. No. 13-2006 - Fair Lawn Historical Committee
- n. Resol. No.14-2006 - Advisory Committee on the Americans with Disabilities Act
- o. Resol. No. 15-2006 - Garden Club
- p. Resol. No. 16-2006 - Defender County Tax Board of Appeals
- q. Resol. No. 17-2006 - Liaison to Alliance for Substance Abuse Prevention
- r. Resol. No. 18-2006 - Advisors to the Senior Citizen Center
- s. Resol. No. 19-2006 - Terminating the Public Advocates/Alternate Public Advocates
- t. Resol. No. 20-2006 - Claims Management Service - Qual Care
- u. Resol. No. 21-2006 - Liaisons to RRIC, BID, EDC

Page Fifteen

Reorganization Meeting

January 3, 2006

- v. Resol. No. 22-2006 - Loss Control Services - Commerce National Risk Control
- w. Resol. No. 23-2006 - Health Advisory Board
- x. Resol. No. 24-2006 - Health Educator - HARP
- y. Resol. No. 25-2006 - Professional Nursing Services - Valley Nursing Services
- z. Resol. No. 26-2006 - Health Care Provider - Edward A. Sciano, Jr. MD
- aa. Resol. No. 27-2006 - Fair Lawn Recreation Facility Review Committee
- bb. Resol. No. 28-2006 - Veteran & Volunteer Coalition
- cc. Resol. No. 29-2006 - Open Space Committee
- dd. Resol. No. 30-2006 - Liaison to Cable Television Board
- ee. Resol. No. 31-2006 - Healthcare Provider - Occupational Medical Assoc.
- ff. Resol. No. 32-2006 - Municipal Court Judge
- gg. Resol. No. 33-2006 - Public Action Compliance Officer
- hh. Resol. No. 34-2006 - Professional Legal Services
- ii. Resol. No. 36-2006 - Resignation of Borough Manager

RESOLUTION NO. 35-2006 - Extending Contract with Realty Appraisal Services

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor McCarthy,

Resolution No. 35-2006 was discussed.

Councilmember Baratta stated she had asked that this resolution be pulled off the Consent Agenda. She said this is a firm that is doing a reval that was hired last year. Mayor Etler explained that the reval was supposed to be done last year. There was a delay in the getting tax maps approval from the State so now the firm is asking for an extension of their contract. Councilmember Baratta said this firm was a contributor to Mayor Ganz last year. Mayor Etler said this was not pay to play. Councilmember Trawinski stated he echoed Councilmember Baratta's comments and although he wants to vote against hiring this firm, they have no choice since both the CFO and Tax Assessor are satisfied with the last revaluation. Deputy Mayor Weinstein stated that they had interviewed several companies and since they did a good job before they were hired. Deputy Mayor McCarthy stated he had spent three years defending tax appeals and since the Tax Assessor is confident in them he voted to hire them. He said the company is willing to meet with the residents so they understand the process.

There being no further discussion, Resolution No. 35-2006 was unanimously passed.

RESOLUTION NO. 37-2006 - Appointment of Acting Manager

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Resolution No. 37-2006 was unanimously passed.

Page Sixteen

Reorganization Meeting

January 3, 2006

RESOLUTION NO. 37A-2006 - Salary of Acting Manager

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Resolution No. 37A-2006 was passed with Deputy Mayor Weinstein dissenting.

RESOLUTION NO. 38-2006 - Borough Attorney

Upon motion by Councilmember Trawinski and a second by Mayor Etler, Resolution No. 38-2006 was passed with Deputy Mayor McCarthy abstaining and Deputy Mayor Weinstein dissenting.

RESOLUTION NO. 39-2006 - Borough Auditor

Upon motion by Deputy Mayor McCarthy and a second by Deputy Mayor Weinstein, Resolution No. 39-2006 was discussed.

Councilmember Baratta stated that she would be voting no. This firm contributed close to \$8,000 and has given \$40,000 to local and county campaigns. Councilmember Trawinski said this is the auditing firm that caused the mess in Dumont. Deputy Mayor Weinstein

Governmental Insurance Agency

Upon motion by Deputy Mayor Weinstein and second by Deputy Mayor McCarthy, Resolution No. 44-2006 was discussed.

Councilmember Baratta stated this is another firm that has given \$17,000 since 2003. This is clearly pay to play - they have to draw the line somewhere. Deputy Mayor Weinstein said they are a competent firm and have saved the Borough over \$700,000. Councilmember Trawinski said he also will vote against this firm. Deputy Mayor McCarthy stated that all of these individuals will be signing a certificate stating they will not contribute. He stated that on March 14, 2005 the Republican party accepted \$2,000 from Doug Forrester. Councilmember Trawinski stated that he will not vote to give Doug Forrester a job in Fair Lawn. He said it is wrong for both political parties.

There being no further discussion, Resolution No. 44-2006 was passed with Councilmember Baratta and Councilmember Trawinski dissenting.

RESOLUTION NO. 45-2006 - Risk Management Consulting Service - Business & Governmental Insurance Agency

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor McCarthy, Resolution No. 45-2006 was passed with Councilmember Baratta and Councilmember Trawinski dissenting.

Page Eighteen

Reorganization Meeting

January 3, 2006

RESOLUTION NO. 46-2006 - Planner of Record

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor McCarthy, Resolution No. 46-2006 was discussed.

Councilmember Baratta stated this firm was the grand daddy of pay to play. She would not vote for them. Deputy Mayor Weinstein felt they did a good job for the Borough.

There being no further comment, Resolution No. 46-2006 was passed with Councilmember Baratta dissenting and Councilmember Trawinski recusing himself.

MANAGER'S APPOINTMENTS:

Acting Manager Metzler announced his appointments as follows: Prosecutor - Mark Fierro, Public Defender - William Soukas and Rent Leveling Attorney - Steven Cohen.

ORDINANCES: FIRST READING

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

ORDINANCE NO. 2040-2006

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF THE BOROUGH OF FAIR LAWN, "LAND DEVELOPMENT", AND MORE SPECIFICALLY SECTION 125-57.A.(2)

Mayor Etler stated this ordinance will increase the number of alternate members of the Zoning Board of Adjustment to four.

There being no further discussion, upon motion by Councilmember Trawinski and a second by Councilmember Baratta, Resolution No. 47-2006 introducing Ordinance No. 2040-2006 was unanimously passed.

RESOLUTIONS BY CONSENT #2-2006

Upon motion by Councilmember Trawinski and a second by Deputy Mayor McCarthy, Consent Agenda 2-2006 containing the following items was unanimously adopted.

- a. Resol. No. 48-2006 - Cash Management Plan
- b. Resol. No. 49-2006 - Official Newspapers
- c. Resol. No. 50-2006 - Temporary Budget - Current Fund
- d. Resol. No. 51-2006 - Temporary Budget - Water Utility Fund
- e. Resol. No. 52-2006 - Tax Assessment Interest
- f. Resol. No. 53-2006 - Annual Meeting Dates and Times

Page Nineteen

Reorganization Meeting

January 3, 2006

- g. Resol. No. 54-2006 - Defending Tax Appeals
- h. Resol. No. 55-2006 - Annual Sale of Delinquent Taxes

MISCELLANEOUS PUBLIC COMMENTS

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

Nick Felice, 41-26 Rys Terrace, thanked the Council for giving him the opportunity to congratulate the newly installed Councilmembers. Councilmembers Baratta and Trawinski are the type of people that will be a definite asset not only to the Borough Council but also to all of the people of Fair Lawn. They will do an outstanding job. He presented a token of esteem to Councilmember Baratta and Councilmember Trawinski and wished them much success along with the other Councilmembers in the coming year. Good government starts here on the local level.

Elizabeth Boas, 38-15 Pellington Drive, President of the Fair Lawn Republican Club welcomed back Ed Trawinski. It was good to see him back up there and Councilmember Baratta even a newcomer can draw big votes and she was happy to welcome one of her own gender.

Senator Coniglio gave two citations to Councilmember Baratta and Councilmember Trawinski. He stated that he will continue to work to get grant money for the Borough of Fair Lawn. He wished them nothing but the best. He commented that he never saw a wall to wall crowd like what is here now.

Senator Coniglio said that Marty Etler gives his heart and soul to the Borough. They are very lucky to have a man like him as Mayor. He told Mayor Etler that he made him proud. He said he will be there to help him out.

Assemblywoman Joan Voss stated that she has come to love Fair Lawn. She has made many friends here. She felt two of the finest were Vi and Marty Etler. Assemblywoman Voss was happy to see Marty as Mayor. She referred to Vi as the first lady of Fair Lawn. Congratulations were given to Councilmember Baratta and Councilmember Trawinski. She asked that they all work together to make the 38th District the best.

Assemblyman Robert Gordon, 3-54 Plaza Road stated that he has lived in Fair Lawn for fifty-five years. He has known Marty and Vi for twenty-five years. In the past he and Councilmember Trawinski had ran campaigns against each other. He wished both Councilmember Baratta and Councilmember Trawinski the best of luck. Assemblyman Gordon said that they can walk into Room 201 and as long as they can get two others to agree with them, they can make the laws of the town.

Page Twenty

Reorganization Meeting

January 3, 2006

Assemblyman Gordon told them to stand ready to support their aggressive agenda. He has seen different opinions expressed here tonight. Civility should not be seen as a weakness. He urged them to never let their passions drive out civility and they should work as a team for the benefit of the residents. He passed out Assembly citations to the Mayor and Council.

Barry Winston, 19-11 Greenwood Drive, stated as Democratic Municipal Chair, he congratulated Councilmember Baratta and Councilmember Trawinski. He also congratulated Marty Etler, his friend for the last fifteen years on becoming Mayor. Mr. Winston also congratulated the new Deputy Mayors - Steven Weinstein and Owen McCarthy. He also gave out Certificates of Congratulations. He said in the spirit of bi partisanship, after the reorganization meeting they will be co-hosting a reception at the Fair Lawn Athletic Club and everyone was invited.

Councilmember Trawinski and Councilmember Baratta presented Mayor Etler with a broom and dust pan to sweep away the past. Mayor Etler stated he would put it to good use.

Donal Meyers, 8-22 Mayfair Terrace, congratulations were given to all of the Mayor and Council. He advised Deputy Mayor Weinstein that actions speak louder than words. The voters want new leadership. Leadership that will set an example and put the needs of Fair Lawn first instead of a political party. He felt that tonight Deputy Mayor Weinstein showed that he approved of what former Mayor Ganz did. He spoke about the various firms that had contributed to David Ganz and County Executive Dennis McNerney's campaigns. He

heard Deputy Mayor Weinstein say they were competent firms but Mr. Meyers felt there are other firms that never had a chance. Mr. Meyers said he knows that David Ganz left a mess behind. He had hoped that the Council had heard what the voters wanted but he sees that he was wrong to expect that.

Joseph Tedechi, 4-08 Hartley Place, stated as a former Mayor, he sees caring people on the dias. They should look forward to what can be done and not look back. He felt there was a quality in the leadership that we have.

Mayor Louis D'Arminio of Saddle Brook stated that on behalf of Saddle Brook, he offered friendship and support to Fair Lawn. They have a tough job ahead of them.

There being no further comments from the public, upon motion by Deputy Mayor Weinstein and second by Deputy Mayor McCarthy, the time for public comments was unanimously closed.

BENEDICTION BY RABBI KANELSKY

Rabbi Kanelsky pronounced the benediction.

Page Twenty-one

Reorganization Meeting

January 3, 2006

ADJOURNMENT

Upon motion by Deputy Mayor McCarthy and a second by Councilmember Trawinski, the meeting was unanimously adjourned at 9:17 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Martin Etlar

Councilmember Jeanne Baratta

Deputy Mayor Owen McCarthy

Councilmember Ed Trawinski

Deputy Mayor Steven Weinstein