

## **REGULAR MEETING OF MARCH 14, 2006**

Mayor Etlar called the meeting to order at 8:00 p.m. Municipal Clerk Kwasniewski read the following statement of compliance:

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:** Mayor Etlar, Deputy Mayors Weinstein and McCarthy, Councilmembers Baratta and Trawinski.

**ALSO PRESENT:** Acting Manager Metzler, Municipal Clerk Kwasniewski and Attorney Kates.

### **COUNCIL COMMENTS:**

Deputy Mayor Weinstein stated that at the budget meeting and at a meeting with the Board of Education the opportunity to share services was discussed. This is a topic that they will continue to pursue throughout the coming year. He congratulated Deputy Mayor McCarthy on his engagement.

### **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

Upon motion by Councilmember Trawinski and a second by Deputy Mayor McCarthy, the time for public comments on Agenda items only was opened.

There being no comment from the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor McCarthy, the time for public comments on agenda items only was unanimously closed.

### **RESOLUTIONS BY CONSENT #9-2006**

Upon motion by Councilmember Trawinski and a second by Deputy Mayor McCarthy, Consent Agenda 9-2006 containing the following items was unanimously passed.

- a. Resol. #117-2006 - Interlocal Agreement for Use of Walsh Pool - Elmwood Park
- b. Resol #118-2006 - Award of Bid: Sprinkler Repair and Modification
- c. Resol. #119-2006 - Authorizing Submission of Recycling Tonnage Grant Application
- d. Resol. #120-2006 - Refund of Overpayment of Taxes
- e. Resol. #121-2006 - Authorizing Issuance of Massage Establishment and Massagists Licenses - A1 Style

- f. Resol. #122-2006 - Approval of Raffles & Bingos:
  - HSA Alexander Hamilton School, On premise merchandise
  - HSA Alexander Hamilton School, On premise 50/50
  - Fair Lawn Jewish Center, Instant Raffle
  - Fair Lawn Jewish Center, Bingo
  - Fair Lawn Jewish Center, On premise 50/50
- g. Resol. #123-2006 - Urging Geese Control by Bergen County
- h. Resol. #124-2006 - Award of Bid: Tree Planting
- i. Resol. #125-2006 - Rescind Resolution No. 109-2006
- j. Resol. #126-2006 - Interlocal Agreement for Use of Walsh Pool - Saddle Brook
- k. Resol. #127-2006 - Interlocal Agreement for Use of Walsh Pool - Midland Park
- l. Resol. #128-2006 - Use of Walsh Pool by Broadway Medical Adult Day Care Center
- m. Resol. #129-2006 - Cancellation of Taxes Due to Tax Exemption
- n. Resol. #130-2006 - Professional Services - Robert L. Merithew, Inc.

**RESOLUTION NO. 131-2006 - APPROVAL OF MINUTES: Regular Meeting 12/13/05, Work Session 12/13/05. Closed Session 10/11/05, Work Session 12/20/05, Special Meeting 12/20/05 and Closed Session 12/20/05**

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor McCarthy, Resolution No. 131-2006 was passed with Councilmember Baratta and Councilmember Trawinski abstaining.

**MISCELLANEOUS PUBLIC COMMENTS**

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

Suzanne DiGeronimo. 16 Beekman Place expressed concern about a commitment for open space. CCRF's vision is for the creation of a central park. Mayor Etler stated that he is committed to keeping Daly Field green. Deputy Mayor Weinstein explained that the Open Space Committee is in the process of preparing the Open Space and Recreation Plan. The Council has allocated matching funds for Green Acres in the budget. He supported keeping Daly Field green. Councilmember Trawinski stated the Council agreed to include \$400,000 in the budget which is half of what they believe they may obtain from Green Acres. They recognize that it will take more dollars than that. He supported keeping Daly Field green. Councilmember Baratta supported keeping Daly Field, Archery Plaza and the Haywood tract green. Deputy Mayor McCarthy stated that as a united Council they agreed to provide matching funds for Green Acres. He supported keeping Daly Field green.

Alice Weissman, 347 Owen Avenue expressed concern about the lack of woman volunteers. The 2002 census indicates that 52% of the residents are female. They should be appointed to Boards and Committees in the same percentage. Women are under represented on all the Boards. She urged them to fill the Boards with qualified woman.

Harvey Rubinstein, 28 Rutgers Terrace stated that last October the Council committed to having an appraisal done for Daly Field. Deputy Mayor McCarthy stated that an appraiser has not been hired.

Mr. Rubinstein suggested that the various dinners for the emergency services be held at the Recreation Center this year. He also suggested looking at solar paneling at the Recreation Center to reduce the cost of utilities. Acting Manager Metzler indicated that while he would not recommend that facility, he did think the public library may be an excellent site. He has asked the Library Director and the Library Board of Trustees to reach out to PSE&G.

Robert Gulack, 4 Bancroft Place asked if they would keep Archery Plaza green. Mayor Etlar stated that he is committed to keeping Daly Field green. Councilmember Trawinski stated he was. Deputy Mayor Weinstein stated that he believes it is deed restricted and that is the way it should stay. Deputy Mayor McCarthy stated that he supported keeping it a ball field. He would support keeping it green for recreational purposes. Councilmember Baratta stated that she wanted it to stay green.

Stan Hayden, 12 Beekman Place indicated that he was a founding member of the CCRF. That area is currently zoned for housing. He asked if they support the goal of making it a park. Mayor Etlar stated that he has not committed to that. Deputy Mayor Weinstein stated that all four parcels are on the recreation plan. He is not committing to that so fast. He has to see. A whole plan needs to be developed before he would commit. Councilmember Baratta stated she was in favor of keeping Hayward green. Councilmember Trawinski also supported it. He was not sure about the Topps property. Topps has a real economic impact on Fair Lawn Avenue. He was willing to look at the whole plan but he was not committing to Topps. Deputy Mayor Weinstein indicated that he would have to see the proposal first. He is committed to keeping Archery Plaza and Daly Field green.

Craig Miller, 5 Ramapo Terrace asked if the Council was going to keep the Ambulance Building where it was. Mayor Etlar replied that the Ambulance Corps. is staying the way it is.

Mr. Miller then asked if there was a price difference between the Chevys and the Fords. Acting Manager Metzler stated that both items are on the State contract. The reason they stay with the Crown Victorias is that they are larger which is better for the officers and their equipment. Fleet management suggests that they buy the larger cars. Acting Manager Metzler stated that he expects that they will be decreasing the size of the motorized fleet.

Arlene Rubinstein, 28 Rutgers Terrace stated that the Adult Day Care Center has 23 buses parked behind it. She strongly suggested that they look at this issue.

Ron Coll, 10 Ramapo Terrace stated that he was not a member of CCRF. For the past two years everyone is aware of the struggle between Radburn and the trustees. He asked the Councilmembers to reconsider their position on the ordinance for democracy in Radburn. The Radburn trustees have taken the position that nothing applies to them since there is no enforcement. The ordinance has enforcement. The statement that the Council would make would be heard by Trenton.

Robert Gremillot, 1 Bristol Place, stated that he was a founding member of CCRF . He expressed concern about the eleven houses along Plaza Road next to the Exxon Station which are immediately adjacent to the proposed development for Daly, Hayward and Archery Plaza. He wanted to keep the families who live in the 11 homes in their homes. Mayor Etler did not see any reason why those houses would be taken. There is no thought of that. Those houses are being tested by the DEP. Councilmember Trawinski stated that there is no plan to take those eleven houses.

Barbara Gremillot, 1 Bristol Place, stated that she was a founding member of CCRF. She thought the Topps property would make a great entrance into Central Park. She asked them if they would support making the Topps property an open space property. Mayor Etler reiterated that he supports keeping Daly Field green. Deputy Mayor Weinstein reiterated that he wanted to see the whole plan. Councilmember Trawinski indicated he would only support a small portion. The economic vitality for Radburn is significant. Councilmember Baratta stated that she would have to look at the entire plan. She did not have a problem with development on Topps. Deputy Mayor McCarthy stated he would have concerns about the Borough acquiring that property with the environmental issues. He wanted to see the plan before giving an answer.

June Meyerson, 15 Ballard Place stated that she has a copy of the meeting that did not appear on Channel 77. She has been trying to reach them unsuccessfully. Acting Manager Metzler suggested that she leave the tape at his office and he will get it to the station. They have a policy of airing Council meetings live and then repeating the meeting later.

Mrs. Meyerson then stated that the traffic problems at the intersection of Plaza Road and Fair Lawn Avenue are awful now. Any development would increase traffic in that area.

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

#### **CLOSED SESSION RESOLUTION - Personnel**

Upon motion by Councilmember Baratta and seconded by Deputy Mayor McCarthy the following Closed Session Resolution was passed.

**WHEREAS**, the Open Public Meetings 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 and Attorney/Client Privilege; and

**WHEREAS**, these matters are ones which permit the exclusion of the public from such discussions; and

**WHEREAS**, public disclosure of the results of these discussions shall be made relating to Personnel upon formal action by either the Mayor and Council or the Acting Manager within 120 days and relating to Attorney/Client Privilege at the conclusion of the matter with the exception of legal strategy;

**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.

**ADJOURNMENT TO CLOSED SESSION:**

Upon motion by Councilmember Baratta and second by Deputy Mayor McCarthy, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC, CMC, MMC  
Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Martin Etler

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Councilmember Jeanne Baratta

Deputy Mayor Owen McCarthy

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Councilmember Ed Trawinski

Deputy Mayor Steven Weinstein