

WORK SESSION OF MARCH 6, 2007

Mayor Weinstein called the meeting to order at 7:31 p.m.

PRESENT: Mayor Weinstein, Deputy Mayors Etler and Tedeschi, Councilmembers Baratta and Trawinski.

ALSO PRESENT: Manager Metzler, Assistant Municipal Clerk Bojanowski and Attorney Rosenberg.

REVIEW OF TENTATIVE AGENDA (3/27/07):

Councilmember Trawinski stated that since they would be discussing the Attorney's scope of service, he asked that the Closed Session minutes of December 19, 2006 be removed from the agenda.

Manager Metzler stated that he was adding a resolution for Click It or Ticket that is needed to obtain grant funds and also a resolution authorizing the Mayor to sign a letter of agreement for the Municipal Alliance Grant. He also said that last December it was agreed to hire a surveyor. Engineering has received a proposal from Rigg Associates. He said that Assistant Municipal Clerk Bojanowski sent out the pay to play information and once it is returned they can appoint them as the Borough Surveyor.

REPORT OF COUNCIL LIAISONS:

FLASAP - Councilmember Baratta reported that their grant was approved. They are still working on holding a teen night at the high school. They will be coordinating a town meeting regarding underage drinking. It will be held sometime in May at the middle school. On April 20th counselors will at the schools to discuss the damages of marijuana. Councilmember Baratta said that tomorrow night will be the Environmental Meeting. She mentioned a call she received from a resident about the Scholastic Bus Company site plan on River Road. They have eighty buses parked there on weekends. They also have a five hundred-gallon tank of gas on the property. She wondered if they were over the limit of buses as stated on their site plan. She also wondered if the tank was approved to be there.

Open Space Committee: Councilmember Trawinski stated that the committee took a consensus to install turf at Vanderplatt field. Questions were asked about the use of artificial turf. They decided to do that field because all of the fields are in use. Deputy Mayor Etler asked if the lights that were installed had helped. Mayor Weinstein explained that more than 3,000 kids use the fields a year. Since Vanderplatt has lights, it was the best place to put the artificial turf. He had contacted Michael Hakim to see about grants. Some of the sports groups will be sending letters out for fundraising.

Councilmember Trawinski stated that a decade ago, that area was put in for CDBG grants. Deputy Mayor Tedeschi explained that it depends on the people's income. That field is no longer available because of that criteria. Councilmember Trawinski stated the committee wants to

explore all avenues. Manager Metzler explained that they had funded a project like this completely by grants. Deputy Mayor Etlar asked about getting open space funding.

There was a unanimous consensus to seek out grant funds to install the artificial turf at Vanderplatt.

Mayor Weinstein said they should get a trust for public land grant. Councilmember Trawinski stated that the Open Space Committee identified three tiers of possible open space. The consensus was to put all of the sites on their list. He said that the Heyward tract was one of them.

The committee felt they should use a trust for public lands to get funds for acquisition of land. The Open Space Committee asked them to contact all tier one property owners to see if they would be interested in selling their land. He felt they had started the process but have a long way to go. Mayor Weinstein stated that Michael Hakim suggested the Borough take a proactive approach and thought that Manager Metzler should talk to the owners, such as Van Riper Church. They could possibly name the park in the rear after Mary Ann Collura.

There was a unanimous consensus to explore the possibility and to give Manager Metzler the authority to talk to Van Riper Church to see if they may have an inclination to sell to the Borough.

Mayor Weinstein said the meeting with Clariant was confirmed for March 20, 2007. He also stated that Michael Hakim has informed him that green acres may be interested in funding the purchase of brownfields as long as they remain open space. He felt they might be interested in the Clariant site.

TEMPORARY PARKING LOT BERDAN AVENUE:

Mayor Weinstein said he had this on the agenda to confirm that the Council wanted to turn the lot back to a green area. At a Shared Services meeting they indicated that the Borough was inclined to help the Board of Education with the amenities and the pathways through the area because they want to keep it as a park type environment. He wanted to get a consensus that they are still looking to do that and to ask the Manager to reach out to the Superintendent so that the Borough does not overlap in what they were doing to turn it back to green.

There was a unanimous consensus to go forward with the Mayor's recommendation.

Councilmember Trawinski asked if the Manager could have the Engineer give them an estimate. Manager Metzler said he has asked but he has not heard back from the Engineer. Mayor Weinstein opened the time for public comment to the people who were present.

Stuart Kramer, 16-07 Berdan Avenue, said that he tipped his hat to the Council for agreeing to get the area back to green. At the beginning, it looked grim and now it looks optimistic. He asked if they saw a seamless transformation. Manager Metzler explained there are phases that they have to go through before it gets done. They will have to talk to the Board of Education to see what they expect the Borough to pay for, determine the costs and then go back to the Council

to get their authorization to proceed. He said that he had spoken to the Engineer to get costs for benches, trees and walkways. Mr. Kramer suggested making it a mini park. Councilmember Baratta thought they should ask the Garden Club to get involved. Mr. Kramer asked if they thought it would be done in calendar year 2007. He also said the neighbors would like to see the plan.

Muriel Barker, 16-11 Berdan Avenue, reminded them that the lot was just for the time being during construction at the high school. She felt having the lot green was beautiful. They have dealt with the lot being the way it is for two years. Deputy Mayor Tedeschi thanked her and her neighbors for getting the momentum started and suggested keeping it going.

George Tsgaris, 17-11 Berdan Avenue, questioned the grant money the Borough received in the amount of \$450,000. Deputy Mayor Tedeschi explained that it was just a confirmation of the request from the Borough.

TREE ORDINANCE COMMITTEE STATUS:

Mayor Weinstein reported that the committee met and Attorney Rosenberg will finish the ordinance. He thought they should advertise in The Community News. He suggested they come back with a report in a few weeks.

DATE FOR FORUM ON CLARIANT SITE:

Manager Metzler confirmed that the site manager from the DEP will attend. He invited the engineering team from Clariant, the developer Shellmarc and Congressman Rothman and Assemblyman Gordon. Deputy Mayor Tedeschi said they are not discussing this project, just environmental issues. He wanted to hear what they plan on doing with the environmental issues.

Councilmember Baratta asked when they would be having the second reading of the ordinance. Attorney Rosenberg advised April 10, 2007.

CLOTHING BINS:

Deputy Mayor Etlar said he considered the clothing bins cause a lot of trouble. He read an article from Clifton about the same troubles the Borough is having with the clothing bins. The article said that Oakland adopted an ordinance in 2003 restricting clothing bins to municipal property. Clifton started charging \$500 per bin in 2004 which has reduced the number of bins in the city. Bogota has banned them completely and someone would have to go to the Zoning Board to get approval to place one in town. It is a problem all over. He felt the question was do they want to ban them all together or do they want to tightly regulate them.

Deputy Mayor Tedeschi thought when they discussed this last time, they all agreed that they were a problem, they all agreed there were too many in town, and they all agreed there should be some kind of control about them. He believed that Attorney Rosenberg prepared a draft ordinance. He

did not remember them talking about banning them and he has no desire to ban them. He felt there were certain personal benefits to certain charities in town.

There was a unanimous consensus not to ban the bins but to regulate them.

Deputy Mayor Etlar had several questions, where do they want to put them, how many they can have and how much to charge. Councilmember Trawinski thought they should ask the Manager for his recommendations. Councilmember Baratta asked if the Borough had them at Recycling. Deputy Mayor Etlar said they do have them at Recycling. He said Krauser's has three and there are three of them in the Pathmark lot right along Maple Avenue. Deputy Mayor Tedeschi stated there are two in Berdan Grove Park. Deputy Mayor Etlar stated they are also located by the schools and by the tennis court on Morlot Avenue. Deputy Mayor Etlar stated they have to ask themselves how much they should charge to regulate it, what locations are they going to allow people to put them on and what is the maximum number in one location.

Manager Metzler stated that a few months ago the Police Department requested permission to put a number of bins around town. Some of which were placed in locations without permission. This was done without permission. The first quarter payment was \$2,600 that will go toward youth programs that our Police Department is sponsoring. He agreed they should regulate where they are placed. A permit will be put on these containers which will list the name of the organization that has taken out a permit, the phone number to be called if there is a violation and the fines. At the last meeting, part of the discussion was who would be enforcing agent, would it be the Police Department, Construction Code Official or Property Maintenance. If the Property Maintenance Official drives by and sees bags of clothes in front of the container, he will have the number to call and tell them they either clean it up in twenty-four hours or the Borough will issue a summons in forty-eight hours. The bins have to have a sticker there so that if the public takes offense, they can call the number.

Deputy Mayor Etlar continued reading the article from The Record, saying that the town could not reach any of the organizations that it said it did. The phone number on the box belonged to a textile manufacturer in Long Island, called Earth Right. Repeated calls to them were answered by a woman who could not provide any information. Councilmember Trawinski stated that Attorney Rosenberg addressed that in the draft ordinance. He read parts of the ordinance which stated they would have to have a name and number and they would have to be a bonafide charity under state law. In the application for the permit they would have to indicate where they would place the clothing bins and the methods of how the donations would be spent. He felt the permit fee should be reasonably related to what the cost is for this municipality to administer this program. He thought the first year they should make a reasonable effort by talking to the Construction Official what they reasonably expect the cost to administer this would be.

Manager Metzler stated as the Council they have to determine if they are going to restrict the numbers of bins in total and if they are they going to restrict the number of bins charities have.

Councilmember Trawinski asked how they get placed on a commercial lot without going a foul of their approved site

plan. A structure is defined in the ordinance any building whether designed Page Five

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for occupancy or not. Deputy Mayor Tedeschi said it is enforcement. Councilmember Trawinski wondered if they rust what about environmental issues. Deputy Mayor Etler stated the worst of it is people put bags and bags of clothes outside the bin.

Mayor Weinstein felt they need to get input from the Building Department. Councilmember Trawinski felt they need information from the Building Department and the Manager should come back on how to limit the number of bins. Deputy Mayor Etler felt it was a quality of life issue.

Deputy Mayor Tedeschi suggested that an inventory of how many bins there are in Fair Lawn right now and the Manager can come back with a realistic number of how many bins would be responsible and then have a finite number of bins and a finite number of permits. Mayor Weinstein felt and per property as well. Deputy Mayor Tedeschi said it could be like liquor licenses, only so many permits for bins.

Councilmember Trawinski asked if the Borough received any complaints about this. He has not seen any. Is it that the complaints are just not reaching the Council. Deputy Mayor Etler stated he received two calls about the bins.

Mayor Weinstein suggested that Manager Metzler come back with advice for the Council. Manager Metzler stated that he drives past Pathmark every day and knows this is an issue when the Police Department made the request. He has counted three occasions when there was a bag left in the front of it. He called Sgt. Bastinck and it was taken care of within a few hours.

Deputy Mayor Etler stated do they want to restrict them to public property and regulate them from there or do you want to restrict them all together on commercial property. Mayor Weinstein said they should find out if they are allowed to be there because it may be an enforcing issue.

Manager Metzler stated the second work session in May he will report back on the number of bins in town.

DEVELOPMENT IMPACT FEES:

Deputy Mayor Tedeschi stated he put this on the agenda because he felt it was time to start discussing impact fees.

Attorney Rosenberg advised that the municipal land use law allows the Borough through an

ordinance to impose impact fees that are reasonable and necessary for both off tract and on-site improvements related to a development project. It is based upon the ordinance and a pro-rata share that is reasonable and necessary which has to be set forth with some type of criteria and some specificity. The Borough currently does not have any ordinance under Chapter 125 for purposes of imposing those fees.

Councilmember Trawinski asked about an off track improvement ordinance. Attorney Rosenberg advised not with respect to pro rata share contributions. Councilmember Trawinski stated he thought it was done when Bob Gordon was Mayor. Attorney Rosenberg said he would look into
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it again but did not see any with numbers and dollars. Councilmember Trawinski said it was not numbers and dollars, it just had a pro rata share. The way most of the ordinances have been written and the way the Court interprets it if they don't specify a dollar amount it depends on the nature of the improvement, then typically it is the municipal engineer or the board engineer that makes a determination as to what the pro rata share is going to be based upon. Councilmember Trawinski was glad that Deputy Mayor Tedeschi brought this up because this comes back to the one that he raised on the Pathmark approval. The Mayor and Council received a memo from the Planning Board saying the Council should think of a traffic light there and he raised the question, where were they on the off track improvement. They should have said that was an off-track improvement and felt it would be necessitated by this project. He thought the Borough did have an off track improvement ordinance. He suggested Attorney Rosenberg look at and tweak it. He also felt that they should let the Planning and Zoning Boards know that the Council is serious about off track improvements being imposed. He supports the concept of tightening up the Borough's ordinance. Attorney Rosenberg will check it out. Mayor Weinstein asked Attorney Rosenberg to come back with at the next work session.

Councilmember Trawinski said the second element is whether they should revisit rejecting the inclusionary housing fee and whether they want to create a fund for COAH purposes. They should look into whether or not they should impose that because whatever happens with respect to that decision, the Court has sustained the notion of regional contribution agreements. He felt why not go to the developers under the COAH regulations to get the funding for our Mt. Laurel obligation. Mayor Weinstein felt it was a good idea. Deputy Mayor Tedeschi said it would place the expense on where the expense is being created. Mayor Weinstein asked Attorney Rosenberg to look into that also. Attorney Rosenberg advised he will look into both.

There was a unanimous consensus to have Attorney Rosenberg look into both issues and to report back.

PET LICENSE FEES (regarding complaints about stray cats)

Councilmember Baratta stated there is a problem with stray cats on Jasper Road. Summonses were given and the people went to Court. Currently the fees are \$8.20 for altered cats and dogs and \$11.20 for unaltered pets. She felt the problem was the cats are reproducing all over. They are a nuisance. One woman had eleven bowls of food on her porch. Something like that tends to be a health problem. She looked at other fees from other towns. She also referred to a bulletin from the League of Municipalities. Deputy Mayor Tedeschi stated in the bulletin the maximum fine

was raised to \$21. Councilmember Baratta thought they should raise the fees for unaltered pets. She felt that maybe if the fee was higher, people would be inclined to have their pets fixed.

Deputy Mayor Etler stated but in this case, the woman was fined \$300 in Court and went back again and had the bowls of food out again. Councilmember Baratta stated that at least if they have cats, they are spayed and there will be less of them. She thought they should attempt working with a vet for reduced fees so when the people come in we can send them to the vet that is working with Fair Lawn. She said that Glen Rock is charging \$27 unneutered and \$17 for neutered. She would like to change the fee for the unaltered. She had sent a memo to Carol
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Wagner, Heath Office. Deputy Mayor Tedeschi said that he would support the maximum. Mayor Weinstein asked that Manager Metzler follow up with the Health Department.

There was a unanimous consensus to move forward with Councilmember Baratta's recommendation.

FLOOR AREA RATIO ORDINANCE:

Todd Malkin was present. He explained that he had met with a sub-committee. They came up with five things. One was the ceiling height. The committee felt those two story atriums were being built on McMansions. He said the exclusions would be unenclosed porches, decks and patios. They would have to take into consideration if the floor area is less than three feet off the finished grade. The second idea was basements and how they are counted. He explained they are counted when the height is more than three feet above finished grade. That height would lead to larger windows. The third idea was detached garages. The sub committee felt they should be counted. The Planning Board limits the foot print and the garage. If the garage should not fall into the living space and not counted as F.A.R. this adds meat to the definition. The fourth idea was not to include decks or patios. The fifth idea was attic access. They questioned the access to the space. Attic space in the Borough's ordinance is described as a living space. The steps leading up to the attic should be pull down. Any finished area would be part of F.A.R.

Councilmember Trawinski felt that Attorney Rosenberg should look to find a place where this fits in into the regulations. Attorney Rosenberg stated the only comfort he had was that the code says attic space in unliveable. Councilmember Trawinski suggested that Attorney Rosenberg talk to the Planning Board attorney.

Mr. Malkin stated that both the Planning and Zoning Boards have certain things they look at. He said that he was working on a checklist with the Planning Board secretary. It is a procedure that the Building Department should see in the plans they get.

Mayor Weinstein asked Attorney Rosenberg to complete this ordinance quickly. Councilmember Baratta suggested they get copies to the Zoning Board chair. Councilmember Trawinski suggested it be sent to the League of Women's Voters.

There was a unanimous consensus to proceed with Attorney Rosenberg preparing the ordinance.

SCOPE OF ATTORNEY'S SERVICES:

Councilmember Baratta stated she was confused and that is why she asked to hear the scope of his services. She sees that the Borough has hired two attorneys but she felt only one was needed.

Councilmember Trawinski stated he had a question about the December 19, 2006 Closed Session minutes. When he voted, he assumed that Attorney Rosenberg would step in handling any new litigation. Then he saw letters from Richard Lustgarten. Councilmember Baratta said that
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a lot of the litigation has been done by Richard Lustgarten.

Mayor Weinstein stated he had a copy of the resolution covering Richard Lustgarten's services and read what they were. He said it made sense to him to proceed. The rate per hour has been the same since the 1980's. The fact is a lot of cases are getting done.

Deputy Mayor Tedeschi stated he called the Municipal Clerk's office to check on the rates they would be paid and if the rates would be increased. Mayor Weinstein stated that none of the Attorney's got a new rate. Councilmember Baratta stated she was confused. The contracts are identical but she thought Richard Lustgarten was just finishing up the litigation that has been started.

Mayor Weinstein stated that the Council gave Attorney Rosenberg the ability to decide who was going to handle what. As the Borough Attorney, he could decide.

Councilmember Trawinski stated in 2006 they all agreed that two suits were to go to Richard Lustgarten. Then they all agreed that Richard Lustgarten would handle the JIF Compensation matters. He thought that Michael Kates would handle the rest. Deputy Mayor Tedeschi thought they should get a summary of what expenses were paid for Michael Kates. Manager Metzler said he would get the fees for 2005 for Richard Lustgarten and in 2006 for Michael Kates.

Councilmember Baratta thought if another attorney was going to handle any cases, the Council should have a consensus to do so.

Deputy Mayor Tedeschi said he would like to get a handle on what was billed outside the retainer from Michael Kates. Mayor Weinstein asked for the information at the next work session.

Councilmember Trawinski stated that on the December 19, 2006 Closed Session minutes, it was agreed to raise the fees \$125.00 for Mr. Kates. Mayor Weinstein suggested holding off that part of the minutes and removing them from the Agenda. Councilmember Trawinski stated if that is referring to the pending litigation that Richard Lustgarten is handling, he has no problem with it.

VOLUNTEER PERKS:

Manager Metzler stated that the LOSAP program has now reached the end of that cycle where the volunteers have maxed out at \$750.00 a year. There are three options available 1) to stay at \$750.00 which requires no action, 2) the Council could increase LOSAP equal to the cost of living

Councilmember Trawinski stated this was in regard to a resolution establishing that all capital projects not in a bond ordinance go to referendum. Anything done in a bond ordinance the public is already aware of. He gave an example of the Community Center .

Deputy Mayor Tedeschi thought any specific amount in excess of an amount, must go to referendum.

Deputy Mayor Etlar stated Councilmember Trawinski was talking about the Community Center.
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Deputy Mayor Etlar said in regard to the Community Center none of this process was done, they did not go to a referendum for any of these municipal buildings. Deputy Mayor Tedeschi said that he felt the size of the project needed the voters approval. Councilmember Trawinski continued that if spending is in excess of a certain amount for a single project, they should go out to the voters.

Manager Metzler reminded them that in the five year plan, the Police Department has a six million dollar request for a Police building. That is the next largest project.

Deputy Mayor Tedeschi stated that it will pertain to Councils in the future and make them more careful.

Mayor Weinstein asked the Manager to check with the CFO for what effect this would have.

PROPOSED FEE FOR THE COMMUNITY CENTER:

Manager Metzler stated that the CFO was not happy with the fees that were set by the recent ordinance. He would like to have corporate rates, government rates, non-citizen and Borough sponsored events. Manager Metzler felt they should encourage local artists to bring their arts to the residents. The Bergen PAC charges so much per seat and he felt they should do that also. He believed they will generate money from ticket sales.

Deputy Mayor Tedeschi asked about civic organizations using the space. Manager Metzler said that Recreation and the Arts will get first priority but they will try to accommodate the organizations as they can fit them in. Councilmember Trawinski asked why non resident and corporations were the same. Manager Metzler explained that they have had people come in and want to rent it for a private party.

There was a consensus to move forward with the new fee schedule as proposed by Manager Metzler.

Manager Metzler said the Borough is now required to collect sales tax on pool memberships. He has held back because it was in a committee for consideration and could be changed but it hasn't.

He asked the Council if they wanted to raise the fees to include the sales tax. They can redo the fee schedule to include the seven percent tax or they can choose to absorb the seven percent. Councilmember Trawinski stated he did not want the residents to think the Borough is making money on the membership. Deputy Mayor Tedeschi felt that the fee should stay as is.

Manager Metzler stated George Frey had made a recommendation to charge \$75 per member to belong to the swim team which the Council approved. Acting Superintendent Graff is concerned because in order to join the swim team you have to be a pass holder. So now families will be charged with an increase in the pool membership plus the cost to belong to the swim team. Acting Superintendent Graff suggested raising the fees instead of a one time fee, make it \$25.00 in 2007; \$50.00 in 2008 and \$75.00 in 2008. Deputy Mayor Tedeschi asked if the Borough incurred additional costs to maintain the swim team. Manager Metzler said no. The costs are

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reflected in the coaching. The Borough pays for two coaches. Deputy Mayor Tedeschi felt they were now asking the taxpayers to supplement a portion of the cost. He felt it was a fee for service charge. Deputy Mayor Etlar felt \$25.00 was not unreasonable if you know that it will be raised each year. He would go with that recommendation.

There was a consensus to accept the recommendation of the Acting Superintendent to raise the fees over a three year period, with Mayor Weinstein, Deputy Mayor Etlar and Councilmember Baratta voting in favor.

Councilmember Trawinski and Deputy Mayor Tedeschi felt they Borough should charge a fee for service.

PUBLIC COMMENTS

Harvey Rubinstein, 28 Rutgers Terrace stated if the Borough keeps building townhouses, they will need a new police building. He talked about the F.A.R. ordinance and him being part of the Planning Board. He talked about New York City's guide for setbacks. He asked if it was feasible to change the water fountain at Memorial Pool. He also suggested they look at the pool area and possibly add trees. Mayor Weinstein said that funds were put into the budget for trees. Mr. Rubinstein stated that in front of Eckerd's a tree was knocked down. In front of the Jewish War Veteran trees are needed there. He asked what LOSAP was and Manager Metzler explained the program to him. Mr. Rubinstein asked if Van Riper Church was for sale. Mayor Weinstein said no it was not. Councilmember Trawinski said they would only be interested in their field. Mr. Rubinstein spoke about brownfields and green space. He also questioned a Closed Session item listed as the Radburn slapp suit.

Craig Miller, 5 Ramapo Terrace, stated it was a quality of life issue about the hedges that are over the height regulation. Mayor Weinstein asked him if he mentioned this to the Building Department. Manager Metzler said he would look into it. Mr. Miller asked that the height regulations be enforced. Councilmember Trawinski said that is on his list and also the walls that have been surfacing.

Larry Koplik, 6 Reading Terrace, said clothing bins should not be on a public street. He spoke

about the F.A.R. ordinance and sky exposure plan and how it controls the size of the facade. The Borough needs to have different plans for different developers. He suggested that someone look into New York City codes. He said the Borough should be careful. He suggested that the Borough have an architect design a house according to the Borough ordinances. Councilmember Trawinski stated this is something the Council agreed to look at and move forward with this F.A.R. ordinance.

Louise Orlando, 12 Arlington Road, wanted to address the Closed Session item regarding the slapp suit. She had a problem with that because it was a misunderstanding of a lawsuit. The Radburn Association did not do a slap suit. Attorney Rosenberg advised that it was a counterclaim and he believed that was correct.

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Mrs. Orlando spoke about the Borough Attorney fees. She felt that over the years, the Borough has had good representation. It should not matter how much the lawyers are paid per hour since they need good attorneys to represent the Borough. She would like to see Attorney Rosenberg and Richard Lustgarten get a raise.

Councilmember Baratta stated the discussion they had earlier had nothing to do with their rates. Councilmember Trawinski stated there was no discussion that the attorney's were paid too much.

Joan Goldstein, 12 Bedford Place, felt that licensing cats is hard to enforce. She also wondered why Fair Lawn had to be part of the Radburn lawsuit.

Closed Session:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Tedeschi, the following closed session resolution was unanimously adopted at 10:01 p.m.

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 Anticipated Litigation - Fair Lawn Commons Solid Waste, Attorney Client Privilege - Radburn Association Slapp Suit and Personnel - Defense of Auxiliary Police Officer; and

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

WHEREAS, minutes will be taken during this closed session and once the need for 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.

ADJOURNMENT

Upon motion by Deputy Mayor Etler and second by Councilmember Trawinski, the meeting was adjourned at 10:50 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

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The undersigned have read and approve the foregoing minutes.

Mayor Steven Weinstein

Councilmember Jeanne Baratta

Deputy Mayor Martin Etler

Deputy Mayor Joseph Tedeschi

Councilmember Edward Trawinski