

WORK SESSION NOVEMBER 9, 2010

Mayor Tedeschi called the meeting to order at 7:35 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 18, 2009. 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 Tedeschi, Deputy Mayors Swain and Weinstein and Councilmembers Baratta and Trawinski.

ALSO PRESENT: Manager Stafford, Municipal Clerk Kwasniewski and Attorney Rosenberg.

REVIEW OF TENTATIVE AGENDA (11/23/10):

Municipal Clerk Kwasniewski stated she had two items to add. One was the college savings plan manager and they need to add an ordinance for the PBA/SOA salary. In addition two items, Bond Sale and Water Utility would be added to the Work Session at the end.

COUNCIL LIAISON REPORTS:

Councilmember Baratta stated the first section of the arboretum was done and today members of the Garden Committee were planting lilacs that Mr. Paek generously donated.

Councilmember Trawinski stated that he and Deputy Mayor Weinstein were at the Open Space meeting last night. They advised the committee that negotiations are still continuing on Naugle and Blue Hill.

Councilmember Trawinski was pleased to report that the committee has agreed to the Council's wishes and have scheduled five meetings for next year in the effort to reduce the number of meetings. The following dates were decided January 31, March 28, June 27, September 26 and November 21, 2011 at 7:30 p.m.

Deputy Mayor Weinstein stated the Borough may not receive any additional funds for the fall although the committee has authorized Michael Hakim to submit the application for funding.

Mayor Tedeschi said the Environmental Commission met. They have prepared an Environmental Resource Inventory which now has to go to the Planning Board for their comments.

ENERGY EFFICIENCY BLOCK GRANT:

Manager Stafford stated that the State of New Jersey receives funding from a specific charge on all utility bills. This money is pooled together to fund grant programs. If a municipality opts to participate in this program, an audit has to be done, following that the municipality is entitled to receive an Energy Efficiency and Conservation Block Grant. It will cover up to \$20,000 of the customer portion of direct installation costs. In fact, participating towns can opt to perform only \$20,000 of the work and therefore expend none of their own money. Beyond that \$20,000 if the Borough pays money it would only be 40%. Fair Lawn engaged in that audit which revealed lighting as well as heating and cooling issues that qualify for these grant programs. These projects would be done at both the Borough Hall and the Senior Center. There would be no out of pocket expense for the Borough. If the Borough spends a dollar more than the \$20,000 they could get back a significant portion. He recommends that the governing body approve this application.

Councilmember Trawinski felt they should put it on the list for next year's budget and have the Manager bring it back to the Council if it makes sense to do.

Mayor Tedeschi questioned when it would start. Manager Stafford said he was not sure when it could be started. The energy audit has already been done and will be submitted to the grant administrator.

COOPERATIVE PURCHASING NATURAL GAS/ELECTRICITY:

Manager Stafford stated that the County of Bergen has facilitated a reverse on line auction for natural gas supply as well as electricity using a reverse action platform. To negotiate a lower price for gas and electricity. The County is now in the process of creating a cooperative purchasing group and is inviting all Bergen County municipalities to join so as to take advantage of the low rate as opposed to market price. In order to participate and if the Borough wants to join this cooperative they must submit the required forms which are on file in his office. He believed that electricity was scheduled to be priced in April and natural gas is scheduled for January. The key thing to notice is that this program does not lock the Borough in, if it is not to the Borough's advantage, they can opt out. He recommends taking part of this program.

There was a unanimous consensus to authorize the Manager to take the necessary steps to join this cooperative purchasing program.

LANDMARK PROPOSAL:

Deputy Mayor Swain recused herself from this discussion.

In attendance were Ron Shimanowitz, Attorney for Landmark at Radburn and Bergen Development Group, the owners and purchasers of the Landmark site, Joel Schwartz, Mickey Gottlieb and Jeff Weinflash. Pursuant to a letter they had received inviting them to appear at this meeting Michael Ferro, attorney for Radburn Association, George Brouca, David Bostock and Radburn President Lou Weiss were present.

Mr. Shimanowitz stated they had come up with a plan that they thought would satisfy certain criteria of Landmark, the Radburn Association and hopefully the Borough of Fair Lawn. Obviously this plan is put forth in the interest of settlement and hopefully to end a long, lengthy and costly litigation. They had the amended Landmark plan.

Joel Schwartz stated that one of the things they have learned over the last several years is to listen. They have tried to incorporate what they have heard over the last seven years. The number of housing units has been reduced from the 200 that was Court ordered to 165. Even more significant is that all of the housing units have the appearance of a townhouse. In fact, 132 of them are townhouses. At 165 units, there has to be a 20% set aside which comes out to 33 affordable housing units. He described the townhouse as having a garage on ground level, kitchen and living room above that and a bedroom level above that. He knew they had to pay attention to parking so that virtually all of the townhouses have two car garages. Open space they have provided right in the center of the community in traditional Radburn style surrounded by townhouse buildings. That open space links in one direction Archery Plaza and links to another open space area. A few months ago they talked about a park on the corner of Plaza Road. They have now provided for that park. All the park spaces are linked together like a traditional Radburn plan. It makes the open space seem even greater in size, extent and utility. The townhouses are set up so that they have a formal front and a garage back. The townhouses are throughout the neighborhood. The low income units did not have a two car garage. There is parking scattered through the site. They scattered them so that it did not seem noticeable for the lower income.

Mickey Gottlieb stated that the parks are all linked together so when you start at Plaza and Berdan it gives a beautiful walking path to the Radburn train station

which they thought was a great feature for anyone involved in the project at any level. He could not add anything to what Mr. Schwartz explained.

Special Counsel Lustgarten questioned the comment that Mr. Schwartz made about all of the units have a look of a townhouse and then there would be separate units for the affordable ones. Mr. Schwartz stated there are three levels but the affordable ones will be only in a building that is essentially the same height but will be in units that will be stacked upon each other. Looking at the site plan there was nothing to distinguish the site level of that type of building. The affordable units will be in the same unit as townhouses.

Special Counsel Lustgarten asked if they were planning to put all of the affordable units in one building. Mr. Schwartz said yes they were.

Mr. Gottlieb stated there were market rate units in that building.

Mr. Schwartz clarified where the affordable units would be.

Special Counsel Lustgarten stated that tonight they indicated that all buildings would be limited to a 3 story height. Mr. Schwartz explained that the market units were all townhouses. All of the units are the same scale.

Special Counsel Lustgarten said the letter it did not mention the non marketable affordable units. Virtually all the market rate buildings are townhouses. That statement seemed it was limited to just the townhouses. Mr. Schwartz explained there would be 132 market value units and they believed that all of them would be townhouses. Once they get site plan approval, they make have to tweak something on a small number of units. Their belief now and their intention of working out the engineering details would be that all 132 market units will be a traditional townhouse.

Special Counsel Lustgarten wondered if the integrated park, starting from the south end of the project would be open to all Fair Lawn residents, Radburn residents or just the residents of that development. Mr. Schwartz said they would not be able to answer that. It would really have to come from the Radburn Association.

Mr. Ferro stated that the internal park will be owned by Radburn. Archery Plaza is already owned by Radburn. With the exception of walk ways, which historically have been open to the residents of Fair Lawn. They have not gotten to the point of who will own the roads and who will own the sidewalks.

Special Counsel Lustgarten asked how the two open spaces integrate. Mr. Schwartz indicated that the Borough of Fair Lawn had desired to have a park in

this plan. They assumed this was something the Borough still wanted. There was an area of two thirds of an acre which they saw as a park so they included it. Within the two thirds of an acre there is one third of acre that has rights of way. When you look at it will look and feel like two thirds of an acre.

Special Counsel Lustgarten said the impression was that according to their plan part of the open space was blocked off. Mr. Schwartz said it was not blocked off because what they see intervening between the central park and the Fair Lawn Park is a very low volume roadway. Special Counsel Lustgarten wondered if he as a Fair Lawn resident could walk from one open space area to Archery Plaza. Mr. Ferro stated it has not been decided yet because they wanted to discuss this with the Mayor and Council as to what will happen for example with the walkways. Mayor Tedeschi stated if they extended the other perception of the parks in Radburn, sidewalks and walkways consistently they would be open to other Fair Lawn residents.

Councilmember Baratta questioned the affordable units looking like townhouses without a garage but the market rate units would have a garage. Mr. Schwartz explained that in that building there is a market rate town house at the end of the building with a garage which is accessed from the railroad side of the building. Councilmember Baratta wondered why Landmark chose to segregate the affordable units. Mr. Schwartz said it was not a decision to segregate or separate, but the distinguishing feature physically in terms of site plan is driven by parking. There are only a limited number of areas where they can put the garages so working backwards they wanted all of the 132 units to be town houses with their own garages so they have to be located where the garage space is optimized.

Mr. Schwartz explained there were two kinds of surface parking on the street, parallel parking and head in parking. Parallel parking will be on road A and road B. Councilmember Baratta asked if parallel parking on road B would just be parking and would there be designated parking spaces for the residents. Mr. Schwartz stated that all of the roads will conform to RSIS standards which are a road that is 30 feet wide, two lane travel and parking on both sides.

Councilmember Baratta asked about overnight parking rules and regulations. Mr. Schwartz said that was something that would have to be dealt with because if it is a public street, people would not be parking on it overnight in Fair Lawn. Mayor Tedeschi said they have had conversations about that in the past. Mr. Schwartz said he realizes this is something that has to be dealt with and however the Borough wants to work out it, they will sit down and discuss it. In response to Councilmember Baratta's original question about where the units are placed is because they need to be in a place where they can have surface parking

available to them because in any design a tradeoff has to be made to come up with areas that are pleasant to everyone and have good parking areas.

Mayor Tedeschi stated they had received communication from a resident that raised a very valid point with regard to ramps and terraces and when he looks at road B he sees a natural egress on Coopers Way. Mr. Schwartz said there are a couple of issues in regard to connections to Coopers Way. One issue is a difference in elevation and the second is that it is not really a real street from a point of view of the traffic engineers because it has conflicts that exist with the on and off ramps. They assumed that an engineer would say that is not one of the normal street patterns. Mayor Tedeschi said they may say it is curable. Mr. Schwartz said they would be open to discussing it.

Mayor Tedeschi wondered about the square footage of the affordable units versus the market rate town houses. Mr. Schwartz stated that the State of New Jersey mandated that there be a certain percentage of one, two and three bedrooms. The market townhouses are typically in the range of 2,000 to 2,400 square feet. The affordable units were probably in the range with one bedroom being 700 square feet, two bedrooms would be 900 and the three bedrooms are 1,300 square feet. Mayor Tedeschi thought that was the same situation that occurred in Fair Lawn Commons. Councilmember Trawinski agreed. Mr. Schwartz stated there minimums that are set but most reasonable builders don't build to those minimum markets because they are hard to market.

Councilmember Baratta was curious about how this development will take in the uniqueness of Radburn with the architectural guidelines that are set forth which makes Radburn what it is. Mr. Schwartz answered that it will fit in exactly. Conceptually the townhouses are the template that exists around the corner from the site. Under the Radburn guidelines there are materials that will have to be used, the two entrances and the windows. He showed the different views of the buildings.

Mr. Gottlieb said there are many units that face the park. Councilmember Baratta wondered if the affordable units would be facing the tracks. Mr. Schwartz said they are through units with two entrances. They have not decided how to design the buildings that will be near the train tracks. All of the units in that particular building have exposures on both sides. Councilmember Baratta asked if any of their drawings were of the affordable units. Mr. Schwartz pointed out which building it was. Councilmember Baratta thought the buildings looked like apartment buildings.

Councilmember Trawinski raised a concern that the Borough was being asked to consider a settlement that provided less than the 40 units than the Borough's fair share and which the judgment proposed that obligates the Borough to

provide. If the Borough appeals Judge Martinotti's interlocutory order and they came up with less than 40 units on this site, the Borough would have to find someplace else in Fair Lawn to provide the 7 units. Judge Martinotti continued the Special Master in a monitoring role. He also expresses concern since the Special Master was not at this meeting with us settling this matter.

Special Counsel Lustgarten advised that these are proposals at this time. Before they put pen to paper, they should bring the Special Master in to see if he would endorse the settlement. Judge Harris's judgment said a maximum of 200 units with a 20% set aside for the units. That language was for a maximum not a minimum so he believed there was authority to settle for less than 200 units.

Councilmember Trawinski stated his concern was with Judge Martinotti's order because he went the extra step that he did not have to do. He had the minimums established by Judge Harris. Judge Martinotti made the affordable units in Fair Lawn the maximum number of 40 in his order. He felt they had to be provided somewhere in the Borough of Fair Lawn.

Councilmember Trawinski stated that if the pending legislation bill passes the Borough would not have to provide the 40 units. He wondered if he understood correctly that they are now saying rather than what was set forth in Mr. Shimanowitz's letter to buy the 1/3 of an acre that they would now be able to donate it to the Borough. Mayor Tedeschi stated that was his idea.

Councilmember Trawinski said in the two letters, there was a reference to the sanitary sewer lines for the Ambulance Corps. Special Counsel Lustgarten said that some point in time the Ambulance Corps made a request that they would like to be tied into the sanitary sewer system. According to the proposed settlement they would be willing to connect that system.

Councilmember Trawinski wondered based on the concept plan where the retention basins would be located. Mr. Schwartz said it would be in a back area. Councilmember Trawinski hoped that none of them would be located in the park area. Mr. Schwartz said they would not be.

Mayor Tedeschi spoke about selling versus renting townhouses. Obviously they will not sell all at once, so is the assumption that some of these will be rentals until they are sold. Mr. Schwartz explained that normally builders do not build out their entire project because the market cannot absorb it. There would be enough buildings so the project can be phases in so that the pace of which they are built will be at the pace of which the market can absorb it. Mr. Schwartz said the phases depend on the market. Right now it is difficult time. There are some places that they could sell multiple townhouses. It depends on

what the market is like. Technically a market rate townhouse has higher end things in it than a rental unit would have.

Special Counsel Lustgarten advised that in regard to phasing in they would have to comply with the 20%. Mr. Schwartz said there is a chart they go back to for phasing in.

Deputy Mayor Weinstein said as far as the architectural guidelines and the frontage that will all be approved by the Radburn Board and the Planning Board as well. As far as the parking on the street, that to will also go through the Planning Board who will also get input from the Fire Department. Special Counsel Lustgarten advised that decisions will have to be made at some point assuming the Mayor and Council want to accept the settlement. They would have to determine if the roads should be dedicated to the town. Deputy Mayor Weinstein stated that whether or not they are dedicated to the town, the Planning Board, as well as the input from the Fire Department, would give guidance for the width of the roads for safety purposes.

Special Counsel Lustgarten advised that if in fact the Borough accepts the dedication of the roads that implicates that over-night parking ordinance. If the Affordable Units only have one garage, and they have overnight visitors or a family with two cars, that will be an issue. If we don't accept that means the streets are not dedicated they would not be subject to overnight parking rules and the Association would decide how to handle the parking.

Deputy Mayor Weinstein questioned whether or not they accept the roads would they will have a right to use the walkways so that residents of Fair Lawn who live outside of that community will be able to use the walkways to get to the train station.

Mr. Ferro stated that the sidewalks are utilized throughout their parks because the walkways are dedicated. If the walkways are dedicated it can be used on anything. If they are not dedicated and the Borough decides they are not acceptable that would become an issue,

Deputy Mayor Weinstein stated if the sidewalks are dedicated does that also mean that the roadways would be dedicated. Special Counsel Lustgarten advised not necessarily.

Mayor Tedeschi questioned if they agreed to build the roadways consistent with regulations, why would the Borough want to take them over. Mr. Schwartz stated they would conform to public streets. Mr. Schwartz stated that State laws say that if roads are built according to RSIS standards, the Borough has to take them over. Mayor Tedeschi stated that earlier he said they would build the road

to RSIS standards so does that make the question of taking them over moot. Mr. Schwartz said they all knew the issue of overnight parking can be complicated. Mayor Tedeschi said that overnight parking was an issue that was solved on Warren Road, it was an issue that was solved on Pollitt Drive by permitted parking. There are alternatives. Mr. Schwartz stated they were definitely open to working it out. They want it to work out the best for everyone.

Deputy Mayor Weinstein questioned if the roads were built to RSIS standards, would the Borough automatically take over the roads. Special Counsel Lustgarten advised that was not a true statement because he knows the Borough would have to provide the equivalency of municipal services or garbage collection. The Borough would have to take an affirmative action regarding the streets.

Councilmember Trawinski wondered if this plan required any variances, design waivers or exceptions. Mr. Schwartz said it was 100% conforming. Councilmember Trawinski asked how the association would fit into the Radburn governing. Mr. Schwartz stated they have not gotten into the details. Someone would have to be responsible for maintaining the roofs and exterior walls so there needs to be some form of association for this neighborhood. That organizational structure would be folded into the Radburn Community. Councilmember Trawinski said the odds were that there would be a separate association for this phase. He wondered if the members of this association have votes in the Radburn Association election. Mr. Schwartz believed that people that live there are part of Radburn. They would be residents of Radburn, they would pay dues to Radburn and they vote at Radburn. They would have the same responsibilities and the benefits.

Mr. Gottlieb stated he contacted the Association and was told there would be a condominium association and the owners of each condominium have all the rights and benefits that Radburn has.

Councilmember Trawinski stated that did not answer his question with respect to voting rights. As you know, this is a hot topic in Radburn. This would be a brand new association that would now be subject to PREDFA. Mr. Gottlieb said that currently all of the residents in Radburn vote pursuant to the bylaws and rules and regulations. There is nothing different. Councilmember Trawinski said they would be able to vote and have the same election process.

Mr. Ferro said the contract contains provisions for putting some amenities in Archery Plaza. He wondered if that was still on the table.

Mr. Schwartz explained nothing in this plan is different for Archery Plaza from day one. Radburn owns Archery Plaza but they would include the utility in their plan. They would construct the improvements when they are done.

Special Counsel Lustgarten wanted to know when the Mayor and Council would know for their consideration how many years this would take and about landscaping. Mr. Schwartz explained that it not known at this time but they would probably know when they get closer to the site plan development. They are open to have the conversation with the Borough about landscaping and hardscape. He believed that since they were designing all of these other park spaces, they would design this park space as well and construct the improvements as well so that when it is done it will look very good.

Councilmember Baratta questioned the 1/3 acre park in the corner, if they did not decide to give it to the Borough, what would have happened to that green area. Mr. Schwartz said if the Borough said they did not care about that piece of the land they would integrate it into the plan. Councilmember Baratta wondered if they would build more units on it. Mr. Schwartz explained they may slide units around within the site plan. It would be the same number of units.

Councilmember Baratta wondered how many bedrooms would be in 165 units. Mr. Schwartz stated it was too early to determine. The townhouses are all the same footprint which can be two or three bedrooms. If it is a two bedroom unit, all of the bedrooms and bathrooms are bigger. If it is a three bedroom unit, then the space is smaller. Usually when someone builds a project like this they tend to be flexible. The market will tell them how to phase the project in. Councilmember Baratta stated she was looking for an actual number. Mr. Schwartz said it would be 60/40.

Councilmember Baratta asked how many cars they thought this one complex would produce. Mr. Schwartz said that RSIS talks about car generation and tells that a townhouse generates 2.3 cars. That is the number of parking spaces that need to be provided. Each affordable unit than will be allotted two spaces. There will be more parking than required by RSIS.

Mayor Tedeschi wondered how many parking spaces are uncovered. Mr. Schwartz said in about 264, the remaining 96 will be out in the open. He explained they were trying to provide the parking in a manner that will have the least impact as possible. He explained there are a lot of different parking options.

Councilmember Baratta stated they have now created a new intersection in Fair Lawn at Ramsey Terrace. This area has been discussed several times regarding safety issues because of the curve, etc. She wondered if they would

be doing anything at that intersection as far as a traffic light or traffic calming measures. Mr. Schwartz said the issue of traffic signals is something the State of New Jersey has discretion over and it gets decided in Trenton if a signal is required. The conditions that prompt the State of New Jersey to put a traffic signal in would not be warranted or produce a benefit. There are several things that can be done to calm traffic and make Plaza Road more attractive. In sincerity they have looked forward for seven years for the opportunity to sit down with the Mayor and Council professionally and figure how to implement ways to make Plaza Road safe and a beautiful pedestrian street. Councilmember Baratta indicated that currently Plaza Road backs up with the traffic light. There are nursery schools in the area where children are crossing the roads during the day. Mr. Schwartz said for seven years they have studied and re-studied how Plaza Road functions as a traffic artery and how the traffic will interface with this development. Councilmember Baratta stated that she lives here and knows how dangerous the area can be. Mr. Schwartz informed her that there are things in traffic engineering that are mandated by the State and they will meet all the requirements. People drive very fast on Plaza Road. One thing they learned is if there is a neighborhood in the middle of it, the traffic slows down. He mentioned several ways that the traffic will not speed.

Councilmember Baratta asked if Landmark would work with the Borough to implement those changes. Mr. Schwartz said they absolutely would.

Special Counsel Lustgarten stated that the original plans showed work done on Plaza Road. Mr. Schwartz stated they had proposed in the earlier plans to use traffic calming devices. He thought that Plaza Road would be able to handle on street parking without any diminution of its ability to move cars which would actually make Plaza Road safer because it would slow traffic down. Special Counsel Lustgarten wondered if they were contemplating widening Plaza Road. Mr. Schwartz said they were not.

Mayor Tedeschi questioned the schools. Mr. Schwartz said that there will probably be some families with children. Mayor Tedeschi stated one of the concerns he heard is that it is going to increase costs. They had the same situation with Fair Lawn Commons. Mr. Schwartz wondered what happened at Fair Lawn Commons. Mayor Tedeschi stated that fewer children moved in. Mr. Schwartz said that more children move into one family house than into townhouses or flats. Mayor Tedeschi stated the problem is the financial situation that the school system and the town is in. Fair Lawn's school system lost \$4 million dollars. Mr. Schwartz felt what was experienced at Fair Lawn Commons will be what they experience in this development.

Councilmember Baratta stated Fair Lawn Commons does not have any green space because it is basically a concrete complex. This development would be

somewhat greener. Mr. Schwartz stated this complex will generate more tax revenue for the town. Mayor Tedeschi said they are not chasing ratable. Mr. Schwartz said that Fair Lawn Commons is a rental development and the tax structure is much lower than townhouses.

Deputy Mayor Weinstein stated that if they are trying to attract families to Fair Lawn and keep it vibrant. The point having open space is so that kids can go to those areas and play. He thought that most of the families would move into single family homes. He said they have to have the balance. Fair Lawn Commons had over 3.5 times the number of units which did not have an effect on the schools.

Mr. Schwartz said one of the things about families with children is that they want a private backyard.

Mayor Tedeschi asked them who they envisioned their customers to be. Mr. Schwartz stated they see them as a lot of different people such as empty nesters who are already committed to the area or maybe moving in because they are attracted to the train. At the other end, they see childless couples that are just starting out who again are drawn to the train and are commuting to New York. They may have their first child here but as the children grown they may need a single family house. They have reduced the number of units which means less people and fewer kids.

Mr. Weiss, President of the Radburn Association, stated they worked with Landmark to come up with a decent perceptual design and style and last night the Board of nine members voted 8 to 1 to approve the contract and the conceptual drawing which was attached to the resolution and will be part of the contract. As far as they are concerned and many of the residents that came out are for the project although there are some that are against it. .

Mayor Tedeschi stated that in their agreement there was a caveat that if the Mayor and Council did not agree to the changes they reserve the right to go back to 200 units. Mr. Shimanowitz stated that was in the contract.

Councilmember Baratta asked about the remediation of the site. Mr. Schwartz stated the site has been subject to an exhausting remediation which is just about finished. There is nothing on the site that would prevent the project to be built. The lion share of the work has been done. The 20 year clean up is almost done. Mayor Tedeschi stated they were waiting for the letter of no further action for the entire property. Mr. Gottlieb stated that several years ago they had received a letter of no further action for the soil but there was still an issue about the groundwater. Special Counsel Lustgarten advised that there was a ground water issue. Mayor Tedeschi asked where the plume was. Mr. Schwartz

said there was no plume. Councilmember Trawinski stated that there are houses that are virtually touching Archery Plaza that have vapor intrusion. Special Counsel Lustgarten said that as far as the vapor actually getting on to their property he has not seen that.

Mr. Schwartz said he appreciated the time the Mayor and Council took to listen to their proposal and hoped that they would take it into consideration. If they cannot work out this settlement, then they are back to what they have been doing for the last several years. It is expensive and good for the lawyers but they would be back to the Builder's Remedy with 200 units. He hoped that they seriously consider the 165 units because it would be better for the Borough, Radburn Association and for Landmark.

Special Counsel Lustgarten questioned the segregation of the affordable units and whether that conforms to the technical distribution. Mr. Schwartz thought it would be something to discuss with the Special Master. Special Counsel Lustgarten advised that if it is not acceptable with the 165 units would they consider reintegrating some of those affordable units throughout the complex to comply with the mandate. Mr. Schwartz stated what they proposed would be sustained by everyone, if it turns out it is not, they will adjust it to make everyone happy.

CLOSED SESSION:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Weinstein, the following Closed Session resolution was discussed at 8:55 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 Pending Litigation – Landmark and Acquisition of Property – Naugle; 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.

Upon motion by Councilmember Trawinski and seconded by Councilmember Baratta the Closed Session resolution was bifurcated to have Pending Litigation stay in open and not be in closed and to have the acquisition of property be in Closed Session.

Special Counsel Lustgarten advised that in open session only the scope of the settlement and not legal strategies will be allowed.

PUBLIC COMMENTS ON LANDMARK ONLY:

Upon motion by Councilmember Trawinski and seconded by Deputy Mayor Weinstein, the time for public comments was opened limited to Landmark.

Craig Miller, 5 Ramapo Terrace, stated he was saddened in a way that the Radburn Association did not open their meeting to the general people of Fair Lawn. It is not just going to affect Radburn but all of Fair Lawn. He would like to see that before any decision is made a special meeting be held for the general public to come in and speak for or against.

Maureen Moriarity, 14 Burnham Place, suggested that Special Counsel Lustgarten call the case manager from the DEP. The plume does flow and has gone across the street. The DEP cannot stop anyone from building but they can ensure that precautions are followed.

Special Counsel Lustgarten advised that someone raised the issue of vapors which is a third issue. Ms. Moriarity felt the vapors were a real issue. She was not sure what would happen once they cover the ground.

Mayor Tedeschi said that they had discussed that at the Environment Meeting and the felt the problem was whether or not there were vapors. No one seems to know. Ms. Moriarity suggested calling the DEP.

Felice Koplik, 6 Reading Terrace, expressed concern about the traffic, parking, the width of the streets and exactly what is going on with the streets. She wondered if there would be driveways to all these townhouses. She was told by one of the Board members that the houses on one of the streets do not have enough room for a driveway. She wondered if this development could really happen with one way in and one way out because it is a safety issue. She also wondered if the fire department did not accept that plan what would be the solution. Mayor Tedeschi said there was a possibility that the Fire Department would opine whether or not they are satisfied with the safety issues and make

some recommendations. Ms. Koplik said the reason she commented on that was so the Council would ask those questions as to whether that street has no driveways. She wondered how many garages the units would have.

JoMarie Sacchinelli, 23-17 Ellington Road, this Radburn development seemed to assist many in the Radburn area however there is a whole other section of town that will be inundated with the traffic with the addition of approximately 379 cars. She lives on Ellington Road where almost everyone drives down to get to Route 80. Since 1998 she has come to the Council for traffic calming measures for her street and the others along Midland Avenue. She felt this project would add more traffic. Ms. Sacchinelli felt that Landmark should take her area into consideration because the development will not only affect Plaza Road but other areas as well. She has made the neighbors aware of what is going on. If this development goes forward they would have to pursue action.

Larry Koplik, 6 Reading Terrace, observed the height of the buildings. He lives on Reading Terrace which is called terrace housing because they have split grade configuration. There are three visible stories on the street side where the garages are but then on the park side you only see two floors then the roof. It is a low kind of look on the park side. He also mentioned the two signs which have been there for decades that say Radburn and they define the entrance. He felt those signs should remain.

Kathy Moore, 13-16 Plaza Road stated her concern about building on this property is the pollution. She believed that Fair Lawn should do an extensive study to see what happens with capping and if indeed plumes do spread because that is the current urban myth. She thought they should find out if the plumes spread. She wondered if so, what kind of protection would be offered for those living right there. If that cap cracks and breaks there would be more of a problem for those living there and in the area. She wondered who would be liable. She felt that should be in the contract with Landmark making them liable if that happens down the road.

Ms. Moore also said she had concerns about the density. The neighborhood that this is modeled after has a density of 6 units per acre. This project is twice as dense. She did not see how this was a Radburn project other than the shutter color or siding. Ms. Moore wondered if she gets protection from the Borough if they come too close to her property line. She thought that Fair Lawn should be looking out for the residents and not allow building something that is 40 feet tall and only 10 feet behind someone's backyard. She wondered how the town felt and what they would do about it. As for children in townhouses, she has known many people that live in townhouses with children so to say they would be childless is not accurate.

Ms. Moore questioned the liability of the project if it goes bankrupt because it is not economically a good time or people may not want to buy a unit on a piece of polluted property even if it affordable. She wondered what happens if this project is a third of the way built and goes belly up.

Ms. Moore said she would like help from the Borough to help Radburn residents opt out of Radburn if this plan is developed. She personally do not want to live in Radburn that has this development in it. She did not buy her house with this development in it. She does not want it and felt she should be able to say she is done because this project is a huge liability for anyone selling their home in Radburn in the future. She wanted more support from Council for the beleaguered residents in Radburn. She spoke about traffic because she lives on Plaza Road and cannot get out of her driveway now. More traffic will back up and she will be exposed to the fumes.

Sheryl Cashin, 1 Glenfair Road, wondered where the runoff will go on that property. She wondered if the infrastructure was looked at. She used to come to every meeting because of her problem but once she stopped attending the matter died. She wanted to know where the sewage would be going. She stated that she was bothered with eight trustees who voted for the project are merchants in town and have a lot to gain with those townhouses being built. She noticed that Deputy Mayor Swain was not present at this meeting because she recused herself due to involvement in some way with Radburn. Ms. Cashin thought it was not a fair vote and the public was not allowed to be there. She wondered who will be picking up the tab for the schools, snow removal and everything that goes along with this. The taxes that come in will not cover the added expense. She also wondered how these units would be filled when there are vacancies and foreclosures everywhere.

Peter Kortright, 16-24 Ellis Avenue, started to address this issue but Special Counsel Lustgarten advised that Mr. Kortright was a member of the Planning Board and should not speak.

Sylvia Zasloff, 9 Maltese Drive stated that she lives in a townhouse in Fair Lawn where 16% of the units have children. She felt there may be many more renters than buyers based on what is happening.

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

Closed Session:

Upon motion by Councilmember Trawinski and a second by Councilmember Baratta the previously discussed Closed Session resolution was unanimously adopted at 9:25 p.m.

Attorney Rosenberg advised they were going into Closed Session for Landmark and Naugle.

Mayor Tedeschi reconvened the Work Session at 10:30 p.m.

ALARM ORDINANCE:

Manager Stafford said he asked the Chief of Police to do a study of ways to better handle alarms that come into the Police Department. Companies exist that provide comprehensive solutions to register and track false alarms to which the Police Department must respond. On the average the Police Department responds to approximately 120 calls per month. The premise of course is that by outsourcing this function they can educate residents and businesses about alarm ordinances. Mayor Tedeschi said he did not agree with that. There may be an ancillary benefit subsequent to the issuing of summonses for sending them a letter. That is not the primary objective. Manager Stafford stated that they could substantially reduce false alarms over time. Mayor Tedeschi said that was a shot in the dark. Manager Stafford stated that in other municipalities their false alarms get reduced by 30%. They can also seek to enable the law enforcement to better use their time instead of spending it on false alarms. Mayor Tedeschi wondered if it improved morale.

Mayor Tedeschi stated in 2007 there were 25,000 calls to the Police Department. In 2008 there were about 26,000 and in 2009 it dropped to 20,000. He was glad to see that there would be extra time for answering calls. Manager Stafford said there would be less calls per month.

Mayor Tedeschi questioned a statement in the memo that said "this was available to the Borough for no extra cost". He wanted to know what the cost would be. Manager Stafford said the Borough could chose one of several pricing plans and that is why he used initial cost. The municipality can choose to pay a percentage of the fees realized or the municipality can choose a per alarm flat fee. Mayor Tedeschi said it says there was no additional cost. Manager Stafford explained it was for the analysis, software, tracking, invoicing, etc. Mayor Tedeschi wondered if they would be getting expert advice to review the Borough's current alarm ordinance. Manager Stafford suggested the Mayor and Council bring them in for a presentation and then ultimately they can go out for an RFP to get the best deal possible.

Mayor Tedeschi said his concern was if they go on a percentage basis, they would be forcing them to issue more summonses so they could collect higher fees. Manager Stafford stated that would be a function of the Police Department because they label the calls as a false alarm or not. Mayor Tedeschi wondered about customer service and good will because they will be representing the Borough. Manager Stafford said he agreed with that and that is no different than the third party collection agency that the Borough had sought to implement in the Municipal Court but that was put on hold by AOC.

Councilmember Trawinski felt the Manager's point was well taken. They should have the firm come in and give them a presentation. Deputy Mayor Swain felt that when they come in they could bring samples. Manager Stafford said that he has spoken to several towns and they rave about them. Deputy Mayor Weinstein said when are they going to set a date for them to come in because they seem to have a lot of things in the hopper that are not getting done. Councilmember Trawinski agreed that this needed to be quickly. Deputy Mayor Weinstein also felt they should move ahead with the third party ambulance billing. He suggested they plan to have a presentation in December. Manager Stafford said he would seek to have them come in December or at the next Work Session.

Mayor Tedeschi asked him to forgive his skepticism. Manager Stafford agreed stating that when something seems too good to be true it often is but he did speak to people in other municipalities who have said it works wonderfully. Chief Rose and Captain Cook have reached out to Montclair and they also raved about it. It could be beneficial to the Borough. Mayor Tedeschi said they should do a perform of the number of summonses based on the number of the ones that were issued and see exactly what the revenue would be, less the commission.

There was a unanimous consensus to have them come in for a presentation and to give an evaluation of the summonses and what the revenue would be.

COUNTY TELEPHONE ALERTING SYSTEM:

Municipal Clerk Kwasniewski stated she had brought this to them a couple of months ago about the County wanting to do this. The downside of going with them is that the Borough has built up an extensive network and all of that would have to be redone.

Manager Stafford said there was another downside if they use the County system for non emergencies, they would only get the listed phone numbers. They all mentioned that they had received messages that day, in fact, some

had received two or three messages. Manager Stafford recommended they stay where they are.

There was a unanimous consensus to stay with the system they are currently using.

FLASHING TRAFFIC SIGNS:

Manager Stafford said Traffic Safety Officer Franco will be reporting to the Mayor and Council once he gets all of the information together. Councilmember Trawinski suggested carrying this to November 30th.

Manager Stafford said Traffic Safety Officer Franco reported that Fair Lawn could not place a flashing stop sign at the end of the ramp off of Route 208 on to Plaza Road because it is under the control of the State and he is in communication with the State. Both he and the State Engineer believe that the more appropriate traffic device would be pedestrian crossing signs. One sign should be placed in advance and one at the crosswalk. Traffic Safety Officer Franco and the State Engineer are of the opinion that stopping is not the problem, it is yielding to pedestrians. Mayor Tedeschi suggested that he go over there and look at the exit ramp because no one stops. Councilmember Trawinski agreed that it was a stopping problem. He felt they should push the State and Traffic Safety Officer Franco that they want a flashing stop sign. They should be aware that there is a nursery school in addition to the Synagogue. Deputy Mayor Weinstein felt it may be a good place for a Police Officer to be stationed.

There was a consensus to direct Manager Stafford to have the Traffic Safety Officer petition the State for a flashing stop sign.

Manager Stafford explained that in regard to flashing stop signs in the rest of the Borough that would be within their control and are permissible. He forwarded a memo about the cost. It is \$1,824 per sign. Councilmember Trawinski said they should discuss it as part of the Capital Budget and get a recommendation from the Police Chief and the DPW as to what, if any, would be appropriate locations and then they could make a judgment if it can be afforded this year or not.

There was a unanimous consensus to discuss this matter further during the budget discussions.

BUDGET MEETINGS:

Mayor Tedeschi said he had spoken to the CFO about starting budget meetings in December. He would like to have the budget meetings on a night by

themselves and not when they are part of a Work Session. Municipal Clerk Kwasniewski stated she needed dates when they would be available. Deputy Mayor Weinstein said that being that they are starting the budget meetings in December, they need to discuss or come to an agreement on the furlough days.

Councilmember Baratta suggested combining it with a regular meeting. Mayor Tedeschi said that would not be good, it should be separate. Deputy Mayor Weinstein felt that whatever they do it should be done the first couple of weeks in December. Mayor Tedeschi said the first budget meeting could be done after a Work Session because that would be an overview. Deputy Mayor Weinstein suggested a budget overview after the Council Meeting on December 7th. Councilmember Trawinski said he was not sure he would be available that night. The overview could be done without him. He suggested holding a budget meeting on Saturday, December 11th. Deputy Mayor Weinstein would rather do two nights in a row. He suggested December 13 at 7:30 p.m.

COMMUNITY CENTER PROGRAM FEES:

Manager Stafford said at their request he had Superintendent Graff prepare the memo which is self explanatory.

Mayor Tedeschi and Councilmember Trawinski found the schedule difficult to follow.

Deputy Mayor Weinstein stated he was not raising fees for the outsiders but they are being charged \$6 per class and the instructors are getting \$50 per class which seemed a little ridiculous. Manager Stafford stated the Borough's net for the entire operation is \$3,200.

Councilmember Trawinski felt they should ask Superintendent Graff and the Manager to make a recommendation to them as to have this done more fairly for the people of Fair Lawn. The instructors are clearly making the money. He is not inclined to raise the fees because it is a service that the Borough provides. He would like to see how the Borough could recover at least part of the cost for keeping the facility open and operating that the taxpayers are paying for.

Mayor Tedeschi explained the lowest percentage the Community Center gets when using their facility is 40% of the total revenue. A discussion followed regarding the various classes and what the Borough received. Manager Stafford suggested finding someone that could teach yoga or the magic class for less money. Councilmember Baratta wondered how much of the gym is being used and if other activities are going on at the same time. Deputy Mayor

Weinstein wondered if there are 10 people and only 5 people show up, does the instructor still receive the whole fee. It should go with the percentage. He also wondered about how far ahead they have to notify people about the fees. Mayor Tedeschi advised that he could supply a name of a company that supplies teachers. Municipal Clerk Kwasniewski stated it was a change of philosophy. Councilmember Trawinski said it has to be because they cannot expect the taxpayers of Fair Lawn to subsidize the private incomes of the instructors. Municipal Clerk Kwasniewski stated these things were left over from when the Recreation Center was providing these services without making money. Municipal Clerk Kwasniewski said that everything would have to be restructured and people would have to be taught differently. Councilmember Trawinski stated they need to hear from Manager Stafford as to how there was an appropriate way to phase this in.

Mayor Tedeschi wondered who collected the money for the classes. At the Community School they get paid directly.

Councilmember Trawinski asked Manager Stafford when it would be realistic to bring it back to the Council. Manager Stafford suggested by the December 14th Work Session.

DISCUSSION ON S2220/A3392 AND A3211 LIMIT SICK LEAVE PAY:

Mayor Tedeschi wondered if this was one of the tools they were waiting for. Councilmember Trawinski said it was one of the nonexistent tools in the tool box. He suggested waiting for the toolkit.

LEAF COLLECTION:

Review of Leaf Ordinance: Mayor Tedeschi stated that one of the problems they are facing is the money they thought they were saving on the furlough days is being consumed by overtime. The only way they can reduce the overtime is by getting people to work faster but he realized they were already working hard or systemically change the way they are doing it. They should review the leaf ordinance.

Discussion on Bagging Leaves for 2011: Mayor Tedeschi stated he had spoken to DPW Superintendent Conte who was not happy about bagging leaves. They have to find a better way to do this because they cannot afford to do it the same way. He pointed out that if they tell everybody to bag leaves and they get to a house where there are twenty bags, it is harder and slower to pick up. The pickup may be slower but the process to pick up is eliminated. Councilmember Trawinski stated there are a lot of municipalities that pick up leaves in bags and he cannot believe they do it inefficiently. Manager Stafford

said that his municipality does it that way. Councilmember Trawinski stated that historically the issue in the Borough has been the Council's did not want to get everyone mad by telling them they had to bag their leaves. This is the way they can change the way business is done. Collectively their attitude has got to be not that they can't do it and the reasons why they cannot do it but the solution has to be telling the Council how they can do it and how they can do it effectively.

Manager Stafford said that he would speak to DPW Superintendent Conte about it. Mayor Tedeschi said that with no disrespect to DPW Superintendent Conte, there are many different ways to get a job done. Councilmember Trawinski thought they should plan for this next year and put it into place. Municipal Clerk Kwasniewski stated that every time she has been Manager she has argued with DPW Superintendent Conte over this. Mayor Tedeschi stated they have to plan for it. Councilmember Trawinski stated it is time to do it. Deputy Mayor Weinstein felt they had to try it and if it doesn't work they can always go back. Mayor Tedeschi stated the problem they were going in face in this budget and future budgets is that they cannot continue to do business the same way. They want to continue to do as many things as possible but maybe they have to find a better way to do it.

Councilmember Baratta explained that the residents will say the Borough is trying to save money so now they have to pay extra for their landscapers to take the leaves away. Mayor Tedeschi asked if the ordinance was specific to landscapers leaving the leaves on the street. Municipal Clerk Kwasniewski stated it applies to everyone. Councilmember Baratta stated the landscapers are not allowed to do it at all. Municipal Clerk Kwasniewski stated they had talked about doing permits. Councilmember Baratta said there is no practical way to enforce it. Councilmember Trawinski stated the reality is they have to bite the bullet on this and change the way they do business. He said they will all hear about it. Manager Stafford stated they will review this in the spring and canvass other towns if anyone similarly situated has recently changed. Councilmember Trawinski thought they should ask other towns when they go down to the League to find out how they pick up leaves and how they go about it. Manager Stafford stated he would bring this back to them in March.

Councilmember Trawinski raised the issue of not allowing shorts to be worn in the summer.

MICHAEL HAKIM'S FEES FOR 2010 OPEN SPACE:

Deputy Mayor Weinstein stated that apparently he will have extra work to do because of the Naugle House. Mayor Tedeschi stated they would have to incur additional costs. Attorney Rosenberg advised he had told them \$15,000.

Councilmember Trawinski asked if they could recoup some of the fees as part of the acquisition. Manager Stafford said they could because there are some soft costs associated with it. He gave them another not to exceed amount. Attorney Rosenberg advised that he would need to break it out to get reimbursed. Councilmember Trawinski thought that Attorney Rosenberg should negotiate with Mr. Hakim on behalf of the Mayor and Council.

There was a unanimous consensus to authorize Attorney Rosenberg to negotiate with Michael Hakim in regard to his fees.

TASTE OF OUR TOWN BY THE FAIR LAWN CHAMBER OF COMMERCE:

Manager Stafford stated that the Chamber of Commerce wants to have the event at the Community Center. They have asked that the fee be waived. Deputy Mayor Weinstein stated they did it last year too.

There was a unanimous consensus to allow the use of the Community Center by the Chamber of Commerce subject to the standard indemnification and insurance.

STORM WATER MANAGEMENT PROGRAM ORDINANCES:

Manager Stafford stated that Engineer Garrison had submitted two ordinances that are required by the State DEP. In order for the Borough to be compliant, they must adopt these ordinances. One requires the retro fitting of existing storm drains on private property. The second ordinance requires the dumpsters and other outside containers be covered at all times.

There was a unanimous consensus to introduce the two ordinances at the next meeting.

18-35 RIVER ROAD (KEM) REDEVELOPMENT TREATMENT WORKS APPROVAL:

Manager Stafford said this was for a standard treatment works approval confirming that the plan did not overload or overburden the sanitary system. The Superintendent of DPW supports the application. Governing body approval along with a resolution is required. Councilmember Trawinski confirmed that the cost is paid for by the applicant and since the Borough Engineer, DPW Superintendent and now the Manager were satisfied, he would go along with it.

There was a unanimous consensus to approve the treatment works application.

SPECIAL MEETING:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Weinstein, the meeting was adjourned to a Special Meeting at 11:15 p.m.

Mayor Tedeschi reconvened to the Work Session at 11:18 p.m.

BOND SALE:

Manager Stafford stated that the Chief Financial Officer in anticipation of future bond anticipation notes has performed an analysis of the market. The interest is a rate of less than 1 percent or between 3 and 4 percent for municipal bonds. Both the Auditor and CFO recommend converting by way of the bond anticipation notes so as to allow for cancelling funds surplus of approximately \$380,000. This is a way to significantly increase the surplus. Mayor Tedeschi stated that based on the financial situation they are facing, they were not going to diphase the portion of the notes but they would be incurring some long term debt. This creates the cash. There is some incremental cost which is spread out over time. Councilmember Trawinski stated it would be spread out over fifteen years. Mayor Tedeschi said the only offset would be incremental interest that they would be paying over the life of the bond. Councilmember Trawinski stated that since the rates are so low, it makes sense to do it. He did agree with Mayor Tedeschi that this was a practice that should not be done a permanent basis.

There was a unanimous consensus to authorize a resolution for the bonds to be converted.

WATER UTILITY BUDGET:

Manager Stafford summarized that the Borough can use a maximum amount of water but if it goes over, it has to pay a premium. The August bill had an increase demand for water due to the excessive heat and five water main breaks. The Borough has exceeded its maximum flow so it is over the budget therefore they must do an emergency appropriation. The amount given by the CFO covers the Borough for the rest of the year. It may not be that high but she was being conservative. The amount is \$330,000.

Mayor Tedeschi explained that this will be in next year's budget. He questioned if it was beyond the realm of possibility to reach out to United Water and Passaic Valley asking them to reduce the rate. Manager Stafford said that he would contact Passaic Valley to see what they say. Mayor Tedeschi wondered when they do the next contract could them up in a stipulation that if the Borough does not meet the amount of water the Borough would purchase the penalties

should be removed. Manager Stafford stated it was like cell phone plans it does not matter how much water is used, the Borough has to pay that amount.

Deputy Mayor Swain wondered if this August was different than previous ones. Manager Stafford stated that this August was the first one in two years they have exceeded the maximum. Mayor Tedeschi stated there was a non mandatory water restriction this year. Councilmember Trawinski thought as they go forward they need to make sure that they are monitoring it more carefully. He also thought they need to understand whether or not they have the capacity with their own wells to draw that water as opposed to taking the excess from Passaic Valley. If they don't have the capacity, they should go back to the DEP to increase the removal permit because as long as the capacity is there the Borough should be drawing its own water. He was not sure if the Borough had the technology in place to monitor that closely. If it involves technology change that over the long run would enable the Borough to do it more effectively and more cost effectively, they should take a look at.

PUBLIC COMMENTS:

Craig Miller, 5 Ramapo Terrace, wondered if the Auxiliary Police could issue summonses. Councilmember Trawinski thought they couldn't and they don't carry guns either.

Mr. Miller said he had a concern about bagging leaves. If there was a rainstorm or the leaves get wet, they get very heavy and they won't pick it up. Perhaps the way they are doing it now is quicker and easier. He thought that anyone could put whatever they wanted in the bags which could be dangerous for the workers.

Maureen Moriarity, 14 Burnham Place, wondered if the Naugle deal was completed. Councilmember Trawinski said they have reached a meeting of the minds. Ms. Moriarity said the next night she has a Historical Preservation Commission and wondered what she could say. Councilmember Trawinski said it was public knowledge. He suggested bringing the document with her. She thanked everyone for getting this done.

CLOSED SESSION:

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski the following Closed Session resolution was unanimously adopted at 11:30 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 Attorney/Client Privilege – Personnel Strategies, Personnel – DPW, Discussion re Salary Increase – Non Sworn Personnel and Contract Negotiations – Water and Sewage Pump Maintenance; 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 Councilmember Baratta, seconded by Deputy Mayor Weinstein, the meeting was adjourned at 12:00 a.m.

Respectfully submitted,

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

The undersigned have read and approved the foregoing minutes.

Mayor Joseph Tedeschi

Councilmember Jeanne Baratta

Deputy Mayor Lisa Swain

Deputy Mayor Steven Weinstein

Councilmember Ed Trawinski

