

BUDGET MEETING OF APRIL 24, 2012

Mayor Baratta called the meeting to order 8:15 p.m.

PRESENT: Mayor Baratta, Deputy Mayor Cosgrove, Deputy Mayor Trawinski and Councilmembers Peluso and Swain.

ALSO PRESENT: Manager Metzler, Municipal Clerk Kwasniewski and Attorney Mondello.

BUDGET WRAP UP

Acting Manager Metzler stated that he distributed the lay-off plan prepared by the Chief Financial Officer by working the numbers backward. In order to cut the tax increase in half as requested by Councilmember Peluso, \$800,000 had to be cut. The plan calls for a savings of \$791,141.99 based on a lay-off starting the first of January. It would be July 1st before they would be approved by Civil Service. The total savings would decrease based on the implementation date.

He continued that the lay-off plan would have a minimal affect on all services. It will affect recycling to the point where they will finish what they can in a day and then just continue the next day. Roads and sewer will be affected. Ten seasonal employees will be eliminated so one age group will be eliminated from the camp program.

Councilmember Peluso asked Manager Metzler to review the impact for each title laid off.

Municipal Clerk – elimination of one clerk/typist. Municipal Clerk Kwasniewski explained that they are discussing the elimination of one-third of the office. They supply support staff for many of the committees by sending out notices, minutes etc. which will take longer. It will take longer to get minutes done. They supply support staff for the Mayor and Council. Although Mayor Baratta is not very demanding there have been cases in the past where a great deal of work has been done for the Mayor. OPRA requests have to be done in seven business days so with one-third of the staff gone, the other staff members will have to get the OPRA's out.

Borough Manager – elimination of a senior clerk typist/Administrative Support Specialist – the individual oversees LOSAP, right to know, the respiratory protection program, grant research and all the special projects. It will have an adverse impact on the turn-around time.

Buildings & Grounds – elimination of one custodian in the Municipal Building.

Roads – elimination of a senior public works repairer - all the positions in lower titles have been transferred out of this department already.

Sewer – elimination of a laborer.

Manager Metzler advised that he had a meeting with the Supervisors of Public Works because of the rumors. It is very obvious that the depletion of the work force is having an effect. The sewer pumps have not been put back into the condition they were before the storm.

Community Center – elimination of one of the two custodians.

Recreation – elimination of a Recreation Supervisor.

Construction Office – the elimination of a position that has been vacant. It has been vacant for five or six months and he had thought he would fill it under the proposed budget.

Police Department – elimination of a Clerk/typist to provide support for the supervisors.

Library – elimination of a library assistant. He has not discussed with Library Director Murphy the impact on the Library. The furloughs will result in a cut of \$100,000.

Recreational Employees – elimination of 12 full time seasonal positions. These are the employees who run the camps.

Manager Metzler indicated that they are not going to be able to restore these cuts in the future. The funding will not be coming back. If they had raised taxes last year, the amount that Councilmember Peluso wants to cut would be very close to that amount. They already know they have to make \$500,000 in cuts next year. He has encouraged them to tell him what they want to cut and he will do it. He felt it was dangerous to just make cuts without a plan. He believed that they can tell the residents that the tax increase is \$130, but they are working to stabilize taxes. Two municipalities have approached Fair Lawn about sharing services. The Borough has made good capital investments over the years and they should take advantage of that by sharing services which will bring in revenue.

Mayor Baratta stated that Saddle Brook is very interested in using the maintenance garage. Manager Metzler stated that they are in active negotiations with another town. They have worked out a fee schedule which is beneficial to both Fair Lawn and the other town. They are going to look at the facility again and the Borough will be looking at their fleet again. He will use the fee schedule from the other town and go to Saddle Brook to discuss it again.

Deputy Mayor Trawinski asked for the amount in the cap bank. Manager Metzler replied this year they will be banking \$70,000. However, they do not

know if they will be able to use the bank next year. Last year's bank was \$636,000.

Deputy Mayor Trawinski stated that they could have used that amount last year and had a 1.5 tax point increase. They agreed not to increase taxes. In a sense the cuts they are looking for are to pay for a zero increase budget last year. If they do not use the cap bank this year they do not know that they can preserve it for next year.

Manager Metzler stated that they know the decisions they make this year will impact next year. He reiterated that next year the Council has to cut services or generate more revenue this year. The third-party ambulance billing will generate funds into surplus, the changes to the water fee and the additional money from FEMA will also go into surplus.

Deputy Mayor Trawinski stated the Council did the reassessment so it is part of the reason the tax burden has shifted back to the commercial district. The Council has done some of the things that they needed to do. He expressed concern that without Civil Service reform they will not be able to obtain the savings through layoffs predicted because of bumping rights. He explained the perils of desk audits if people are working out of title.

Deputy Mayor Cosgrove pointed out that there are 20 people on this list. The cuts are way too drastic. While no one wants to increase taxes, these cuts are too tight. He has asked the Municipal Clerk to put on the next work session agenda to start talking about next year's plan including looking at the services that are provided and how they are provided. They are trying to maintain the quality of life. Reducing employees right now is not going to help.

Acting Manager Metzler stated that in a follow up conversation with Councilmember Peluso, he asked him to consider going with the budget presented and getting the Council to make a commitment that they are going to eliminate \$500,000 and to give him some direction on these cuts.

Councilmember Peluso agreed with Deputy Mayor Cosgrove that these are cuts are too severe. He did believe that some positions could be eliminated to save some money. He suggested they review the positions and see which can be eliminated.

The position in the Construction Department has been vacant for six months. Manager Metzler pointed out that several major construction projects will be starting; i.e. Kodak and Landmark. Councilmember Swain suggested they hire someone part time to work on those projects. There was a unanimous consensus not fill this position.

The position of payroll clerk has a salary range of \$55,000 to \$75,000. Manager Metzler stated that they tried training someone in house but that was not successful. Manager Metzler advised that they reached out to a neighboring community to see if they would be willing to do it as a shared service but that was not successful. Deputy Mayor Trawinski suggested a payroll service company which although would cost some money would be less. Manager Metzler indicated that he would not recommend it. Deputy Mayor Trawinski then suggested reducing the salary range. There was a unanimous consensus to keep the position but to reduce the salary to \$30,000 to \$35,000 and for the Manager to report to Council within 30 days on the feasibility of outsourcing this position.

Councilmember Swain suggested that they reconsider the salaries as each position becomes vacant. The consensus was to accept Councilmember Swain's suggestion.

Councilmember Peluso stated that other municipalities have much less supervisory staff in Recreation. He felt that one Recreation Supervisor can be eliminated. Deputy Mayor Cosgrove pointed out that they are operating a multi faceted facility. He thought it would be too deep a cut. Councilmember Peluso stated that the Secaucus Community Center has a pool and ice hockey rink as well as many other amenities and they have less supervisory staff. The pool has separate supervisors as well. He felt that Fair Lawn was top heavy. Deputy Mayor Cosgrove indicated that he wanted to hear from the Superintendent of Parks and Recreation.

Manager Metzler distributed a summary of what each of the positions does. Councilmember Peluso did not think the Parks Department could be cut since the Borough has many more parks than other communities. All Sports does a major job. He read the list of duties. The salary is \$65,000 for this position. The salaries are very high as well.

Manager Metzler did not believe the position should be eliminated. He was reluctant to pull out one position. He thought there was an opportunity to streamline some of the programs, but that does not necessarily translate to the elimination of a position.

Deputy Mayor Cosgrove wondered why Councilmember Peluso did not bring it up when the Recreation Department was at the meeting. Councilmember Peluso replied that he did not have all the information he needed.

Councilmember Swain did not like going through the positions one at a time. She thought the Manager should come up with a plan. Manager Metzler stated that his budget was the plan. He made the assumption that the budget must include all the services the Borough provides. He believes they are operating at bare bones. They got to that point through attrition. Now they have to make

plans. The Council has to reach a consensus on what they want to eliminate and then he will have to come up with a plan on how to do that with the least impact on the residents.

There was no consensus to eliminate the Recreation Supervisor with Deputy Mayor Cosgrove, Deputy Mayor Trawinski and Mayor Baratta dissenting.

Deputy Mayor Trawinski felt that they were going about this in the wrong way. They need to look at eliminating positions as part of the whole. He is willing to make difficult decisions but not this way.

Councilmember Swain noted that 56 employees make over \$100,000. The residents of Fair Lawn cannot afford this budget. She could not support the budget as it is presented. She thought they could use more surplus because of the items the Manager is working on that will flow into surplus.

Mayor Baratta noted that they are all talking about helping the taxpayers. She proposed that Councilmembers no longer receive salary and benefits. Deputy Mayor Trawinski pointed out that it is symbolic but it is important message. He noted that he does not take the salary although he does take the prescription plan. Deputy Mayor Cosgrove stated that he does not take the salary or the insurance. Councilmember Peluso indicated he would support it. Councilmember Swain stated that she would like to think about it. She has to find another insurance plan. Deputy Mayor Cosgrove thought it would be a \$35,000 to \$40,000 savings. Mayor Baratta thought it should be voluntary.

There was a consensus to introduce the budget with the changes agreed upon at this meeting, with Councilmember Peluso and Councilmember Swain dissenting.

Councilmember Peluso stated that if there is no willingness to cut the Recreation Supervisor position he did not think there was any willingness to help the residents any more. Deputy Mayor Trawinski vehemently objected to that statement. They were all willing to help the taxpayers. He predicted in two years they will see in political flyers that the Republican's did not want to help the taxpayers. Councilmember Peluso had an obligation and a right to request the information. Many of the employees have been here 20 to 25 years. He noted that they could eliminate the 5K run or the fireworks but no one has suggested that.

Deputy Mayor Cosgrove stated that during the campaign people said that he was going to cut the library. He voted to save a library assistant this evening. He is going to do what is right for Fair Lawn.

Councilmember Peluso expressed his dismay that the campaign would not end. He disagreed with the budget.

Mayor Baratta stated that they came for a consensus. They spent months looking at the budget. They did not have anything to cut. She felt they appeased Councilmember Peluso who just wanted to vote no on the budget.

Councilmember Swain pointed out that a few years ago Mayor Baratta and Deputy Mayor Trawinski voted no on the budget but they were not badgered.

Deputy Mayor Trawinski said they could trim \$600,000 from budget by reducing the funding for the library, but he felt that was not a good idea. The Manager has requested the Council to give him direction. They need to have a philosophical discussion.

MISCELLANEOUS PUBLIC COMMENTS

Craig Miller, 5 Ramapo Terrace did not think the Recycling Center needs to be open seven days. He also thought they should consider reducing the hours at the Community Center.

Joan Goldstein, 12 Bedford Place stated that five people were elected and they are suppose to serve all the residents. Allowing people to speak and fostering learning and doing what is best for everyone in total will be what is best for the residents of Fair Lawn. She wanted to see them all working together to help people to learn without politics and campaigns going on.

Mayor Baratta stated that is what they all want. They met for weeks and at any point they could have voted to introduce the budget a few weeks ago, but they did not. They wanted Councilmember Peluso to get the information he wanted. They wanted to be a united Council.

Ms. Goldstein said it sounded like some of the information was not available to Councilmember Peluso. Mayor Baratta indicated that was not true. Councilmember Peluso stated that two weeks ago he requested some information and the Manager gave the last of it to him tonight. He did a great job getting the information to him.

Sylvia Zastoff, 8 Maltese Drive stated that she has been impressed with the dedication of everyone on the Council. She has seen cooperation over the years. She thought they all want the same thing but the problem is that everyone has their own experience and point of view. They have the right to disagree but they must do it agreeably. Everyone has spent many hours on this budget. Fair Lawn is too little of a political deal to be the reigning thing in their lives. They need to do what is best for Fair Lawn.

Jerry Klein, 0-57 Pine Avenue indicated that he does not envy their task. There is nothing wrong with an elected official making a decision at any point in the process. He wondered why the Council was giving Councilmember Peluso such

a hard time. The yelling and screaming is nonproductive. He does not know why it is difficult for the Council to have Councilmember Peluso asking the questions at this point. He did not think the aggressive and argumentative tone is productive. He wants them to work well together.

Mayor Baratta thought the tone was because over the weeks they reviewed the budget Councilmember Peluso was silent which is why they gave him time to make his comments. They did stop the process. They agreed that the Manager should give him the information.

Councilmember Peluso stated that when they voted to review it there were two people voting yes with the Mayor Baratta and Deputy Mayor Cosgrove voting no and Deputy Mayor Trawinski abstaining to allow him to look at it again. Deputy Mayor Trawinski corrected him stating that the vote was to introduce the budget. They all wanted him to get the information. No one was attempting to silence Councilmember Peluso or deny him his information. He is entitled to receive information. He was upset by Councilmember Peluso's comment that Deputy Mayor Trawinski did not want to save the taxpayers. They will move forward ultimately because they know they have to adopt a budget.

Marvin Leavitt, 35-15 High Street stated that when someone says they want to save money but not identify what should be cut they want the glory but not the pain. It looked like they were setting them up for the next election. He mentioned that the changing of the votes on the Messina settlement appeared to be political.

Councilmember Peluso stated they reviewed position by position. He is one of four generation here. This is his community. He will not make it political. The meeting was at 5:00 p.m. He was here until 10:00 p.m. discussing this situation.

Daniel Dunay, 1 Hirshklau Lane objected to the comparisons that Councilmember Peluso used for his benchmarks for the Recreation Department and in particular Secaucus. Councilmember Peluso responded that he compared Secaucus only for the Community Center. Fair Lawn is more similar to Glen Rock, Paramus and Ridgewood.

CLOSED SESSION RESOLUTION:

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, the following closed session resolution was unanimously adopted at 9:50 p.m.

WHEREAS; the Open Public Meeting act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the Governing Body; and

WHEREAS; the Mayor and Council of the Borough of Fair Lawn desire to discuss Attorney/client Privilege – Reconsideration of Possible Malpractice Against Chris Botta; 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 the confidentiality no longer exists the minutes will be available to the public.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the public be excluded since these matters as set forth above are ones which permit the exclusion of the public from such discussions.

ADJOURNMENT

Upon motion by Deputy Mayor Trawinski and a second by Councilmember Swain, the Work Session was adjourned at 10:15p.m.

Respectfully submitted,

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

The undersigned have read and approve the foregoing minutes.

Mayor Jeanne Baratta

Deputy Mayor John Cosgrove

Councilman Kurt Peluso

Councilwoman Lisa Swain

Deputy Mayor Ed Trawinski