

WORK SESSION OF MAY 25, 2010

Mayor Tedeschi called the meeting to order at 6:35 p.m.

In accordance with the Open Public Meetings Act, notice of this Special Meeting was published in the Record issues of May 21, 2010. 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 Weinstein, Deputy Mayors Swain and Tedeschi, Councilmembers Baratta and Trawinski

ALSO PRESENT: Acting Manager Kwasniewski and Attorney Rosenberg

Mayor Tedeschi stated that they were present for a very special issue. He asked that everyone respect the decorum of the Council, the speakers and each other. He stated that signs could be held but there would be no demonstrations or sign waving.

Discussion of Elimination of Four Police Officers

Acting Manager Kwasniewski stated that four police officers and one Building Department employee opted to have this discussion take place in open session. The other Building Department employees have requested that discussion take place in the Closed Session meeting following tonight's public meeting.

They have had to reduce the budget by \$1.1 million due to a reduction in State Aid. They have taken numerous steps to balance the budget, including additional cuts of \$200,000 to the Library. There are no increases in 2010 salaries for unsettled contracts and health care costs have been reduced through changes in prescriptions and co-pays agreed to by the Unions. There have been a few retirements that have reduced the employee salary line. Walsh Pool will be closed and sewer rodding will be discontinued. Part time wages have been reduced across the board by 20%, including lifeguards and camp counselors. Unfortunately, they had to add back \$461,000 to cover the anticipated arbitration settlement and fees, which left them over the allowable Tax Cap Levy. The only way they could balance the budget was through furlough days. A furlough plan for 18 days was filed for all Borough employees except the Police Department, who are exempt from mandatory furloughs. Through budget cuts and other reductions the number of furlough days was subsequently reduced to 14 days, at a savings of \$35,000 per day. The Council

was appalled at the initial 18 furlough days and is not happy that employees will be furloughed 14 days.

The Council asked for ways to reduce the furlough days. One option was to layoff off four Police officers, which would save \$96,000 or three furlough days. They will also eliminate two positions for a savings of \$35,000, which is one additional day. They will look at reducing some fulltime positions to part time. Each furlough day for the Police Department represents a savings of \$26,000. The Police, however, cannot be subjected to mandatory furlough days under State and Civil Service Law; they can only take voluntary furlough days.

Mayor Tedeschi stated that the Council has labored through this process with one goal: treat everyone in the equation fairly including the residents, Borough employees and the Police Department. No one is exempt. The Council has taken a 20% salary reduction and any Councilmember attending the League of Municipalities Convention will do so at their own cost, including transportation and meals. Residents have been affected as well. Walsh Pool will be closed and the Library has cut its budget by \$200,000 and furloughed its employees 18 days. One mini bus has been eliminated. Borough employees will be furloughed 14 days, which is 5.38% of their salary. They have not been able to obtain concessions from the Police Department, which brought them to a Reduction in Force (RIF). A RIF is not the first choice of the Council; it is their last choice. They have asked the PBA and SOA to take five voluntary furlough days so that their brother officers will not be eliminated from the Police Department, which equals a 1.9% salary reduction for the year. They are statutorily required to come in with a budget. If they fail to introduce a budget by June 4th, each Councilmember will be personally fined \$25.00 per day. Acting Manager Kwasniewski stated that they hope to adopt the budget on June 29th, provided the State allows them to do so.

Mayor Tedeschi stated there will be a five minute rule for people wishing to speak. He asked that the audience not clap, cheer, stamp their feet or wave signs and stressed that everyone wishing to speak will be given an opportunity to be heard.

Bill Thompson, 560 Hoover Avenue, Washington Township, State Senior Vice Commander for the Veteran's of Foreign Wars stated he lobbied Trenton, Washington, D.C. and municipalities for the rights of veterans. As a former Councilman, he appreciated the Council's position and the difficult decisions they have had to make because of the reduction in State Aid.

Three of the four Police officers were Iraqi veterans. The volunteers that serve in the Armed Forces represent one tenth of one percent of the United States population. He felt the remaining 99.9% owed these volunteers something besides a thank you and slap on the back. The unemployment rate of Iraqi

veterans is 23% versus 10% nationally. He has lobbied for a job bill for Veterans, which is being introduced. While the Council's decision is fiscally sound, it is morally wrong. Those who have seen battle have physical and mental scars for the rest of their lives. The least they can do is offer veterans a job and help those with jobs to keep them. Each Police Officer in the street helps reduce crime. He asked the Council to find a way to keep these men on the Police force.

Mayor Tedeschi stated there were 3,000 veterans, many of them taxpayers, living in Fair Lawn. Most were senior citizens who served in WWII, Korea and Vietnam. Last year, these veterans did not get an increase in their Social Security payment and their Homestead rebate is being taken away. When the budget is introduced they will be told they will be paying an extra \$283 per year for the Municipal portion of their taxes. When the School and County taxes are added in the average tax increase will be \$625. There will also be a 20% increase in water fees. The Council respects all veterans and appreciates their service, as they do their Police officers. The problem is that they do not have the money. Furloughs are an alternative to RIFs.

Melissa Sullivan, wife of Police Officer Christopher Sullivan, stated that her husband was one of the four officers who received a Rice Notice, which has placed incredible stress on her family. She recently lost her job. If her husband is laid off they will be unable to pay their rent and bills and will be unable to provide security for their one year old son. She noted the many sacrifices they made because of his job.

Her husband served as a Sergeant in the United States Army and fought overseas in Iraq. It will be a terrible loss to the Department if he is laid off. She understood that the Council had difficult decisions to make, but she asked them to consider the impact of losing four Police officers. The Council has a responsibility to serve the community and make decisions that will keep Fair Lawn safe and secure.

Robert Mader stated that he was sworn in as a Police Officer last August. It was the best choice of his life to be a Police Officer in the town where he grew up. He left a job to accept this position and even took a pay cut, as he wanted to help the people of his community. He planned for his pay cut and asked why the Council did not plan for his salary. As a responsible citizen he knows the importance of budgeting. The Borough spent \$32,000 to train the four officers and now that was going to be given away. The layoffs will cause disruption in the community and cost more money in overtime. The community programs provided by the Police will end. Response time will increase and lives may be lost. He asked the Council to find other ways to balance the budget to protect his family and every family in Fair Lawn.

Mayor Tedeschi stated this was not just a question of balancing the budget. They are required by State Law to remain within the Tax Levy Cap. The problem is not that they cannot budget; it's that the State has told them how much they can spend. They invested in the four officers because they believed they were the best and still do. There is an alternative solution through furloughs.

Ceil Franco, Borough employee, stated that she can relate to what is being said as her son and is a Police Officer and so was her husband. Employees were told there would be 18 furlough days and no layoffs, now it is 14 furlough days with layoffs. She felt they should keep the 18 furlough days if it will prevent layoffs. Now there will be overtime expenses in the Police Department and layoffs in the Building Department. If every employee, including the Police Department, would agree to extra furlough days the Police officers could keep their jobs; that was the better idea. Mayor Tedeschi agreed.

Bill Ruggles, 2-10 Saddle River Road stated that his children went through the Fair Lawn School system and participated in the D.A.R.E. program. He served as president of the Citizens Police Academy. He deals with law enforcement officials in his present job, particularly those with medical ailments associated with 9-11. He considered them "Hometown Heroes" for patrolling our streets and spending time with our children through the D.A.R.E. Program.

Seven years ago Officer Mary Ann Collura was fatally shot in the line of duty, which says it all. He hears feedback that there is distrust, which needs to be addressed. Political and personal agendas need to be put aside. The Council needs to be transparent when negotiating with the PBA. He urged the Council to be sure they exhausted every possible alternative before going through with the layoffs.

Mayor Tedeschi stated that the Council received a balanced budget from the Borough Manager on March 19th. That same day Governor Christie cut \$1.1 million dollars in aid. On April 9th, representatives for the Borough employee unions were called to a meeting so they could be fully apprised of the situation. The representatives received financial information and were told that the Borough needed their suggestions and help. At the meeting, the Acting Manager explained that a Reduction in Force would be their last choice. Furlough would be the next to last choice. It was very disappointing that the PBA and SOA did not attend the meeting.

The Council has attempted to be transparent and is not hiding anything. They are saying very clearly that there is an alternative to the RIFs. The Police officers will not be let go if the PBA and SOA volunteer five furlough days. Borough employees will lose almost three weeks pay. He is trying to be fair and spread the pain. They have the problems but the PBA has the solution.

Steve Kobrin, Fair Lawn Commons, stated that they were in tough economic times and Government must reduce spending; however, priorities must be established. There would be risks to the town if the Police Department was weakened. Insufficient patrol staffing is a concern. Fair Lawn needs an adequate Police force to remain vigilant. Some may suggest transferring officers to Patrol from Community Policing and other non-patrol departments. However, Community Policy gives the Borough a tremendous return on its dollar. Programs that encourage crime prevention and intervention reduce crime in the long run.

After graduating from the Citizens Police Academy and C.E.R.T. he formed a block watch with his wife. Block watches in every neighborhood would help reduce crime, but educational programs such as the Citizens Police Academy need to be maintained and Police personnel need to be available for advice and counseling. He is involved with the Interfaith Council for Safety and Security which relies on assistance from the Police Department and Emergency Management in overseeing the security of 40 Houses of Worship. The Police force needs to be kept strong and viable to help our residents. If the Council cripples that ability they have gone too far in their budget cuts.

Mayor Tedeschi stated there were 57 Police officers on staff in 2000 through 2005. The number increased to 59 in May, 2005, 62 in January, 2007, 63 in July, 2007 and 64 in November, 2007. The force was increased because the Council wanted security and had the funds to pay for the officers. There may be disagreement as to what was the most important service. The PBA was asked to give up 1.95% of their salary through furloughs, while other Borough employees were giving up 5% of their salary. The Acting Manager's cover letter for the budget did not mention the Police Department because there was no desire to touch them. The problem is money; furloughs are the answer that stops the layoffs.

Mr. Kobrin stated there was a difference between a Police Officer not working and another employee who does not protect the residents. Furloughs are not a solution because the Police are needed in the streets. Mayor Tedeschi stated that if the four Police officers are rified they will lose 8,320 hours of manpower. If each Police officer volunteered five days they will only lose 2,400 hours out of an annual total of 124,000 hours.

Tony Castillo, 24-01 Rosalie Street stated that he knew the Council's decision was made after considerable study and due diligence, but he was concerned that the quality of life in town would be negatively impacted if reductions were made to the Police force and Community Policing programs. In 2008, a series of burglaries prompted the neighbors near Hartley Place to form a Block Watch. Officer Callons and Sgt. Bastinck helped them by providing information and guidance and Block Watch signs are now installed. He appreciated the time and efforts the Police officers dedicated to these programs. He felt all residents

could benefit from the training and information he received from the Citizens Police Academy. He encouraged all parties to let cooler heads prevail and come to an agreement that would not sacrifice the Police force or the excellent Community Policing programs.

Mayor Tedeschi stated that at 7:25 p.m. he would be requesting a recess to call the scheduled Public Meeting to order at 7:30 p.m. He will then recess the Public Meeting and return to the Work Session.

Joshua Castillo, 24-01 Rosalie Street stated that he was a graduate of the D.A.R.E. program and Junior Police Academy, where he learned about the dangers of drugs and alcohol and how to resist peer pressure. He was concerned that his younger brother would not get an opportunity to experience these programs and learn the important things that he did. He asked the Council to come to an agreement that would allow Fair Lawn to continue to be an excellent place to live for both children and adults.

Richard Schenone, a teacher at Thomas Jefferson Middle School, stated that Fair Lawn is fortunate to have caring Police officers, who provide terrific community programs such as D.A.R.E. The officers are a positive role model for the students and enhance the students' self-esteem by arming them with knowledge. He asked the Council to continue supporting the Police Department's efforts to reduce crime through early education and community programs.

Erik Rose, Chief of Police, stated that he understood this was a difficult time due to the budget cuts; however, difficult decisions required accurate information. A study in 2003 compared Police staffing in Fair Lawn with other Bergen County towns. They discovered the average Bergen County town had a ratio of 2.8 officers per 1,000 residents. At that level of staffing Fair Lawn would have had 89 Police officers instead of 58.

Workloads and staffing are affected by several things. Fair Lawn is surrounded by two of the busiest towns, Paramus and Paterson and two State Highways (Route 4 and Route 208) run through it. Fair Lawn is also surrounded by Route 17, the Garden State Parkway and Route 20, which makes the town a cut through to many towns. Increased staffing has allowed them to focus on crosswalk enforcement, speeders and teens hanging out by schools, and to add a School Resource Officer (SRO) at the High School.

The patrol staffing is the same now as when he joined the Department 28 years ago: a Lieutenant, two sergeants and ten patrolmen. They cannot continue to provide the level of service residents expect with the same staffing as almost 30 years ago. His officers work very hard at a dangerous job. Injuries affect

staffing. When someone is out for a long time, he is able to relocate someone from Community Policing Traffic Unit to provide help the patrol officers.

In 2008, the Police Department had 64 Officers. One officer retired in 2009 and another left this year for the County Police; they have not been replaced. When two Officers retire at the end of the year the Department will be left with 60 officers. They will continue the programs that the Council wants them do, but if they go below 60 officers that will be a problem. The D.A.R.E. schedule was changed by the schools and can no longer be staffed out of the Patrol Division. He would need officers that can devote part of the day, five days a week to the program.

A newly hired Police Officer attends the Police Academy for six months, completes four months of field training and is monitored, for a total cost for that year of \$50,000. They will be throwing away \$200,000 of taxpayer money if the four officers are let go. Additional training costs will be incurred if they need to replace other officers who have indicated they may leave next year. They have experienced a 6% reduction in uniform staffing and 20% of their clerical staffing. If the RIFs come through they will have lost 12% of their Department. Eventually they will have to replace these officers and at a cost to the taxpayers another \$200,000.

He concluded by asking the Council to reconsider and find the money to keep these four fine Police officers.

Mayor Tedeschi stated that the Borough was in a catastrophe. Next year will be worse. They used \$5 million in surplus this year and anticipate only having \$3 million next year. The Council does not want to cut the Police. Paramus was meeting tonight to discuss the layoffs of 13 Police officers; Fair Lawn is not in this alone. The taxpayers cannot give what they do not have. They know the Police officers work hard and are dedicated, but they need to be able to pay for them and satisfy the mandates from the States. There may be a 2.5% cap next year. They do not want to lose the \$200,000 investment that they paid, which is why voluntary furloughs make sense. It is fair to the employees and taxpayers.

Chief Rose stated that even with reductions Paramus would have more officers than Fair Lawn has now. He was concerned for the residents. Mayor Tedeschi stated that he was concerned about the residents, too, and their ability to pay their taxes. Chief Rose stated his concern was their safety.

Councilmember Trawinski stated that Chief Rose was not a member of the PBA or SOA. He wondered if he would be willing to take furlough days since other Department Heads were likely to take furlough days. Chief Rose stated that he attended a Council Meeting to discuss adjustments in his salary and has already

informed the Acting Borough Manager that he will be taking voluntary furlough days as a Department Head.

Upon motion by Deputy Mayor Weinstein and a second by Councilmember Trawinski, the meeting was recessed at 7: 30 p.m.

Upon motion by Councilmember Baratta and a second by Councilmember Trawinski the Work Session was reconvened at 7:55 p.m.

Howard Mark, 12-23 Ferry Heights wondered if the Council had considered making cuts to the Community Center. Acting Manager Kwasniewski stated that the 20% reduction in part time hours applied to the Community Center staff. Mr. Marks asked if the operating expenses for the Community Center were over \$200,000. Mayor Tedeschi stated he did not know without reviewing the figures.

Mr. Marks inquired if a fence was installed around Memorial Pool. Acting Manager Kwasniewski stated that the Borough received a grant for the fencing.

Michael O'Brien, Fair Lawn Police Officer, stated that he was an advisor for D.A.R.E. and the Law Enforcement Explorer Program. He was concerned about the proposed layoff of four officers and the lack of any plans to replace retiring officers. These measures will hamper their ability to deliver Community based programs the residents expect from the Police Department such as D.A.R.E., the Junior Police Academy, Citizens' Police Academy and Bike Rodeo. Their first priority will be to patrol and respond to the security of the residents. Three officers from Traffic and Community Policing have already been sent back to Patrol because of staffing concerns. The few remaining officers will have to be removed to staff patrol cars once the layoffs take effect.

He served as Field Training Officer and mentor to the four officers facing layoff. Each officer exemplified the very traits expected from the Police Department. He has seen them respond compassionately to residents who have experienced a personal tragedy or a burglary. They carry out their duties with honor, integrity and pride. These men are the residents' protectors and deserve the Council's unbridled support.

He concluded by reading a poem "I am an Officer".

Mayor Tedeschi stated that he did not want to see the officers leave. If the PBA and SOA would give up 2,400 hours they could save their fellow officers' job and keep the Borough under the tax levy. This must be balanced with the senior citizens ability to pay taxes and residents who are struggling to pay mortgages. Unemployment in Fair Lawn is 8.9% as of last fall and house values are down \$100,000 from 2006. Residents are suffering. Everything had to be done in one year; there was no time to make systemic changes.

Tim Franco, Fair Lawn Police Officer stated that the Borough has discussed buying Daly Field, although he has not seen anyone use the field for 25 years. The Borough has spent over \$100,000 in legal fees defending this property. He suggested the Council apply the \$1 million or more they would spend on purchasing the field towards the budget deficit. Daly Field was privately sold to a developer whose development could bring ratable, yet the Council was going to buy something that no one ever uses.

Mayor Tedeschi stated that they do not have money budgeted for Daly Field. The legal fees were against a builder who wants to build 200 housing units. They want to keep some area for open space and provide a section of senior housing. If they had to buy the property today for cash they would not have the money to do so. Traffic Safety Officer Franco stated that the avenue was in place to buy; they are applying for grants. Mayor Tedeschi stated the purchase would be made with Open Space and Green Acres funding. Councilmember Trawinski stated those funds cannot be used for operating expenses. Traffic Safety Officer Franco stated that half of the field could have been developed. Fair Lawn Commons has proven that there was no overburden on municipal or school services. Mayor Tedeschi stated that the owner of Daly Field restricts usage of the property.

Derek Bastinck, Fair Lawn Police officer, thanked everyone for coming out to show their support. Fair Lawn Police officers are among the lowest paid in Bergen County. The only nearby Police Department that is paid less is Paterson. Despite the salary issues, he is proud to be a Fair Lawn Police Officer and work alongside some of the best officers in the State. He gets calls from agencies throughout New Jersey asking about their Junior Police Academy, Explorer Program and highly successful Citizens Police Academy, which is celebrating its tenth year. The D.A.R.E. and SRO programs reach out to over 2,000 students a year. They also receive inquiries about their Fire Arms, Range Instructors and Simunition Training that has been adopted as among the best in the State. They are lucky to have multi-tasking officers who assist and complete the projects that come up day to day.

Although the Council has been part of the Police Department's success and their ability to serve the Community, the proposed layoffs will turn back the clock 20 years and threaten the continuation of their successful programs. He asked the Council to settle the contract that has been unsettled since 2008, to stop the threat of layoffs and furlough days and give Borough employees the respect they deserve. The Police are giving medical give backs and higher co-pays because they understand the crisis.

These days of uncertainty are devastating to the morale of his fellow officers. He asked the Council to help them with their mission to keep Fair Lawn a special

place where people feel safe. Forcing furlough days on Police creates dangers to the residents and officers.

He concluded by asking that the Council not allow officers' safety to become an issue. He recalled the night he spent in the operating room with his fallen sister (Officer Collura) and her family and that is something no other office should have to relive.

Ian Manelis, Fair Lawn Police Officer and PBA Vice President, stated he and his fellow officers were honored to serve and protect the Fair Lawn community. He held up pictures of weapons that officers confiscated in Fair Lawn and pictures of drugs that were confiscated from a drug ring in a Fair Lawn school.

Police work is extremely dangerous. He recalled Officer Collura, who gave her life to protect the safety of this town. Fair Lawn is located next to Paterson, the 12th most dangerous city in the State. There is no time where they can get by with fewer officers on the roads. They have lost two officers through attrition and will be losing more to retirements. It will not be possible to provide the same level of protection and programs with a reduction in staff.

He stated that Mayor Tedeschi has spoken highly of the Police Department and has acknowledged the high level of skill used by the Police in past incidents. He stressed that the Police Department needs to retain the four officers to keep residents safe and prevent delays in response time.

He stated that most of the people in the room do not receive the free lifetime medical, dental, pharmacy and vision insurance that Mayor Tedeschi receives as an employee of the Fair Lawn Board of Education, nor do many enjoy a salary of over \$91,000. He noted that the Mayor was scheduled to receive a raise. He wondered where the Mayor's "bite of the bad sandwich" was.

Mayor Tedeschi stated that he was the only school administrator who asked that his raise be reduced and every year he gives back five vacation days. There were 33 people laid off at the Board of Education, including two people in his office. He goes to work and does whatever job has to be done. He does not have tenure or civil service rights. He did not see how what he did at the Board of Education affected things at the Borough.

David Boone, PBA President, acknowledged the 200 people who had to stand for the meeting because the Council refused to move this meeting to a larger venue. Although the meeting was being televised to another location, he just learned the feed was dropped.

This is not the same Fair Lawn that he has come to love and know; that Fair Lawn ceased on January 1, 2010. At a prior meeting he stated that he did not believe

Borough employees were being dealt with fairly. A Councilwoman expressed interest in talking to him about fairness so that she could understand what he meant, but that never happened.

Mayor Tedeschi's newsletter message talked about being fair to both the taxpayers and employees; however, he does not understand the Mayor's perspective of fair. The PBA and SOA attempted to settle their contract with this new administration, only to have the rug pulled out from under them each time they reached a deal. Two Councilmen told him the PBA was not negotiated with fairly and met with him, yet time after time deals were broken. The PBA continued to try to negotiate contracts that would be fair to both the Borough and Police officers, who work round the clock, but they were asked to give up more and more.

Borough employees are contributing 1.5% of their salaries towards their health care costs, which will generate savings of \$250,000 a year. They also agreed to raise their co-payments to save additional money. This offer has not yet been accepted. The very people leading the community have wasted money. The prescription provider could have been changed without employee permission on January 1, 2010 to save \$319,000, but that did not happen. The Borough lost \$500,000 when their garbage contractor went bankrupt because the Acting Manager did not make sure they were bonded, yet no one was punished for this loss. He wondered how much else slipped through the cracks. The Borough is saddled with a Community Center that is grossly underused and expensive to run. The five Police furlough days were worth \$130,000; surely the money could have been found elsewhere. It was not fair that the Borough employees bear the mistakes of others.

Borough employees, who are hardworking, dedicated and loyal, are being threatened with layoffs and furloughs. He believed there were other options but this administration chose this policy decision. Borough employees are people with families, homes and dreams. He accused the Council of trying to turn Borough employees against the Police Department by telling them that the Police were not willing to take furlough days. All of the employees have stood up and said "we will help" and that has never happened before in the past; they deserve to be treated better. He told the Council there were other options.

He is a veteran of the Gulf War. He felt it was disgraceful that three Iraqi veterans were going to be laid off, as they have sacrificed greatly. They do not deserve to be threatened, extorted or bullied. They will continue to do their job and exercise fairness, justice and mercy in all that they do. He suggested the Council ask themselves "what is the fair course of action to follow" and then follow their conscience.

Furloughs are made to sound easy. He was scheduled to work the night Officer Collura was killed, but had received a suspicious package at work several days earlier that made him ill so he was out sick. There was minimum manpower, and Officer Collura was filling in as a Supervisor even though she wasn't one. He stood at the hospital with Officer Collura and her family, and looked at her wounds. That is why he will not take a furlough day, because that will be the day that someone gets hurt. He should have been there that night and he will not go through that again.

Deputy Mayor Swain stated that she is the Councilwoman he referenced earlier. She had asked him after the meeting to tell her what he thought was fair. He said that he would, but she was still waiting. He never contacted her or sent her any correspondence.

Mayor Tedeschi stated that they all loved Officer Collura. He didn't work with her, but he loved her. She came to his house and was his advisor to the Police Department. If you asked her opinion, she gave you an honest answer. She was a good person. He remembered her being at his house one night crying because all she wanted was to be treated like everybody else. He showed a picture which caused Officer Collura to file a grievance. He wished she had been treated as well in life as she is now being treated in death.

Detective Boone stated that Mayor Tedeschi was being disrespectful to Officer Collura; he had no right to do that. Mayor Tedeschi stated that the picture was of the Fair Lawn Police Department, who had not included Officer Collura in the group shot.

Pam Coles, 13-34 George Street stated that there weren't enough words to thank the Police officers for keeping the residents safe. She recalled a personal incident where she was helped by Officer Collura, who told her that the Police Department was open "24/7". Keeping Fair Lawn safe should be their number one priority, regardless of the economic times. There has to be another way besides furloughs. She hoped they never get over Officer Collura's death as a lesson so that it never happened again. She was upset to learn about the type of weapons on the street and the drugs in the schools. She asked that the Council not to rob the residents of their safety.

She was upset that some of the Borough employees were being laid off. The former Manager, Tom Metzler, did a great job and was fired. There has to be a meeting of the minds to reach some sort of solution.

Deputy Mayor Swain asked if it was certain that the Police Department would not consider furlough days. Acting Manager Kwasniewski stated that the PBA and SOA had time to change their mind about taking voluntary furloughs. A plan would have to be submitted to Civil Service for review and there was 45 days after that before the layoffs took effect.

Upon motion by Deputy Mayor Weinstein and a second by Deputy Mayor Swain it was the Council's consensus to layoff four Police officers, with Councilwoman Baratta dissenting.

Councilmember Trawinski stated he was troubled that there was no other alternative to the layoffs. He was optimistic that the PBA and SOA contracts could be settled and they could achieve a shared sacrifice from the Police that would reflect a degree of parity to the sacrifice the Borough employees have been asked to make. He could not look Borough employees in the eyes and tell them they will have 14 furlough days when the Police have said "no" to theirs. He believed the Police officers had an obligation to the residents and their fellow co-workers to contribute to that sacrifice. If catastrophes happen, the Police are just as responsible for it as everyone else. They have an opportunity to be part of the solution and have declined. He hoped cooler heads will prevail and the Police will come to the table. His decision was not made lightly; he understands it will affect Community Policing programs. However, voting for 14 furlough days will affect other Borough programs. Other Borough employees were present to plead for their jobs. The Police Department must share in this sacrifice. He believed that each Councilmember was acting out of his or her conscience as to what they believed to be best for the people of Fair Lawn. That is why he supported the layoffs.

Deputy Mayor Swain stated that she made her decision with a heavy heart. They have been searching for solutions for months to avoid layoffs, but the numbers speak for themselves. Detective Boone spoke about fairness, but life is not fair. Borough employees are facing 14 furlough days and the Police are looking at nothing. They are asking the Police to make a small contribution to the fairness. Many residents are facing foreclosure and others can't afford their taxes. Everyone has to give something. Layoffs are the last resort. Furloughs will allow employees to hold onto their jobs; that is fair.

Deputy Mayor Weinstein stated that it was the entire Council that not only supported adding two additional Police officers a year that Chief Rose referenced, but gave to the other emergency responders as well. They have been dealt an unfair situation and they are all the scapegoats. He understood the Governor's position, but believed his actions were moving too fast. This was an extremely emotional evening, but the whole budget has been emotional. He did not want to RIF a single employee. He believed in everyone working together. The five Police furlough days will help them get across the bridge. He supported this action, but it was an emotional experience for him.

Councilmember Baratta stated this was a difficult and emotional decision for her. She wrote down notes on what everyone said but could not forget the statement "this is morally wrong". She did not think they exhausted every

possible alternative and wanted to look at this again. There may be other cuts they ignored and she wanted to give the Police time to come to the table.

When the Council met with the Department Heads to discuss the difficult budget, she stated that she did not want to layoff a single employee. She is sticking to that. They are a civil service town; the last one in is the first one out. They are removing people with low salaries who need the job most. She agreed with everything her fellow Councilmembers said. Everyone in town is going through tough times, herself included. She cannot tell her youngest child at the bottom of the totem pole "you have to go - we can't afford you anymore". She cannot support the layoffs.

Mayor Tedeschi reiterated that no Councilmember favors layoffs or RIFs. He believed the solution lie with the PBA and SOA taking furlough days. He will gladly review the budget again, but any found savings should be put towards reducing the furlough days of the other Borough employees. To him, "fair" was all the employees sharing in this sacrifice, regardless of their station. The Senior Center will be closed for 13 Fridays, one mini-bus was eliminated, Walsh Pool was closed and the Library will have 18 furlough days. The Council has taken reductions, too. It seems that everyone is being fair but someone has left themselves out. The PBA president's rhetoric will not solve their money problems, nor will the writing on the tee shirts. The only real solution is to address the problem collectively as a group and dealing fairly with everyone who is a constituent. All he heard tonight was "no, no, no". The definition of "fair" means all of us, not some of us.

He referred to a newspaper article about Leonia Police officers who were making several concessions, including furloughs, to avoid layoffs and help their Borough offset \$265,000 in lost aid. The Leonia PBA President was quoted as saying "when your town is hurting.....you have no choice but to step up and help out". Leonia also had retirees who were not replaced. This is not a unique solution. He refused to be vilified because someone changed the definition of "fair".

Discussion of Elimination of Positions and Reduction of Hours in the Building Department

Acting Manager Kwasniewski stated that Building Department permits and fees have decreased due to the economy, while salary expenses have increased. She will discuss her recommendations in Closed Session.

One part time employee has requested that her position be discussed in open session. Acting Manager Kwasniewski felt this position could be eliminated without affecting services. It was difficult to discuss this reduction as it was part of an overall plan which will be discussed in Closed Session. Attorney Rosenberg

stated that since she has identified this position to the Council she could make her recommendations for their consideration. Acting Manager Kwasniewski stated that the employee submitted a statement to the Council in lieu of a public statement.

Councilmember Trawinski stated that he was not prepared to vote on this until he understood the whole plan. Mayor Tedeschi suggested they go into Closed Session to discuss the plan and then come back into the Work Session to take the appropriate action. Councilmember Trawinski suggested Acting Manager Kwasniewski ask the employee if her statement could be made a part of the minutes, since she chose not to speak. If not, he would defer to the employee.

Miscellaneous Public Comments

Craig Miller, 5 Ramapo Terrace stated that he did not think it was fair that the Council had proposed eliminating two positions but ending up retaining the Animal Control officer and eliminating the other employee.

Although once used in the past, Daly Field is not used since it was closed by the Radburn Association. He saw that legal fees for Daly Field were budgeted at \$275,000. Councilmember Trawinski clarified that amount was for all legal fees; Daly Field's portion was \$100,000. Mr. Miller felt that if the Police do not agree to reductions, the Council should propose closing Memorial Pool for the year. There will then be an outpouring of residents against that idea. There should be give and take on both sides. He never used the Animal Control Officer, but she came up with ways to increase fees and save her job. It is disheartening to see the Police, who he respects, show how they want and want without giving back. There should be givebacks on their end as well.

Michele Coles, 9-13 Campbell Road, a lifelong resident of Fair Lawn and Borough Employee, thanked Councilmember Baratta for her comments. She had longevity in her previous job and had hoped that she would have longevity at the Borough, also. She is a newly divorced single mother.

Attorney Rosenberg advised that Council that Ms. Coles had originally requested that the issue pertaining to her position be discussed in Closed Session. Ms. Coles had approached him and indicated that she was not advised properly that she had the right to address the Council during that Closed Session when the matter was discussed. He wanted Ms. Coles to know that when they got to the Closed Session items on the agenda, he was going to instruct the Council to add a reconsideration to allow Ms. Coles to address the Council in Closed Session. Mayor Tedeschi asked if that is what Ms. Coles would like to do.

Ms. Coles stated that she did not receive a Rice notice for this meeting, but for a prior meeting. Attorney Rosenberg stated that it was his understanding that Ms. Coles felt there was a misunderstanding about whether or not she could address the Council when they discussed this in Closed Session. He recommended that Ms. Coles be given the right to speak this evening. He asked the Council to add this to the Closed Session agenda under Personnel Exception. Ms. Coles does not want to address her position in Open Session and should not have to do that.

It was the consensus of Council that Ms. Coles is given the right to speak during the Closed Session meeting, with Councilmember Trawinski recusing himself.

Ms. Coles stated that employees do not know which end is up. Mayor Tedeschi stated that they were trying to fix that. Ms. Coles stated that she will speak to the Council during tonight's Closed Session meeting.

Nick Messina, 12 Wyckoff Terrace stated that he understood there was a water problem at Memorial Pool regarding leakage and refilling. He inquired as to the cost of the loss.

Mayor Tedeschi stated that Memorial Pool holds approximately 3 million gallons of water. There is no filtration system. Each day, one third of the contents of the pool are put into the river and fresh water is added. There are approximately 76 pool days during the season, so approximately 76 million gallons of water flows in and out of the pool on an annual seasonal basis. The cost of the water is blended, as they purchase water by the million gallons from United Water at a cost of \$2,300 or \$2,400 per million gallons and Passaic County at a cost of \$1,600 per million gallons. The Borough's cost to produce water is \$1,200 per million gallons. The average cost is \$1,600 per million gallons for a total expenditure of \$112,000.

Half of the water fees were paid by a portion of the pool membership fees. Mr. Messina stated that the other portion was paid by him. Mayor Tedeschi stated that was why they have been saying they want a filtration system for the past 15 years. Mr. Messina felt the rates should be increased to cover the water costs. There has been talk about being fair, yet they are losing 76 million gallons of water. He couldn't imagine that.

Councilmember Trawinski felt he lost his bid for reelection in 1999 because he wanted to bring the various pools plans - no changes to Memorial, installing a filtration system or making the pool a water park - to the residents for a vote and they were all ridiculed by his opponent. He was also personally attacked. Yet later on the same people talked about being environmentally conscious. Mayor Tedeschi did not mention the chlorine that is used to treat the pool that ends up in the Passaic River, the fact that the pool does not pay for itself or that

memberships have steadily declined, but that is the choice Fair Lawn residents made in 1999.

Mayor Tedeschi stated there was a Pool Committee in 1998 that came back with several recommendations. A referendum was proposed and supported by the Council. The referendum would have asked the residents if they wanted to build top of the line pool at a cost of \$6 million, a \$4 million middle plan or a generic \$2 million pool. He and Councilmember Trawinski left office and the referendum was cancelled. Deputy Mayor Swain, to her credit, has started the discussion all over again. Mr. Messina stated that they would not spend \$6 million for the pool but spent \$30 million for the Community Center. He asked the Council to listen to Detective Boone when he said that if "he misses a day, someone can get hurt". That is being fair to his co-worker and being right.

Lorraine Fleming, 26-09 Fair Lawn Avenue, incoming Vice President of Alliance for Substance Abuse Prevention stated that she purchased a home six years ago as a single mother and since then her taxes have increased \$2,000. She volunteers in the Health Department, which is extremely busy. She would be willing to come in and help Health Officer Wagner if the employees were given furlough days, but she can't come in and be a volunteer Police officer; she's not trained. She mentioned an incident where the Police have been very helpful with her son.

The Police are extremely busy. They have a heroin problem in Fair Lawn. They have a drug problem they are not prepared to handle. There are not enough hands in narcotics. The Police Department does not need to take a furlough; there are no volunteers to take their position.

Howard Mark, 12-23 Ferry Heights stated that Acting Manager Kwasniewski mentioned there would be 20% cuts in the Community Center. He stated that at 5:00 p.m. that night there were eight people there. He suggested they shut down part of the Center. Mayor Tedeschi stated that they have discussed reduced hours particularly in the summer months when attendance is lower. Councilmember Trawinski stated that some closures would be discussed as part of the long term plan.

Mr. Marks asked that Acting Manager Kwasniewski correct a pick up time he referenced in his letter to the Council on the mini bus. The correct pick up time was 3:18 p.m.

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

ADJOURNMENT:

Upon motion by Councilmember Trawinski and second by Councilmember Baratta, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

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

The undersigned have read and approve the foregoing minutes.

Mayor Joseph Tedeschi

Councilmember Jeanne Baratta

Deputy Mayor Lisa Swain

Councilmember Ed Trawinski

Deputy Mayor Steven Weinstein