

WORK SESSION OF MARCH 10, 2009

Mayor Weinstein called the meeting to order at 6:31 P.M.

PRESENT: Mayor Weinstein, Deputy Mayors Swain and Tedeschi, Councilmembers Baratta and Trawinski (late).

ALSO PRESENT: Acting Manager Kwasniewski; Assistant Municipal Clerk Bojanowski and Attorney Rosenberg.

Amendment to ordinance re Hours of Operation for Construction Activities on Board of Education Property

Mayor Weinstein stated that the Council voted on changing the ordinance to allow the Board of Education to work during the week until 8 P.M. and from 9 A.M. to 4 P.M. on Saturdays. He and Deputy Mayor Swain had voted against the ordinance because there was no time limit to the ordinance even though Councilmember Trawinski alluded to a sunset provision. He spoke with Joanne Wilson who said that they would come to the Council on a case by case basis and the Council or the Manager would determine, based on the job involved, whether longer hours were allowed. If the job was outside and caused noise the answer would probably be no. He thought that the ordinance specified that either the Council or the Manager could make the determination, however, the ordinance cites this decision falls to the noise control officer which has never been defined.

Acting Manager Kwasniewski stated that this must be Lydia Kramarchuk because she has been trained in using the meters. Mayor Weinstein said that this situation only involves working indoors. He thought that the Superintendent should be able to go directly to the Manager so that the ordinance is not open ended and. He asked that the ordinance be changed tonight. Attorney Rosenberg said that the difference in the new ordinance is that the decision rests with the Manager rather than the Mayor and Council.

Mayor Weinstein said he would agree with this in order to expedite the situation as opposed to waiting for a Council meeting. Attorney Rosenberg pointed out that this ordinance has an automatic expiration date of April 1, 2010. Acting Manager Kwasniewski said that Joanne Wilson doesn't feel that the Board of Education will be going out for referendums in the near future so this may become a moot point but this would allow them to do some of the smaller things that they are trying to do themselves in an effort to save money.

Deputy Mayor Tedeschi asked for a definition of "excessive noise" and Acting Manager Kwasniewski said that this is very subjective depending upon where you live. She added that additional hours may cause the job to be completed at a quicker pace. Deputy Mayor Swain noted that the noise could be a result of

truck traffic as well as loading and unloading, however, after further discussion Councilmembers agreed to the ordinance change which will be done tonight.

Budget Review

a. Tax Assessor

Deputy Mayor Tedeschi stated that aside from salaries there is only \$5,700 in the budget. CFO Eccleston stated that this amount covers tax appeals and expert witnesses. Acting Manager Kwasniewski stated that she would not recommend reducing this line item since people are being urged to file tax appeals. CFO Eccleston stated that as the housing market begins to improve there will be more comparables and people will want to have their assessments lowered.

b. Recreation

CFO Eccleston noted that the budget remains flat with no change from last year. Wages for seasonal employees were questioned and Superintendent Graff said that it is slightly higher than last year.

Councilmember Trawinski arrived at 6:45 p.m.

Mayor Weinstein questioned contractual services listed as \$13,000. Superintendent Graff said that this covers porta-johns at a cost of between \$8,000 and \$9,000.

CFO Eccleston said that at the end of last year supplies were taken from Buildings and Grounds to get through, therefore, the budget line for Departmental Supplies has been increased.

Deputy Mayor Tedeschi questioned the copying and CFO Eccleston said that he had recognized that the copying costs for Recreation were charged to the Manager's Department. This has been changed as of December 31st.

Deputy Mayor Swain asked about salaries and Superintendent Graff said that the first page contains salaries for people connected with grounds keeping and the second page lists everyone connected with the camp, pools, staff of community center, etc. They have revenue from the Art Council which is dedicated by rider in the current fund.

Deputy Mayor Swain said that the Council should consider fund raising in order to come close to breaking even at the Community Center. Acting Manager Kwasniewski stated that the purpose of the 501(c)3 is fund raising and they sell the banner space around the gym and have four events a year. CFO Eccleston commented that he hasn't seen any money from their fund raising, however, Superintendent Graff stated that they do a lot of in house maintenance and the

town is never billed. CFO Eccleston suggested that Superintendent Graff track just how much they have offset Borough expenses for next year's budget. Acting Manager Kwasniewski said that they are also looking at resident's suggestions for the building. CFO Eccleston stated that in 2007 some of the companies in town had used the gym at the Community Center for their corporate meetings, however, he noted that companies have not been doing this recently. Acting Manager Kwasniewski stated that the theatre is booked on Fridays and Saturdays. Deputy Mayor Swain said that they need to promote the Center during the week for meetings, etc., and she also said basketball leagues are always looking for places to play. Superintendent Graff said that the gym is booked during weeknights.

CFO Eccleston said that the Borough has to add a matching amount of \$56,000 for the Open Space grant for the fence. An additional \$16,000 is needed for the public address system at Vander Plaats.

CFO Eccleston asked about the skateboard park and Acting Manager Kwasniewski said that no money was included in this budget. She recommended applying for a grant through Open Space for next year. She has looked at the park in Tenafly and Superintendent Graff has been trying to determine the best location. Superintendent Graff said that Tenafly used a refurbished tennis court. There are two tennis courts at Warren Point Annex in Fair Lawn that could be used. Superintendent Graff spoke to officials in Tenafly who said that they received a \$70,000 Open Space grant for their park. They added more equipment and extensions at a cost of approximately \$50,000, as well as a beginner and advanced section.

Councilmember Baratta asked about the rotting wood flooring for the trailers at Memorial Pool. Assistant Superintendent Homa said that the quote for replacement is \$65,000 and it is a bad situation. Some work had been done on the bathrooms last year. Mayor Weinstein asked if repair work could be done on a piecemeal basis. Assistant Superintendent Homa said they could probably do band aid work this year, however, they need to make a decision because the trailers need to be replaced next year. The trailers contain plywood flooring and Superintendent Graff said that Kevin Twiggs has been replacing many of these floors. Gutters were added to prevent water from running down the sides of the buildings. Councilmember Trawinski said that last year FEMA was trying to get rid of a lot of trailers and he suggested looking into this. Superintendent Graff said he wasn't aware that these trailers were available and CFO Eccleston said that the problem of transporting the trailers arises. Assistant Superintendent Homa said that the units themselves are fine except for the flooring and sub-flooring.

Deputy Mayor Swain said that she wants to do something for Memorial Pool and even though the budget is tight the time may be right. There was a study done on the Graydon Pool in Ridgewood and a design concept was presented to the

Mayor and Council. Mayor Weinstein said that a study was done in Fair Lawn. Deputy Mayor Tedeschi said the study is probably outdated but the concepts that drove the study remain correct. In East Brunswick, there was a concept that if people are presented with quality they will join. The pool was paid off in two years rather than the six that had been anticipated because enrollment doubled. Deputy Mayor Swain stated that more people will be using Memorial Pool due to the economy. Referring to the floors, Acting Manager Kwasniewski said they should determine how many need to be replaced and fix the floor themselves.

Additional Budget Dates

Acting Manager Kwasniewski reported that the Library, Fire Department, Ambulance, OEM, Construction, Court and Tax Collector have not been discussed. Mayor Weinstein suggested that three additional meetings are needed one of which would be an overview or wrap up.

Deputy Mayor Tedeschi said that he would like the Council to ask the CFO to look at the proportionate increase of the Library budget in relation to the Borough budget. CFO Eccleston stated that the Library budget increases by an average of 6% to 7% a year. Councilmember Trawinski said he wanted to understand the employee relationships and benefits of part time workers, who gets part time and overtime, who gets benefits and who gets comp time because this impacts upon the budget requests. Acting Manager Kwasniewski said that she would obtain information on the proportional percentage of the Library increase vs. Borough increases; part time vs. full time employees; comp time for employees; salary increases and recent settlements. She recalled that the largest amount of salaries at the Library are for part time employees. Councilmember Trawinski said that if this is the case he would like to know how the part time employees are treated at the Library as opposed to other Borough employees.

Attorney Rosenberg pointed out that the League of Municipalities is sponsoring a bill in the legislature that would change the way libraries are funded. Deputy Mayor Swain said that Councilmembers are in receipt of a letter from the President of the Library Board regarding the passage of a resolution opposing the League of Municipalities bill to cut Library funding by one half.

CFO Eccleston said that sometimes the meetings of the Library Board do not run concurrently with Council meetings and they have to put in estimates for health coverage and pension benefits which can be problematic. Mayor Weinstein said that at the next meeting the Library should be prepared to answer these questions and comment on the pending legislation that is being contemplated by the League of Municipalities. He suggested beginning the meeting at 6:30 P.M. and including the Library first followed by the Fire Department, Ambulance Corp and Office of Emergency Management.

CFO Eccleston stated that the target date for adoption of the budget is May 12th. After some discussion, the Council decided to hold the next budget meeting on March 24th at 6:30 p.m., followed by a wrap up meeting on April 14th at 6:30 p.m. Deputy Mayor Tedeschi asked that a discussion on current lengths of contracts for collective bargaining agreements be included on the Closed Session agenda.

Councilmember Trawinski referred to the earlier discussion on the amendment to the ordinance regarding hours of operation for construction activities on Board of Education properties. Mayor Weinstein explained that the Council will have some control over the type of construction and allowing Manager approval will expedite the process. Councilmember Trawinski felt that more discussion was needed with the School Board; however, Mayor Weinstein stated that Joanne Wilson had indicated to him that before she goes out with contracts she would inform the Council or the Manager of the situation.

Councilmember Trawinski recalled that Ms. Wilson had indicated previously that when going out to bid she was concerned about having contractors work on weekends. Mayor Weinstein said that Ms. Wilson would contact the manager about a specific project before the bid and indicate that they need a specific amount of time for completion. The Manager would then approve the amount of time necessary before the bid. Councilmember Trawinski stated that if this is the case, the standards need to be revised because they deal with noise attenuation and efforts to minimize noise. Attorney Rosenberg stated that a contractor would have to demonstrate to the Manager just how they were going to meet these standards. He added that the contractor would have to include details in the specifications of how noise interference would be mitigated in the neighborhood. This would have to be a condition of compliance.

Acting Manager Kwasniewski said she spoke with Joanne Wilson the day after the Council had discussed the ordinance and Ms. Wilson said that she would tell the architect to include details on noise in the specifications. Later, she contacted Acting Manager Kwasniewski and said that architect would not be including this information in the specifications. Acting Manager Kwasniewski said that the next job is the boiler and the windows and these specifications contain no information about longer hours.

Deputy Mayor Swain suggested they go back to the prior ordinance which clearly allows work to be done Monday through Friday until 8 p.m. and no Saturdays. Mayor Weinstein stated that the Superintendent had suggested giving the Board of Education a waiver that would allow work to be done on Saturdays over the summer in order to complete the window replacement.

Councilmember Trawinski pointed out that the School Board is subject to the statewide noise standards regardless of the time of day. Mayor Weinstein again suggested that the ordinance should be in effect through August 31st, 2009 in order for the window and boiler replacement. Acting Manager Kwasniewski will

contact Joanne Wilson tomorrow and let her know. Deputy Mayor Swain said that she was not in agreement with this, however, other Councilmembers indicated their agreement.

Adjournment

Upon motion by Deputy Mayor Swain and second by Councilmember Baratta the meeting was adjourned at 7:26 P.M.

Respectfully submitted,

Joanne A. Kwasniewski, RMC/CMC/MMC

The undersigned have read and approved the foregoing minutes.

Steven Weinstein, Mayor

Deputy Mayor Tedeschi

Deputy Mayor Swain

Councilmember Jeanne Baratta

Councilmember Edward Trawinski