

## **BUDGET MEETING OF APRIL 14, 2009**

Mayor Weinstein called the meeting to order at 6:40 p.m.

In accordance with the Open Public Meetings Act, annual notice of this meeting was published in The Record issues of April 10, 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.

**PRESENT:** Mayor Weinstein, Deputy Mayor Swain, Deputy Mayor Tedeschi, Councilmember Baratta and Councilmember Trawinski (late).

**ALSO PRESENT:** Acting Manager Kwasniewski, Assistant Municipal Clerk Bojanowski, Attorney Rosenberg and CFO Eccleston.

### **BUDGET WRAP-UP:**

Mayor Weinstein stated they had a list from Acting Manager Kwasniewski of various items, most of which were capital items.

Police Department and Vehicles: The Manager recommended three; the Chief asked for seven. Deputy Mayor Tedeschi and Councilmember Baratta would support two vehicles. Acting Manager Kwasniewski stated she had included three in her budget. Deputy Mayor Swain asked Acting Manager Kwasniewski her feelings if the Council only supported two vehicles. Acting Manager Kwasniewski stated they would make do with what they are given; they know it is a tough budget year. Most of the cars are in good shape. Many of the cars are handed down to other departments. Deputy Mayor Swain wondered if there were any good deals this year. Acting Manager Kwasniewski advised her that the Borough has to use the State contract or go out to bid. CFO Eccleston stated that they went out to bid twice over the last twenty years. Acting Manager Kwasniewski stated they talked about doing it with a Central Bergen Co-op but the group could not agree on the same car.

Councilmember Trawinski arrived at 6:45 p.m.

Mayor Weinstein questioned the list of vehicles, noting that some of the Police cars have high mileage. He wondered if they should be auctioned off. Acting Manager Kwasniewski thought they would go to auction. Mayor Weinstein noted that many vehicles on the list had a life expectancy of 2009.

Deputy Mayor Swain felt they should get the three cars now so they would not have to worry about this next year. Deputy Mayor Tedeschi stated they would ask for more cars next year; he felt it would be better to say no this year.

Councilmember Trawinski stated that when the department staffing was 56 officers, then Manager Kendall, Deputy Mayor Tedeschi and he did this same analysis and came to the conclusion of four and three. Acting Manager Kwasniewski stated it that it started out at that, then went to five and six. She did not think it was forever; it was one of those things that kept carrying on.

Councilmember Trawinski felt they may have to go four or five. He felt the Manager's recommendation of three cars made sense.

Mayor Weinstein stated he would support the Manager's suggestion after seeing the mileage on the vehicles. Next year it would bring down the requested number.

Deputy Mayor Tedeschi stated the ratio of officers to cars has decreased over time. Every time they put a car on the road they have to outfit it with a laptop and technical equipment; they are looking at expenses that go beyond the cost of the car. The Borough of Paramus did not buy any cars this year. He felt this was the year they should cut back.

Deputy Mayor Swain inquired if the cars could be used without the laptop and technical equipment. Acting Manager Kwasniewski stated some of the vehicles do not have a laptop, but they are a higher functioning car with it. Deputy Mayor Tedeschi stated that the Borough has the same number of patrols, the same number of posts and the same number of Sergeants. Acting Manager Kwasniewski stated there are more people on patrol. Deputy Mayor Tedeschi stated there were more people in the traffic division. Councilmember Trawinski thought there were more people in the detective bureau. Deputy Mayor Swain felt they should downside the overall fleet but beef up the existing fleet so that the cars they use are fully equipped with the needed equipment.

Mayor Weinstein thought that the older cars with higher mileage should be auctioned. Acting Manager Kwasniewski stated that some cars are traded to another department because the cars are in better condition than their current cars. At some point the vehicles will need work, but they are taken care of by the Borough's mechanics.

There was a unanimous consensus to authorize the purchase of three vehicles for the Police Department.

Additional Rank: Mayor Weinstein stated the proposal was to replace the Lieutenant and then the Sergeant and then for additional staff. Councilmember Trawinski stated that in the budget right now is promoting a Sergeant and a Lieutenant, and an officer to Sergeant. Acting Manager Kwasniewski stated that was budgeted because they had a retirement. Councilmember Trawinski inquired if there was one open captain slot. Acting Manager Kwasniewski reminded them that captain was put there so she could get Erik Rose to a Captain and then promote him to Chief. The subsequent Councils said to just leave it there. Councilmember Trawinski asked if the department was asking us to fill it. Acting Manager Kwasniewski stated they were not. Councilmember Trawinski asked if she was recommending another Captain. Acting Manager Kwasniewski said no. Councilmember Trawinski stated that was a no brainer. Acting Manager Kwasniewski suggested instead of the one Lieutenant and three Sergeants,

just a Lieutenant, because the traffic division does not have supervision. This would be an additional Lieutenant. Councilmember Trawinski stated this budget contains the funding to authorize the promotion of two officers; a patrol officer to Sergeant and a Sergeant to Lieutenant. Now Acting Manager Kwasniewski was recommending to the Council, based on correspondence she received, the creation of some rank. Acting Manager Kwasniewski suggested adding one Lieutenant and leave the Sergeants where they are.

Mayor Weinstein stated he was concerned because where as this year, the addition of one Lieutenant would not be as costly, as he understands it would happen the second half of the year, but once they do that and put that Lieutenant in, his concern is next year's budget. Where are they going to be with that salary and the fringe benefits, etc? Especially with all the additional promotions; that will be extremely costly. Acting Manager Kwasniewski asked what additional promotions he meant. She was not recommending that. If they promoted two Lieutenants and four Sergeants, that would be a major impact on the budget.

CFO Eccleston stated all they did was put into the budget the promotions that retired. Two people retired so they put them in to be replaced, which means that people would have to be promoted to replace the ones retiring. Acting Manager Kwasniewski stated if you look at the two people that retired, even with making another Lieutenant they are still saving money. The Lieutenant that retired was probably the highest paid person in the Police Department and the starting salary for the Lieutenant is nowhere near the retiring officer's salary because of the longevity.

Deputy Mayor Tedeschi stated he would support replacing the retiring Lieutenant and the Sergeant that they were thinking about. He would not support any other promotions.

Councilmember Trawinski asked Acting Manager Kwasniewski what her thinking was for promoting the additional Lieutenant. Does that involve another creation of a slot in the table of organization or is it filling one that has remained unfilled? Acting Manager Kwasniewski stated they would have to add that one because that one was not there. Councilmember Trawinski stated if they were inclined to add that one would she, as the Manager, support eliminating that other captain's slot. Acting Manager Kwasniewski stated she would not have a problem with that. She thought they were going to do that years ago. Deputy Mayor Tedeschi stated they are not trading the captain's slot for the Lieutenant. Councilmember Trawinski stated no, he was not trading for it, but if they were going to do it, they would do an ordinance change and should clean it up. He wanted to know her thinking on filling the Lieutenant's spot and what her intention was on not creating the additional Sergeants. Acting Manager Kwasniewski stated that if you look at the new Traffic Division that is basically patrolmen, and there is one Sergeant that is doing what the Lieutenant would be doing. He is doing assignments and doing everything, including all the supervising things. The problem is in this day of desk audits, if he were to go for a desk audit, he is doing what the Lieutenant is supposed to be doing, but there is no Lieutenant. Councilmember Trawinski stated if he does go for a desk audit, they do not earn the position; all they have to do is change the duties or promote him. Acting Manager Kwasniewski questioned how they could

change the duties; someone has to do those duties. Councilmember Trawinski felt her view was that it would either bring in an interminable process of desk audits by whoever is doing the higher job or we should just kill it. Acting Manager Kwasniewski said they should kill it because she does not like desk audits and we always, well we don't lose on the Police.

Mayor Weinstein wondered as a Sergeant doing those responsibilities, right now it is working, correct. Acting Manager Kwasniewski said yes, it is working, but remember they are in contract negotiations. Councilmember Trawinski stated the desk audit would cost the Borough time and money. Deputy Mayor Tedeschi stated they just went through this for an officer claiming that he was working out of title. Mayor Weinstein asked what happened then. Acting Manager Kwasniewski stated we have a lawsuit pending.

Councilmember Trawinski stated under Civil Service rules and in those cases, the officer would not get the promotion. The best that officer can get is the elimination of the duties, unless the Borough decides to create an additional position. Acting Manager Kwasniewski stated they have spent a lot of money to fight that.

Deputy Mayor Swain stated the promotion would solve more than one problem. Acting Manager Kwasniewski stated it would avoid a problem and she thought it would provide better supervision for that division. She did not see the need for three more Sergeants at this point. Councilmember Trawinski asked how many Sergeants they had. Acting Manager Kwasniewski told him nine. Councilmember Trawinski stated if they create the additional one, it would be the tenth. Deputy Mayor Tedeschi asked where she wants to put the Lieutenant; was there a Sergeant there already. Acting Manager Kwasniewski said yes. Councilmember Trawinski asked if there was another Sergeant in that division. Acting Manager Kwasniewski said the rest are patrol officers. Deputy Mayor Tedeschi wondered if they would then be faced with, and he would bet donuts to dollars on it, that they will be here next year saying they now need a Sergeant in there because they have a Lieutenant. Acting Manager Kwasniewski stated they have one Sergeant. The plan was to give each platoon another Sergeant, which she did not think they needed. Next year they may ask for it. She felt it made sense since they made this Community Policing / Traffic Division that has done a good job; they are doing quality of life issues; they have heard from the residents time and time again that is what they are interested in. She thought the Lieutenant made sense but did not think three Sergeants were needed.

Deputy Mayor Tedeschi wondered if they would do a better job since a Lieutenant is there. Acting Manager Kwasniewski thought there would be better supervision.

Councilmember Baratta stated they are adding another Sergeant, is that what they said? Acting Manager Kwasniewski stated they would be promoting. Once the Lieutenant is promoted, you leave a vacant Sergeant and an officer would be promoted to that. Remember the Police Chief asked for three on top of that so he is actually asking for four Sergeants.

Mayor Weinstein stated there would not be a replacement of this traffic division, where we have a Sergeant. That same Sergeant now becomes a Lieutenant. Acting Manager Kwasniewski stated not necessarily; it depends on where they are on the list. Mayor Weinstein felt in that particular situation there is not going to be the step up that another person would be promoted to Sergeant. Acting Manager Kwasniewski said not on that one.

Deputy Mayor Tedeschi stated that Acting Manager Kwasniewski was saying they have a traffic division that is being well run by a Sergeant in charge, but they may now put a Lieutenant in who might not even be in that department to run it. Is that true? Acting Manager Kwasniewski stated it may very well be true, depending on who the next person is. They have to promote through civil service and if that Sergeant is not in the traffic division and is number one on the list for Lieutenant, off the top of her head, both people who are on the top of the list, they are both good.

Councilmember Trawinski stated for him it doesn't have anything to do with the candidates, but he would support having the traffic division overseen by a Lieutenant. He thought that made sense. He would also clearly state that he does not support that it necessarily means that next year they would create an additional Sergeant in that division. The reason he would support it, although this is a closer call than the police cars, is because he did think it avoids the potential of somebody seeking the desk audit and the issues that causes in terms of time wasted and aggregation and expense, even if it is Brian Giblin, who he likes a lot, he did not like to have to pay a lot with the taxpayers money. He would support that. He does not support the creation of three additional Sergeants for patrol. He agrees with the Manager that there has been no change in the way they patrol the Borough and the patrols function the way they have functioned for a long time. If they need the change, they need to make a better case to demonstrate why they need the change.

Deputy Mayor Tedeschi stated that the Sergeant who is in the traffic division, assuming a Lieutenant was put in there, what would happen to the Sergeant. Acting Manager Kwasniewski stated he would stay there. Deputy Mayor Tedeschi stated so then they have a Lieutenant and a Sergeant leading the traffic division. Acting Manager Kwasniewski stated it would be the same as they have in every other patrol. Deputy Mayor Tedeschi stated that does not make it right.

Mayor Weinstein stated that hypothetically the Sergeant in the Traffic Division becomes a Lieutenant. Possibly a Sergeant from a division would come over so that you would keep Lieutenant-Sergeant patrol. Acting Manager Kwasniewski stated she did not know what he would do. Deputy Mayor Tedeschi stated that in essence, they were going to take a Lieutenant, perhaps, and place him in the Traffic Division so they have a Lieutenant and a Sergeant. Have we then increased the size of the Traffic Division by one person? Mayor Weinstein said yes. Acting Manager Kwasniewski stated that was not the plan. Deputy Mayor Tedeschi asked who they were going to put in the place where the new Lieutenant was.

Acting Manager Kwasniewski reiterated that this was all up to the Chief. She had no say and neither did they, basically, on how they set up their patrols.

CFO Eccleston stated that if someone was a Sergeant and was promoted to Lieutenant and transferred into Traffic, the Sergeant stays there and there would be one extra person in Traffic and they would be short one Sergeant. Some patrolman would be promoted up to Sergeant to fill that spot. There wouldn't be a patrolman at the bottom. There is a grant coming in. If they get the grant through the State from the Stimulus package, that would take the patrolman. Councilmember Trawinski stated that the Chief also had the option of taking a patrolman out of Traffic and putting him back on patrol. CFO Eccleston stated he might put him back and not increase the Traffic Division in total. Acting Manager Kwasniewski stated that they have someone in the Academy for the summer class that they had already authorized, so that person might go into patrol and someone into Traffic. Traffic is a coveted assignment; they like traffic detail.

Deputy Mayor Swain wanted to know approximately, what the bottom line would be as to the numbers, not the financial picture. If they accept the plan with just the replacement of the two people and nobody else, then the budget stays the same because that was what was in the budget. CFO Eccleston stated that was correct. Deputy Mayor Swain stated that if they now add in the promotion to the additional Lieutenant position – well somebody from somewhere not into this Lieutenant position – how much is that going to cost? Acting Manager Kwasniewski stated she had done a sheet. Mayor Weinstein stated it wasn't going to cost a lot this year. CFO Eccleston stated that to promote one Sergeant to Lieutenant was \$3,447. Deputy Mayor Swain asked in what time frame. CFO Eccleston stated that was per year, for three years - almost \$3,500 for three years. Deputy Mayor Swain stated that did not include the benefits. CFO Eccleston stated they were already in there. Acting Manager Kwasniewski stated that since they were almost at half of the year, this year the costs would be \$1,500 - \$1,700, as the Mayor pointed out. They would probably do it for June.

Mayor Weinstein understood what the Chief was saying, but he would feel more comfortable, as it wasn't in the budget, if they waited until next year. They will know for sure if we get the COPS grant situation, and have that money in hand, versus sitting here hopeful that they can get it. In speaking with Captain Cook, who is working on this grant, it is not a sure thing that they are getting that money. Acting Manager Kwasniewski stated that they submitted the application. CFO Eccleston stated that they will also know the individual going over there, which may impact this also. Councilmember Trawinski stated that he appreciated that, but he did not think that was their place knowing who the individual was. He wanted to clarify that for CFO Eccleston. Deputy Mayor Tedeschi thought they talked about the person coming in on the grant being a resource officer. Mayor Weinstein stated that someone else would come in and someone else would be the resource officer. Acting Manager Kwasniewski stated that was right, someone else would be the school resource officer; it would never be a brand new officer. Deputy Mayor Tedeschi stated that was how they were going to get that position. Mayor Weinstein and Acting Manager Kwasniewski stated that was the goal.

Councilmember Baratta stated that she was fine with the Manager's recommendation.

Deputy Mayor Swain thought she wanted to wait. She wanted to go ahead with the replacement that's in the budget, but she wanted to hold off on any other promotions. Councilmember Trawinski stated that he would go with the Manager's recommendation. Deputy Mayor Tedeschi stated that he would go with Deputy Mayor Swain. Mayor Weinstein stated that he would agree to hold off until next year.

Laptops and Video System: Mayor Weinstein stated they will be receiving laptops through the grant. Acting Manager Kwasniewski stated that the grant was for \$20,000 instead of \$23,000 as they were told. The Police Chief had requested the same amount of \$125,000, which is in the capital budget for the video equipment. He will use a portion to buy the remaining laptops and then finish purchasing the video equipment in 2010. She will shift the necessary funds.

It was the consensus of Council that the Police Department be authorized to use available funds to purchase the laptops not covered under the grant.

Engineering Count-offs: Mayor Weinstein stated that the Council agreed to the count-offs on Fair Lawn Avenue and Plaza Road. Acting Manager Kwasniewski stated they were being priced out. Engineer Garrison informed her that he could take it out of an ordinance when he was doing the road resurfacing. She thought the count-offs should be purchased by the County, but they will never get them unless the Borough pays.

Parks and Recreation – Floor in the Trailers: Acting Manager Kwasniewski stated that all the floors were inspected; the total cost to replace them would be \$65,000. The floor in the men's room must be replaced due to safety issues; the repairs will be done in house at a cost of \$7,000. CFO Eccleston stated there is a Pool Improvement fund to cover immediate repairs. Acting Manager Kwasniewski stated the repairs need to be done before the pool opens. She suggested putting funds in this year's capital budget so that bids could be obtained as soon as the pool closes. She did not think they should wait until 2010. Superintendent Graff advised her that many of the repairs could be handled by the Parks Department employees, although they would still need to purchase the materials. He had requested \$65,000, but they were already allocating the \$7,000 for the repair of the men's room. She suggested they budget \$55,000.

Councilmember Trawinski stated that the Parks & Recreation Department had requested \$63,435. The men's room repair would cost \$7,729. Acting Manager Kwasniewski stated that the backup sheet indicated an amount just under \$64,000; that figured was rounded up to \$65,000.

It was the consensus of Council that \$55,000 be added to this year's Parks and Recreation budget for the repair of the trailer floors.

Fireworks: Mayor Weinstein felt they should have the fireworks this year even though there would be a \$19,000 loss. He thought they should fundraise to make up the difference. Councilmember Trawinski thought they should have the fireworks. Deputy Mayor Tedeschi stated that he supported the fireworks, but he also remembered a time when they broke even. They may be willing to fund \$20,000 this year but what will

happen next year when the amount increases to \$30,000; they will need to take another look. Councilmember Trawinski noted that revenues will be down.

It was the consensus of Council that they have the fireworks this year.

**Administration Replacement Computers:** Acting Manager Kwasniewski stated that there wasn't enough funding in the ordinance to finish their project. Two computers crashed. She requested \$4,000 to purchase a computer for Cable TV, as that computer has crashed twice, as well as some replacement hard drives. She will relocate the computers that are in okay condition to the Shade Tree Division and other departments that don't rely heavily on computers. All offices inside the building are connected to the network. There are new firewalls and anti-spam software.

It was the consensus of Council that \$4,000 is allocated to replace the computer for Cable TV and miscellaneous hard drives.

**Fees for the Master:** Acting Manager Kwasniewski stated that Special Counsel Lustgarten had estimated the fees at \$35,000. There was enough money in the Mayor and Council's line item, but she wanted them to be aware of the cost. The first purchase order was cut for 5,000; they received an invoice for \$3,200. Councilmember Trawinski inquired if he could view the invoice. Acting Manager Kwasniewski stated that could be arranged.

**Property Maintenance:** Mayor Weinstein stated that \$1,500 was requested for educational and promotional materials. Acting Manager Kwasniewski stated there was a line item in the Manager's budget for various committees. She did not feel the request was warranted. She will inform the Committee that they can come to her with requests. They were informed that cash prizes were not allowed. The Committee inquired about doing fundraising. Mayor Weinstein stated they give out commendation awards for businesses; they wanted to expand that. Deputy Mayor Swain stated there are less expensive ways to thank people, such as a certificate from the Borough.

Councilmember Baratta stated the Property Maintenance Committee was aware that other committees received financial help. Acting Manager Kwasniewski noted that the Committee was misinformed, as they thought they should have secretarial staff. Councilmember Baratta stated that the Committee had requested a tape recorder to record their meetings. Acting Manager Kwasniewski stated they could borrow the Borough tape recorder, although she wondered if they would then ask for someone to transcribe the minutes. Councilmember Baratta stated that the members did the minutes on a rotating basis. Having a recorder would allow members to participate in a meeting without having to take notes. She confirmed that the Committee could see Acting Manager Kwasniewski if they had administrative costs.

It was the consensus of Council that the budget request of \$1,500 for the Property Maintenance Committee be denied, but requests for administrative costs would be processed by Acting Manager Kwasniewski.

Request from Superintendent Conte: Mayor Weinstein asked to discuss a previously discussed request from DPW Superintendent Conte that was not on the agenda. CFO Eccleston explained that Superintendent Conte had requested \$25,000 for an oil tank/heating unit in the Parks Department. Water had seeped in and damaged the heating system; the tank was retaining water. The unit must be moved above ground. Acting Manager Kwasniewski stated this project could not be put off until next year.

It was the consensus of Council that the request for \$25,000 for an oil tank/heating system for the Parks Department be approved.

Car for Fire Department: Mayor Weinstein stated that he wanted to revisit this issue. Councilmember Trawinski stated that he would support the Fire Department's request for a car, as long as it was reflected in the minutes that they were not committing in the future to buy new cars. Acting Manager Kwasniewski clarified that he meant giving one of the old cars. Councilmember Trawinski stated that the used cars made sense. Deputy Mayor Tedeschi stated that he did not want anyone to think they were not supporting their volunteers. He inquired if two cars were involved, as there were two Battalion chiefs. CFO Eccleston stated they had only asked for one car.

Deputy Mayor Tedeschi inquired as to the yearly operating cost of the vehicle. Councilmember Trawinski stated that the vehicle list prepared by the Manager indicated the cost of operating Crown Victorias ranged from \$500 to almost \$5,000. Mayor Weinstein felt that a good argument was made about using a Borough car for safety. Acting Manager Kwasniewski stated that Paramus had Battalion Chiefs who did not have cars. Deputy Mayor Tedeschi asked Acting Manager Kwasniewski for her recommendation. Acting Manager Kwasniewski stated that she did not support the Battalion Chief having a car, but she would be agreeable to giving them one of the older vehicles. She warned the Council that next year there will be a request for a second old vehicle and a new vehicle for the Chief. This will continue until all four of the officers have vehicles.

Deputy Mayor Tedeschi stated that he would support this, but warned them that in five years this will be a budget item.

It was the consensus of Council that an older vehicle be given to the Fire Department for use by the Battalion Chief.

#### **PUBLIC COMMENTS:**

Harvey Rubenstein, 28 Rutgers Terrace inquired about the police grant. CFO Eccleston explained that it was a three year grant which covered the cost of the officer, including uniforms and pension costs. If they receive the grant they will be notified as to the amount. If the funding does not fully cover their costs they will need to pick up some of the expenses. They received this grant in the 1980's and it covered almost all of the costs. It will cover the cost of salaries but not overtime. Mr. Rubenstein wondered what happened after three years. CFO Eccleston stated they would need to decide whether to keep the officer or let him go. Someone could be retiring and the situation would work out. Acting Manager Kwasniewski stated that sometimes the Board of Education

pays for half of the Resource Officer's salary, as it the case with the current Resource Officer. Mayor Weinstein stated the Board of Education was looking to place a Resource Officer in the Middle Schools next year.

Councilmember Trawinski asked when the budget would be introduced. CFO Eccleston stated that it would be introduced on the 28<sup>th</sup>. Councilmember Trawinski stated that he will not be here. He asked that the record reflected with the changes that he would have voted for the budget, but that he won't be here for introduction. Deputy Mayor Swain was not sure if she would be able to attend on the 28th. CFO Eccleston stated that three Councilmembers needed to be present. The public hearing will be the Tuesday after Memorial Day. Acting Manager Kwasniewski stated the SIDS' budgets will also be presented.

CFO Eccleston stated that they presently have deferred comp with AIG. He will prepare a resolution offering an alternative company for those employees who are not comfortable about remaining with AIG. There is no cost to the Borough.

**ADJOURNMENT TO REGULAR MEETING:**

Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain the meeting was adjourned to the regular meeting at 7:31 p.m.

Respectfully submitted,

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Marilyn B. Bojanowski, RMC  
Assistant Municipal Clerk

The undersigned have read and approved the foregoing minutes.

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Mayor Steven Weinstein

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Councilmember Jeanne Baratta

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Deputy Mayor Lisa Swain

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Deputy Mayor Joseph Tedeschi

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Councilmember Ed Trawinski

