

## WORK SESSION OF MAY 15, 2001

Mayor Ganz called the meeting to order at 7:35 p.m. Municipal Clerk Kwasniewski read the statement of compliance with the Open Public Meetings Act.

PRESENT: Mayor Ganz, Deputy Mayor Adler, Councilmembers Amato, Dobrow and Deputy Mayor Etler.

Also present: Manager Sacks, Municipal Clerk Kwasniewski and Attorney Lustgarten.

Mayor Ganz explained that they were holding the work session in the Council Chambers so they could do a test for taping next week's meeting.

Review of Tentative Agenda - Municipal Clerk Kwasniewski advised that she would like to add resolutions to award the bid for the Kasi Model IR-480 Trailer Mounted Pavement Heater and to reject the bid for the Electric Lift Truck.

Ambulance Corps. - Need for New Ambulance - Gail Cebular, President of the Ambulance Corps and Matt Ahearn, Esq. were present to discuss adding an ambulance to this year's capital budget. Ms. Cebular stated that they thought they could wait another year to purchase an ambulance but it is not going to be possible. They have incurred extensive repairs to the existing ambulance including replacing the air-conditioning system for the patient compartment. The ambulance is sixteen years old. The console that houses the radio and siren system has had extensive repairs and must be replaced. Modifications to the cab and patient compartment are needed. The cost of the repairs is \$15,000. They are asking the Council to approve the new vehicle at an estimated cost of \$115,000. They will still have to replace the air conditioner.

Mayor Ganz stated that in the last capital budget the Ambulance Corps. agreed to assign \$2500 a month from the revenue from the cell tower to defray the cost of the ambulance. He asked if they were willing to assign additional revenue if it becomes available to the Borough for another ambulance. Ms. Cebular pointed out that they do not have additional revenue. They do not want to commit any additional funds from the cell tower revenue because they have to expand their building. She could not commit to that without going to the membership. Mayor Ganz advised that the ordinance is being amended to allow additional carriers and repeaters on the tower that may give them more revenue. He was looking for some type of commitment that the Ambulance Corps. would give the Borough additional revenue if it existed on the same terms as for the first ambulance. He would be willing to commit to a new ambulance but if revenue exists he wants it to be used toward the purchase price.

President Cebular reiterated that they were in desperate need of a replacement vehicle. They can be fined up to \$2000 day for running an ambulance without air conditioning. They cannot put the ambulance in service if the air conditioner is not working.

Attorney Lustgarten stated that he and Matt Ahearn are in the process of completing the agreement for the purchase of the first ambulance. Mr. Ahearn noted that everyone knew there would be another ambulance in some future budget and that there has to be negotiations on how it has to be paid for. The real question is can the bidding process begin earlier so they can get the ambulance.

Deputy Mayor Etler asked if this were the first time the Borough was buying an ambulance. Mayor Ganz explained that they first time was the last one. Mr. Ahearn added that the Borough bought the ambulance but the Ambulance Corps. is going to pay them back.

Deputy Mayor Etler was not in favor of purchasing a new ambulance. He would prefer that they make the repairs. He will not agree to bond a new ambulance. Deputy Mayor Adler and Councilmembers Amato and Dobrow favored purchasing the new ambulance. Mayor Ganz stated that he has no objection to purchasing the ambulance this year but he wants a commitment from the Ambulance Corps. that they will give up to \$2500 a month to the Borough to defray the cost with the clear understanding that if the revenue is not sufficient, the Borough will absorb the difference. He asked the Ambulance Corps. to come back to the Council.

President Cebular advised that on March 10, they took possession of the new ambulance. They have made two payments toward the cost though the agreement between the Ambulance Corps. and the Borough has not yet been signed.

Two Hour Parking Restriction on Burbank, Orchard etc. near the High School - Deputy Mayor Adler advised that at the last liaison committee meeting with the Board of Education they discussed the problem of parking. Students have been ticketed for illegally parking on the streets around the High School. The school's parking lot is full. She thought the Council might be able to help solve the problem. The students suggested the parking restrictions be changed. She suggested that the students be told about the streets that are not restricted. The Council has been given information about the areas that could be made into parking lots.

Mayor Ganz was concerned that the High School has said that it would cost a \$1 million to create a parking lot on the land the Board of Education owns. The Borough Engineer has indicated the availability of spaces in the acreage owned by the Board of Education and that it would cost \$64,000 to create 40 spaces, \$96,000 for 60 spaces and \$240,000 for 150 spaces. A resident on 12th Street has complained that he cannot get near his house because of the student parking. The Council has received a petition requesting that the Saturday restrictions be lifted. Apparently every quarter is dissatisfied which will make it more difficult to reach a solution. He pointed out that it is already May 15 so the problem is not going to be resolved by the end of the school. He thought a committee should be established to work with the Board of Education to identify the spaces available and to see if a parking lot can be created on their property.

Deputy Mayor Adler asked for the cooperation of the students to park in the legal spaces and not to block driveways. Deputy Mayor Etlar wanted to be sure that a balance between the students and the homeowners on those streets was maintained. He thought that when the students start parking on the streets not restricted, the residents will be asking for restrictions. He noted that if they removed the no parking signs around Sasso Field 105 spaces would be created. Mayor Ganz wondered why the parking is restricted by Sasso Field. Attorney Lustgarten thought parking was not allowed because of the width of the street. Deputy Mayor Etlar pointed out that if they lifted the two-hour restriction on the other side of the street, the cars could park on one side. Manager Sacks felt the long term solution was to create a parking lot but that would require a capital outlay of up to \$240,000 and cannot be done in time for September. She will mail a list of legal parking area to the High School tomorrow so the students can start parking in them. Mayor Ganz asked that she hand deliver that list to Ms. Pannella. Manager Sacks advised that alternate side of the street parking would give people some relief and could be implemented from 7:00 a.m. to 3:00 p.m. from September to June. The curb could be moved back along the Burbank Street side to allow angle parking which would create 50 more spaces. It is a project that can be done quickly.

Mayor Ganz wondered if it were possible to allow parking by Sasso Field for permit holders only. Attorney Lustgarten did not recommend permit parking because it raises a series of constitutional issues. Alternate side parking may help the students but the residents may not like it when they cannot park in front of their houses. Deputy Mayor Etlar added that people who live in the area by the school put their cars on the street to prevent the students from parking there and after school begins they move them back to their driveways. They have specific complaints and grievances. Mayor Ganz agreed that they have valid grievances but changing to alternate side parking may help the residents. He felt Sasso Field was a very good possibility for a short term solution. He repeated that a committee with students, residents, the High School Administration, the Board of Education and a liaison from the Council should be created to find a solution that works for all parties.

Public Comments on Items on the Agenda - Fran Davis, 14-01 Morlot Avenue expressed surprise at the conditions for broadcasting the Council meetings reported in The Shopper and asked if the article were accurate. Mayor Ganz advised that it was not. Ms. Davis wondered who was going to watch just the sign language interpreter without being able to see the Council, the audience or the interaction between the speakers. Mayor Ganz explained that most likely the sign language interpreter will stand at the podium and the camera will show the interpreter and the Council.

She disagreed with cutting off the broadcasts during the election season. She thought interest would be heightened then. Mayor Ganz stated that when they proposed broadcasting many years ago bipartisan support existed for discontinuing taping the meetings during the political season. It is a policy decision of the Council which this Council or a new Council can change. Attorney Lustgarten explained the rationale for blacking out the election season.

Ms. Davis then asked why they will cut out certain sections of the tape since the audience will hear those statements. Attorney Lustgarten explained that the Borough could lose its franchise station if broadcasts contain obscenities. The Council felt that the ability to broadcast the government business should not be a license for people to make attacks on people's reputation or character. Mayor Ganz added that they will run any comments made about Councilmembers unedited.

Ed Trawinski, 3-33 Lyncrest Avenue read a letter from Kathleen Haytink praising Candace Vivino and her efforts for Creative Cable and discussing the broadcast of the Council meetings on Channel 66. She pointed out that all the candidates in 1999 favored broadcasting the meetings. She thought the only problem was the wiring of the Council Chambers which has been completed. She urged the Council to honor their pledges and broadcast the meetings live and unedited.

Mr. Trawinski noted that there was bipartisan support for the black out period. He still supports that position. He expressed concern about editing being done by three employees who are beholden to the Council in some ways. He thought editing would have a chilling effect on first amendment rights. He listened to the tape of the last work session which was accurately related in the Shopper. He concluded that if people really believe in the first amendment, they will defend the right of someone to say something obscene live and unedited.

Dan Whalen, 7-17 Manor Avenue, objected to the meetings not being run live. He believed it was contrary to the idea of open government. While he understood the reasoning for the black out season, as a candidate, he had no objection to the Council meetings being aired live and unedited for the entire year. He asked how the public will know what they have edited out and what

standards will be used to decide what is objectionable. He also asked if a member of the Council says something objectionable will that be edited. He felt that the public had the right to know everything said at the Council meetings. Mayor Ganz assured Mr. Whalen that they will edit no comments of the Council.

Mr. Whalen continued that he did not hear the comment made by the resident at the Council meeting at Memorial School. Under the Council's plan no one will even know who he is. He believes that a person has the right to say something stupid and that the Council can state then that the remarks are objectionable and that it does not reflect the views of the Borough or the Councilmembers.

Frank Emolo, 11-02 Burbank Street, author of the petition on two hour parking, wanted to make sure that the Council understands the resident's issue. He believed that their issue needs to be separated from the student parking issue. The residents would like the restriction removed so that they can use the spaces in front of their houses. They asked that the Saturday restriction be removed immediately. He also asked for some way to obtain a permit to allow them to park on the street when they are doing construction on their homes. He objected to the fact that no guidelines exist on how police officers will issue summonses.

Deputy Mayor Etler pointed out that if they remove the restrictions, students will be parking on the street all day. Mr. Emolo conceded that not all the residents want the restrictions removed because they think the students will park there and make a mess. He noted that many of his neighbors were not aware that the restrictions applied Saturday. Attorney Lustgarten thought Saturday was included because of the school activities. Manager Sacks agreed, noting that people parked on the street to attend the games. She felt they could remove the Saturday restriction.

The consensus was to remove the restrictions on Saturday.

The Council agreed to discuss the request for relief due to exigent circumstances at a special work session following the next Council meeting.

Mr. Emolo urged the Council to act quickly so the residents can use the parking spaces and not be subject to tickets issued capriciously. He wanted the Council to set the procedure for the police to use to issue tickets. Attorney Lustgarten advised that the Council does not have the authority to set the discretionary standards for the police. Manager Sacks can review the general approach with the Police Chief but it will not be a written policy. Mr. Emolo insisted that if they intend to enforce the ordinance they should have a methodology that is repeatable and the method used now is not.

Daniel Dunay, 30-02 Garrison Terrace, student representative to the Board of Education, reiterated the problems the students are having with parking. The parking lot has only 98 spaces for the students which is not enough. The students are not asking for a grandiose solution. They simply want to be able to park. They applaud the Council's efforts and look forward to working with the Council for a short term immediate solution and a long term solution. He looked forward to receiving the list of legal parking spaces.

Anna Khan, 20-02 Plaza Road, a volunteer for Creative Cable stated Candace Vivino has been an inspiration and tremendous help to her. She added that she attended the High School and parking was always a problem.

Attorney Lustgarten stated that the Municipal Clerk, the Manager and he had been designated as those who will review the tape. As those who have attended meetings know, he is a strong advocate of the public's right to know, the public's right to participate in government and the first amendment. He believed that editing will be the exception not the rule. He starts with the assumption that everything should be exposed unless there is a compelling reason not to. It will be a rare circumstance that anything will be edited. He reminded them that the first amendment is not absolute. Exceptions have been carved out over the years. Perhaps it will turn out that the three people designated are not the right ones because of their titles.

Manager Sacks echoed Attorney Lustgarten's comments.

Councilmember Amato wondered if there is a legal exposure if someone slanders another while they are broadcasting. Attorney Lustgarten replied that the Borough through the franchise agreement owns, operates and maintains Channel 66. While they cannot stop people from making slanderous comments, they can stop the rebroadcast of those remarks. He felt the Council has the responsibility to see that they are not rebroadcast.

Televising Council Meetings - Deputy Mayor Adler thought that too much was being made of the editing issue. She hoped that everyone understood that they would use honest methods to deal with the kind of comments made at the last meeting. This is not about holding meetings in secret or striking from the record anything that is critical. She concluded that until the last meeting, she had never heard anything that would have had to be edit. Even those comments reflect badly on the person who said them not the Council. This is an honest attempt to protect everyone who comes to the meetings to speak and those spoken about.

Mayor Ganz thought Mr. Trawinski raised a legitimate issue. The Council had selected three individuals who are removed from the Council, but he wondered if it were a good idea to turn it over to Creative Cable to comply with the FCC rules and take the Council and its employees out of the picture completely. Attorney Lustgarten thought it was a good idea although he would like Creative Cable to consult him.

The consensus was to have Creative Cable do the editing to comply with FCC rules, with Deputy Mayor Etlar dissenting.

Candace Vivino was present at the Council's request to discuss the status of televising the meetings including the problems and the reasons for the delay. Ms. Vivino stated that as she has explained in two previous memos the equipment is in place and operational. She is prepared to tape the meetings. If the Council is the producer and wants to put it on Channel 66, she is obligated to do it. She has made her objections as a television professional, but if that is what the Council wants she is happy to help them do it. Attorney Lustgarten asked if she can have a camera in the back showing the dias and the signer. Ms. Vivino explained that the signer will be small. The camera on the ground cannot get the Council on the dias too. They were asked to put the signer on camera and run the audio and they are ready. Attorney Lustgarten stated that the Council now wants to show the entire Council so it will go out picturally with the audio. He asked if she can do that with the signer. Ms. Vivino did not think they were technically prepared to do that although she would have to check with her technicians. Manager Sacks stated that at the beginning of the meeting she focused on the signer and could get the Council in the background. Deputy Mayor Adler was confused. She thought the original goal was to have the same coverage as the debates. She thought the stumbling block was that Creative Cable was not in favor of having an audio tape and the visual of the signer only. Now that they want to present the whole Council, she did not understand why that cannot be done. Ms. Vivino pointed out that Creative Cable is not going to do the taping. Creative Cable has been informed by some attorneys that if they do the editing, Creative Cable will be liable. She is a Borough employee so she will volunteer her time to do this for the Council.

Deputy Mayor Etlar wondered who owns the channel. Ms. Vivino replied that the residents own it since it is a public access station. Deputy Mayor Adler stated that Creative Cable is an organization and Channel 66 is the channel for the sole use of the Borough. The goal is to present Council meetings on television. She thought that was part of Ms. Vivino's job although Ms. Vivino vehemently disagreed.

Attorney Lustgarten stated that the Council has decided to eliminate the "editorial committee" of the Manager, the Attorney and the Municipal Clerk and give that responsibility to Creative Cable subject only to FCC rules. He asked Ms. Vivino if Creative Cable were willing to tape the Council meetings based on that consensus. Ms. Vivino replied that she could only speak for herself. Attorney Lustgarten suggested that between now and Tuesday Creative Cable devise a way to televise the Council's meeting in a meaningful way. If Creative Cable chooses not to do it next Tuesday, he asked Ms. Vivino if she can produce the audio and visual of the meeting. Ms. Vivino replied that she will volunteer to make every effort to do so and assured them that the Council will be on television next week.

Manager Sacks pointed out that Ms. Vivino is a paid employee so she is not volunteering her time. They are paying her to do this job. It is exactly the reason the Council is paying her salary. It is no longer a volunteer position.

Ms. Vivino explained that the only night they can use the studio is Tuesday. She will lock down the camera. Tom Metzler has volunteered to do the audio. The members of Creative Cable will be in the studio. She will be at the Council meeting. Mayor Ganz asked Manager Sacks to see if Cablevision will give Creative Cable another evening for the studio.

Ms. Vivino stated that she is volunteering her time to do this because she received a memo saying that it is her job to obtain volunteers and to video tape things. They have never employed her to be a videographer or a producer. They pay her as a clerk-typist. Anything she does as a creative nature she does as a volunteer. Manager Sacks stated that Ms. Vivino was told that Civil Service has no job title that matched what a station manager or producer was doing. The closest title that she could qualify for was clerk-typist. Ms. Vivino asked the Council to pay her to do production and to be the station master and they agreed to do so. She was hired to produce television shows for the Borough's station and the Council meetings. Ms. Vivino replied that station manager's only do administrative tasks and run the programming. They are not responsible for producing the programming. She is a part-time employee receiving no benefits although she puts in 9, 10 and 11 hour days plus weekends. Manager Sacks stated that Ms. Vivino told the Council that she could produce the shows and that she was a technician. Manager Sacks said there was no question that Ms. Vivino is supposed to produce the shows and do the technical operation. Ms. Vivino disagreed. She stated that when she first received a stipend it was to get a 24-hour station started and on the air. She did that and they were supposed to readdress the issue. An independent organization is supposed to run public access. She felt being paid as a Borough employee was a conflict of interest which is why Creative Cable proposed a contract with the Borough which has not been signed. She resented being vilified.

Attorney Lustgarten recommended that the Council return to the issue of the mechanics of televising the Council meeting. The other issue is a personnel issue and can be addressed later. Municipal Clerk Kwasniewski was asked to circulate the minutes when

Ms. Vivino appeared before the Council.

Ms. Vivino stated that the Council will be clearly heard since each person will have his own microphone. She is not sure how well they will be seen but they will be on the screen. There are logistical problems to get all of this on a single camera. It will be the same as the debate. The signer has to be in front to be seen.

Financial Reporting Systems - CFO Eccelston was present and explained that except certain payroll records, all information is available to the Council. Councilmember Amato had several problems. The most important is that after they adopt the budget, the Council has no way of knowing how much money is spent and how it is spent. CFO Eccelston advised that the budget document shows that information and the Council gets that report attached to the Manager's Report. It is by Department. Councilmember Amato asked if there was a report that could be generated monthly that lists each voucher. CFO Eccelston replied that there is a history report available in his department that list every disbursement under each category. It is very large since between 600 and 700 vouchers are processed each month. Councilmember Amato stated that reports on paper are impossible to analysis. CFO Eccelston advised that the computer run will not give him any detail. All the documentation is attached to the paper in his file. Only a minute explanation is entered into the computer. The only way to get that information is to come into the office and look at the actual voucher. Councilmember Amato felt the system was defective. He should be able to get reports in a spreadsheet format for analysis.

CFO Eccelston explained the purchasing system. The Manager initially approves the concept of the purchase. She also signs as the Purchasing Agent that it complies with the bidding regulations. He then approves that sufficient funds are available. He encumbers the funds as required. Councilmember Amato felt there were inherent deficiencies in the process. The Council should know how the money is being spent during the year. CFO Eccelston advised that all that information is available. All he has to do is come to his office to review it. Councilmember Amato expressed concern that he cannot get the information in a format he can use to do an analysis. CFO Eccelston pointed out that this format is uniform in New Jersey. He does not know of a system that provides the detail he is seeking or on disc. Councilmember Amato disagreed, stating that another system does provide this information and is used by two-thirds of the municipalities in New Jersey. CFO Eccelston stated that the vendor says the system can do it but he does not know anyone who uses it. Councilmember Amato was not sure if that statement were accurate. The Council should oversee the expenditures throughout the year and he cannot do it. Edmunds System is now web accessed he could even do it from home. A Councilmember should have access to this information.

Mayor Ganz agreed that Councilmember Amato is entitled to have the information, but he does not know how to get it.

Memorial Day Ceremony at Fire Fighter's Memorial - Municipal Clerk Kwasniewski explained that last year there were some problems so the Council asked that it be calendared so the Manager could give them an up date. Manager Sacks sent them a memo saying everything would be in place. Councilmember Amato noticed that the shrubs and hedges were cut and that everything looked very neat.

Midland Park and Prospect Park Use of Walsh Pool - Manager Sacks explained that the Municipal Clerk and Superintendent of Recreation handled the request. Midland Park has passed a resolution authorizing the execution of an agreement with the Borough. They also drafted an agreement using the Borough's agreement with Elmwood Park from last year. The Legal Department has redone the contract because of several typographical errors.

Mayor Ganz advised that he had received a call from Prospect Park's Mayor. Attorney Lustgarten advised that Prospect Park's attorney called him and he faxed Elmwood Park's agreement to her.

The consensus was that if either Midland Park and Prospect Park wish to use Walsh Pool, the Council will offer it to them on the same terms and conditions as Elmwood Park.

Presentation to Councilmember Dobrow - Mayor Ganz presented a proclamation on behalf of the Governor of Nebraska naming Flossie Dobrow an Admiral of the Great Navy of Nebraska.

New Title - Computer Operator Trainee - Manager Sacks explained that one fire inspector has been doing the data entry for NFIRS. He cannot continue in his current title, but she does not want to lose his services. She requested that two new titles be created, Computer Operator Trainee and Computer Operator. The salary range would be the same as Clerk which is \$11.98 to \$23.96 an hour and Clerk-Typist at \$12.31 to \$17.23 an hour. The person would start as the trainee and after twelve months he would become the computer operator. This position is part-time for about four hours a week. She has money in the budget to pay for a part-time person.

The consensus was to introduce an ordinance creating the two titles.

Renewal of Health Officer's Contract with Ridgewood - Manager Sacks advised that Ridgewood is about to approve the renewal of the contract. She recommended that the Council do that as well. The contract expired at the end of April. The Borough receives \$6,000 a year. It will be the same contract as last year.

The consensus was to renew the contract. Attorney Lustgarten will draft the contract.

Retaining Wall at 26-02 Berdan Avenue - Manager Sacks reported that Mr. Berlin has requested permission to install a retaining wall in the Borough's right-of-way. He is correcting some drainage problems and is also installing a new sidewalk. She has told Mr. Berlin that if the Council agrees and if at some date they need access to the right-of-way, he must remove the wall at his own expense. He has no problem with that issue. Deputy Mayor Etlar wanted to look at the property before making a decision. Attorney Lustgarten expressed concern about the retaining wall's impact on the sidewalk. He advised that he can include an indemnification and hold harmless clause in the agreement, but not allowing the encroachment was better. Manager Sacks advised that the subcontractor can have all the run off going into the drain so it will no longer run onto the sidewalk. Attorney Lustgarten stated that Engineering should certify to the Council that it will not impact on the sidewalk.

They agreed that it deferred this matter until the work session following the regular meeting on May 22.

Change Meeting Dates in June - Municipal Clerk Kwasniewski advised that the meeting dates need to be changed due to the change in the date of the Primary Election. This matter was deferred to the work session following the regular meeting on May 22.

Dedication for Pre-Fabs at Memorial Pool - It was agreed to change the time of the dedication from 9:00 a.m. to 12:30 p.m.

Capital Budget 2001 - Manager Sacks sent a revised listing of items that would be included in the next bond ordinance. In addition, she would like to add \$50,000 for soil removal if needed at the DPW complex. It is a pollution issue. The consensus was to add this amount.

The request by the Ambulance Corps. to add the purchase of an ambulance to the 2001 capital budget was discussed. Attorney Lustgarten advised that one outstanding issue to finalize the agreement for the purchase of the first ambulance is what happens if the revenue stream is lost. He thought the Ambulance Corps. would still owe \$2500 per month. Matt Ahearn, Esq., attorney for the Ambulance Corps. was under the impression that the payment is suspended. Mayor Ganz pointed out that the Council knew that without the revenue from the cellular tower the Ambulance Corps. did not have the funds to purchase the ambulance. It was his recollection that the Ambulance Corps. is not required to make the payment, but when there is a revenue stream, they start paying again. Municipal Clerk Kwasniewski was asked to research the minutes.

Mayor Ganz stated that they anticipated that the carriers will sublet the tower so that the Ambulance Corps. will receive more than \$2500. He is fully prepared to expend the funds for the second ambulance, but he wanted a commitment from the Ambulance Corps. that if they get additional revenue, the first \$2500 would go to the Borough. He was not yet prepared to put the ambulance in this bond ordinance. He will evaluate his position after the Council hears from the Ambulance Corps.

The Council reviewed the changes proposed by the Manager.

The consensus was to add \$2,360 for an evidence tracking machine for the Police Department, \$46,000 for cast iron boilers for the heating system in the municipal building and firing range and \$9,500 to replace the postage machine.

Manager Sacks requested the addition of \$450,000 for an addition to the westerly side of the municipal building. It will be a prefabricated, two story-unit covered with brick veneer with a basement. She estimated it will take six to seven months. The basement will provide additional storage space. Councilmember Amato wanted to see what it looks like before voting on it. Manager Sacks advised that she has seen pictures that she was not even aware that they were prefabs. Mayor Ganz asked her to circulate the pictures.

The consensus was to add \$450,000 with Councilmember Amato dissenting.

The consensus was to accept the Manager's recommendations for the capital budget for the water utility of \$119,500.

The Council reviewed the final projects recommended by the Manager. After some discussion it was the consensus to eliminate \$40,000 from the Police Department computers and equipment (POL 9.02) for the document imaging system.

Councilmember Amato wanted to know the impact on taxes. CFO Eccelston explained that this plan would be about \$200,000 a year for fifteen years for principal and interest although it will have no impact this year. Interest will affect next year's tax rate. Councilmember Amato asked about the other obligations. CFO Eccelston advised that existing debt is about \$25 million. On

December 15 he will be issuing long term debt of between twelve and fifteen years which will increase debt service next year about \$1 million. The final recommended budget is about \$1.6 million.

Councilmember Amato wanted to put the CAD system for the Fire Department into this year's budget. Manager Sacks explained that the original estimate was \$60,000 but they now think it will be around \$40,000. At the Fire Board meeting, they said they were working with DM Data. Councilmember Amato noted that the vendor was supposed to send some detailed information to the Borough. He asked if they received that.

The consensus was to add this project for \$40,000.

The Geographic Information System requested by Engineering was discussed. CFO Eccelston explained that this is a three-year program of \$75,000 each year and will include tax maps, aerial photography and utility mapping. Deputy Mayor Etler noted that the Council is going to approve a great deal of debt so he thought they could eliminate this item. Deputy Mayor Adler thought technological programs give a better and more accurate depiction of what is needed. She liked the idea of phasing it in. In the long it will probably save money. Mayor Ganz advised that Bergen County has offered municipalities access into their system for tax maps. This system will tie into it.

It was agreed to leave it out of this bond ordinance. Manager Sacks will ask Engineer Garrison to do a presentation and to find another municipality that has the system. The Council can consider this project on its own.

The consensus was to leave out the shop equipment for \$5,000.

The bond ordinances will be introduced at the first meeting in June.

The consensus was to authorize Manager Sacks to proceed with the specifications to move along the prefab addition to this building, with Councilmember Amato dissenting.

Closed Session Resolution - Upon motion by Deputy Mayor Adler and a second by Councilmember Amato the following closed session resolution was unanimously adopted at 11:30 p.m.

WHEREAS, the Open Public Meetings Act of the State of New Jersey permits the public to be excluded from certain matters to be discussed by the governing body; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn desire to discuss personnel, attorney/client privilege and contract negotiations; and

WHEREAS, these matters are ones which permit the exclusion of the public from such discussion; and

WHEREAS, public disclosure of the results of these discussions shall be made relating to attorney/client privilege within 30 days except strategy, relating to personnel by formal appointment within 30 to 60 days or by June 25 or the Borough Attorney's discretion whichever is earlier and relating to contract negotiations within 60 to 120 days;

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

Mayor Ganz reconvened the meeting at 11:50 p.m.

Litigation Regarding Former Police Director - Mayor Ganz announced that the Borough was involved in litigation involving the former police director. The Appellate Division has decided the case and the Borough has lost. They have explored the rule of law and determined that they will not take any further appeal. They have requested the Manager to issue a press release.

ADJOURNMENT - Upon motion of Deputy Mayor Etler and a second by Councilmember Amato the meeting was adjourned at 11:55 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AE

Municipal Clerk