

SPECIAL WORK SESSION OF JULY 31, 2000

Mayor Ganz called the meeting to order at 7:40 p.m. Assistant Municipal Clerk Bojanowski read the statement of compliance with the Open Public Meetings Act.

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

ALSO PRESENT: Manager Sacks, Attorney Lustgarten and Assistant Municipal Clerk Bojanowski.

Length of Service Award Program (LOSAP): - Mayor Ganz explained that the Council would like to hear from the public regarding LOSAP. The unanimous consensus was to open the time for public comment.

Mayor Ganz explained the Council received a proposal from the Emergency Services to implement the LOSAP program in the Borough. He had many questions but felt that hearing what everyone had to say was best.

John Cosgrove, 30-18 Gentner Road, explained that the Emergency Services have gotten together regarding the LOSAP program. The plan presented to the Mayor and Council was similar to a 401K plan that they felt would help recruitment and retention of volunteers. The State passed the law and thirteen towns in Bergen County put it on their ballot last November and all were approved. They were asking the Mayor and Council for \$1,000 with five years vested and a five year buy back. He thought between 140 and 150 volunteers would be eligible for the buy back that is approximately 75 percent. He presented the Council with a spreadsheet of the other towns' calls and statistics comparing Fair Lawn to Paramus and Fort Lee. He stated that by law they could only put in an amount not to exceed \$1,150.00.

Councilmember Amato questioned the term buy back saying this was a reward program regarding a point system. Mr. Cosgrove stated that all three departments have a point system. He made it clear that buy backs were not allowed in this program.

Tim Yuskaitis, 15-38 Eberlin Drive, also stated that buy backs were not allowed in the system. Retroactive is the correct term. Manager Sacks stated it was the same as credit for prior years' service. Attorney Lustgarten confirmed that stating the statute allowed different amounts on credit for prior years' service.

Deputy Mayor Adler asked after how long will the volunteer get the money. Mr. Cosgrove informed her the volunteer had to be 62 years old with at least five years vested. He explained that they would have to earn points to get the credit. The Council discussed funding for prior years' service. Attorney Lustgarten explained the process of the volunteer qualifying at the end of the year. Mayor Ganz asked who would be doing the record keeping. Mr. Cosgrove stated that each division would have to appoint someone to handle the LOSAP paperwork but no system has been established yet. Mayor Ganz asked if they would object to faxing the paperwork over to the Borough Manager. Mr. Cosgrove informed him there were no fax machines in these buildings. Mayor Ganz said the Borough would install them.

Gail Cebular, 1-28 26th Street and President of the Ambulance Corp. felt it would be very difficult to do daily but it could be done on a two-week schedule.

Tom Metzler, 1-27 Hartley Place, explained to the volunteers present that the Council just wanted a signature with a date and time faxed to them so that they knew who was there.

James Tyminski, 13-11 George Street and Chief of the Fire Department stated that if it were just a sign in sheet there would be no problem faxing it to the Borough Manager.

A lengthy discussion followed regarding vesting. Mayor Ganz felt five years was not fair and that they should phase it in 20% for the first year, 40% for second year and so on. Mr. Cosgrove thought the law was five years. Councilmember Amato felt it was a reward system that the Borough had to get out immediately. They should decide what they can afford because they owe the volunteers a great deal for their services. Mayor Ganz suggested the retro should go to anyone who had prior year credit. Attorney Lustgarten stated they had to have five years service and that the Borough would have to fund it from the beginning. He also stated the volunteers would be eligible but not vested until they had five years of service.

Councilmember Amato asked if they had to come to a conclusion about the retroactive / prior service tonight. Mayor Ganz informed him they could come to a conclusion by next week. Attorney Lustgarten stated they had three questions before them. The primary question is whether the Council wishes to have LOSAP on a referendum in November.

The unanimous consensus was to put the LOSAP question on the ballot for November 7, 2000.

Attorney Lustgarten explained that the proposed estimated total amount to be budgeted for the program, the proposed maximum annual contribution for an active volunteer member and if the program offers credit for prior years' service, the number for the prior years' service has to go on the ballot.

Mayor Ganz wondered how they would judge how a volunteer would be fully compliant for that period. Mr. Cosgrove informed him it would be strictly based on attendance. The Fire Department would require 30% of approximately 700 calls. The Ambulance Corps. would require 22 hours of scheduled call per shift within a two-week period besides making the meeting requirements.

Attorney Lustgarten mentioned the statute does not say five consecutive years of service within the State. A person could serve four years, leave, come back, serve one year and vest. Deputy Mayor Adler asked if the Borough had to give credit to someone who came from another town. Mr. Cosgrove stated the Borough would benefit because the volunteer would be experienced.

Mr. Yuskaitis wondered if they can word it so that it would start when they come to the Borough. Attorney Lustgarten responded that vesting was mandatory with five years' service. The statute states that anyone with five years volunteer service within the State has to be vested.

Leon Wender, 7-22 Manor Avenue, asked how much money they would be getting and when they could use it. Mayor Ganz informed him the statute stated between \$100 - \$1150 per person, per year.

Attorney Lustgarten stated it was a retirement fund. Mayor Ganz informed him the volunteer could not draw on it until they were 62.

Councilmember Etlar stated the proposal the Council should consider is \$600 with a cap and nothing for prior years service because the cost would be prohibitive. Mr. Cosgrove stated the average amount the towns have voted for was \$750.00. He was not aware of any town that put in a cap. Mayor Ganz suggested easing into the plan by paying \$600, \$650, \$700, \$750.

Councilmember Amato stated that for the record he is not an active firefighter. Without considering other towns, he suggested \$600 per firefighter. He felt that number was fair to the taxpayers and to the firefighters. He explained that the property tax increase will be very large. Deputy Mayor Adler stated she would support raising the amount from \$600 to \$750. Councilmember Etlar agreed with raising the amounts in increments but would still like to keep the cap.

A lengthy discussion followed about the discrepancies among the volunteer services.

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato, it was unanimously agreed to take a five minute recess at 9:00 p.m.

Upon motion by Deputy Mayor Adler and a second by Councilmember Amato the meeting was reconvened at 9:09 p.m.

Mr. Cosgrove proposed that the Borough put in \$100 for five years' prior service and then go forward with a plan. Attorney Lustgarten stressed that the Council must fund the program for all the volunteers not just those with five years' service. Mayor Ganz felt they should start at \$400 and increase that amount yearly and to give \$100 for prior years service. Mr. Cosgrove stated the committee agreed with \$100 per person for prior years' service but they would like to start at \$500.00. Mayor Ganz reminded the volunteers that this program has to be sold to the taxpayers.

Mr. Cosgrove then proposed \$400, \$450, \$500 and \$550 with which Mayor Ganz was comfortable.

A discussion followed regarding the point system. Attorney Lustgarten explained that the point system had to be in the plan for the voters to approve. Mayor Ganz stated that Borough employees would not receive any points while on Borough time. Mr. Yuskaitis stated it was based on percentage not points.

A consensus was taken for \$100 for five years' prior service and starting at \$400 and increasing to \$750 over a five-year period.

Mayor Ganz suggested to the volunteers that they hold twelve monthly meetings a year, they appoint one person to handle the raffle licensing, that one person would get one point for submitting the LOSAP paperwork and the volunteer services should meet between now and next week to decide how the officers get points. Attorney Lustgarten reiterated that the point system had to be in place by next week. Mayor Ganz wondered why the Fire Chief would receive 50 points while the President of the Ambulance Corps. would only receive fifteen points. He felt all three groups should be equal. Ms. Cebular informed him the committee had spent many hours creating the point system and they feel it is fair. Mr. Metzler added they are structurally different from each other. Mayor Ganz stated it would satisfy him if each member of the volunteer services reviewed each others point system.

The consensus was to hold another meeting Monday, August 7, 2000 at 7:00 p.m.

ADJOURNMENT - Upon motion by Deputy Mayor Adler and a second by Councilmember Dobrow it was unanimously agreed to adjourn the meeting at 10:00 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk