

Regular Meeting - March 9, 1999

Mayor Ganz opened the meeting at 7:40 p.m. Municipal Clerk Kwasniewski read the following statement of compliance:

In accordance with the Open Public Meetings Act, annual notice of all meetings of the Borough of Fair Lawn was published in the "News Beacon" issue of December 17, 1998. Notices were also posted on the Bulletin Board located on the First Floor of the Municipal Building and at the Maurice Pine Free Public Library, copies mailed to the Record, the North Jersey Herald and News, and the Shopper. The Annual Notices identified the meeting location and the time of the Council Meetings and Work Sessions.

PRESENT: Mayor Ganz, Deputy Mayor Ahearn, Councilmembers Tedeschi and Trawinski. Councilmember Dobrow absent.

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

ORDINANCES: FIRST READING

Upon motion by Councilmember Trawinski and a second by Councilmember Tedeschi, it was unanimously agreed to read the following ordinance by title.

Ordinance No. 1751-99

"AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY" AS AMENDED

Upon motion by Councilmember Trawinski and a second by Councilmember Tedeschi, Resolution No. 88-99 introducing Ordinance No.1751-99 was unanimously adopted.

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, it was unanimously agreed to read the following ordinance by title.

Ordinance No. 1752-99

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 1981, BY AMENDING AND SUPPLEMENTING CHAPTERS 2-13 "DEPARTMENT OF RECREATION", SUBSECTION 2-13.3 "CHARGES AND FEES" TO ADD A FEE FOR THE USE OF THE FAIR LAWN ARTS CENTER

Upon motion by Councilmember Trawinski and a second by Councilmember Tedeschi, Resolution No. 89-99 introducing Ordinance No.1752-99 was unanimously adopted.

ORDINANCES: SECOND READING

Upon motion by Councilmember Tedeschi and a second by Councilmember Trawinski, it was unanimously agreed to read the following ordinance by title and open the time for public hearing.

Ordinance No. 1749-99

AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A

Charles Coviello, 5-07 5th Street and a member of the Fair Lawn Homeowner's Association, asked to have the ordinance explained. Borough Attorney Lustgarten explained the status of one of the properties has changed. Municipal Clerk Kwasniewski stated the property has been changed to a commercial use.

Mr. Coviello stated that Mayor Ganz has become very evasive with answers to his questions and if he is voting on particular items he should be very knowledgeable about it.

Ed Reilly, 18 Godwin Avenue, asked about this property being part of the SID program and if they were assessed by the Borough. Mayor Ganz explained that within the Special Improvement District the businesses, not the residents, are taxed by the Special Improvement District in addition to the Borough tax they regularly pay. Borough Attorney Lustgarten further explained the ordinance and he stated that Mr. Reilly should read the ordinance in its entirety rather than one phrase.

There being no further comments by the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, it was unanimously agreed to close the time for public hearing.

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, Resolution No.90-99 adopting Ordinance No. 1749-99 was unanimously adopted.

RESOLUTIONS BY CONSENT #6-99

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, Consent Agenda #6-99 containing the following items were unanimously adopted.

a. Resol. #91-99 Approval of Minutes:

Work Session 1/19/99

Closed Session 1/19/99

Special Meeting 1/19/99

Regular Meeting 1/26/99

b. Resol. #92-99 Refund of Overpayment of Taxes

1. Resol. #93-99 Reject Bids Bituminous Concrete & Stone
2. Resol. #94-99 Award of Bid Custodial Services

a. Resol. #95-99 Approval of Raffles & Bingo:

H.B. Milnes School PTA non-draw raffle

Fair Lawn High School PTA on-premise 50/50 (4/29/99)

Fair Lawn High School PTA on-premise 50/50 (5/1/99)

3. Resol. #96-99 Tax Settlement Buchman
4. Resol. #97-99 Tax Settlement MTM Associates

h. Resol. #98-99 Tax Settlement Shim

1. Resol. #99-99 Tax Settlement Meyers
1. Resol. #100-99 Removed
2. Resol. #101-99 Professional Services - Reinhart & Associates

RESOLUTION #100-99 - PROFESSIONAL SERVICES-KILLAM ASSOCIATES(SCADA)

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, Resolution No. 100-99 was unanimously adopted with Councilmember Tedeschi recused.

RESOLUTION #102-99- NAMING CENTER REC PLAYGROUND

Upon motion by Councilmember Trawinski and a second by Councilmember Tedeschi, Resolution No. 102-99 was considered.

Councilmember Trawinski publicly thanked George Frey for bringing this request to the attention of the Mayor and Council. He wished David LaPoff was here and he felt it was a fitting honor to be bestowed on David. Mayor Ganz stated that could be said for all of the Council.

Dr. Brad Herman, 8-20 Plymouth Street, thanked the Mayor and Council for approving the naming of the park in memory of David LaPoff. As many are aware, two of David's loves were his children and the Rescue Squad. With the town's recognition of David's life long community work with and for its residents and children, this will provide some small degree of solace to his immediate family and to his extended family and friends. He spoke of his family and David's family using the park frequently. He said it was a very fitting and proper memorial to David LaPoff.

Hearing no further discussion, Resolution No. 102-99 was unanimously adopted.

Mayor Ganz presented this Resolution to David LaPoff's family on behalf of the entire Mayor and Council.

UNTABLE RESOLUTION NO. 39-99 RENEW FOOD CONCESSION MEMORIAL POOL

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, Resolution No. 39-99 was considered.

Mayor Ganz stated that Mr. Coviello had suggested that the Council expand the food concession at Memorial Pool by having the Recreation Director contact a number of food vendors inside the Borough and outside of the Borough. He thought it was an excellent suggestion but found no interest at this time. He has suggested to the Borough Manager that the Borough continue to explore this in the future.

Councilmember Trawinski stated that he too had appreciated this process and he wanted to remind the Council that one of the reasons he had his doubts of getting someone in was that two years ago they tried this and he suspects until the facility is upgraded the Borough may experience difficulty in attracting new vendors.

MISCELLANEOUS PUBLIC COMMENTS

Upon motion by Councilmember Trawinski and a second by Councilmember

Tedeschi, it was unanimously agreed to open the time for public comments.

Philip Plotch, 17 Bancroft Place, Chairman of the Pedestrian Bicycle Safety Task Force, invited the Mayor, Council and the public to attend a public workshop on March 25th. Public outreach is an important element in generating recommendations that meet the needs of the Borough's residents when it comes to pedestrian safety on Fair Lawn Avenue. He stated the intersections that his task force has targeted are Plaza Road, Abbott Road, Pollitt Drive, Radburn Road and Parmalee Avenue.

Ed Reilly, 18 Godwin Avenue, asked what was being done to enhance and improve Memorial Pool. Mayor Ganz replied that the Council is waiting for the results of the Financial Planning Committee which should be out by the end of this month or in April. Mr. Reilly asked if the pool will be open in June. He stated that whatever the pool committee comes back with will not take effect until next year. Mayor Ganz replied that there are other facilities there that are being contemplated and some that can be implemented immediately such as improving the bath houses.

Leon Wender, 7-22 Manor Road, stated that he was pleased that on March 11th the population of Fair Lawn can come in to meet the Department Heads of the Borough. He hoped the Library site improvements will progress faster than the Senior Center. He was saddened to learn the Borough has succumbed to parent pressure and was going ahead with planning and building a roller hockey court at Memorial Park.

Charles Coviello, 5-07 5th Street and a member of the Fair Lawn Homeowners Association stated that through the Chair he would like to ask Councilmembers Trawinski, Tedeschi or Ahearn a question.

Mayor Ganz stated that he has a very high tolerance of many things but he will not tolerate disrespect. He said if Mr. Coviello had something to say, say it. Mr. Coviello asked about the \$85,000 being taken from the taxpayers for the hockey building and wondered what they were putting up. Mayor Ganz asked if Mr. Coviello had additional comments. Mr. Coviello replied that he wanted an answer. Mayor Ganz asked him to go on to his next question. Mr. Coviello replied that he wanted a response to his question. Mayor Ganz stated this was not a time for answers it was a time for public comment. Mr. Coviello asked the Borough Attorney if his comments were out of line. Mayor Ganz stated that the Chair rules and that Mr. Coviello may inquire and the Chair further ruled that he may state what he wished to state. Mr. Coviello stated that Mayor Ganz has declined to answer his question since January. If the Mayor does not answer his questions he has to ask the other Councilmembers. Mayor Ganz stated that Mr. Coviello was mistaken, he did not have the right in a public comment session to require an answer, he may state what he wished to state and the Council may respond if it chooses to.

Councilmember Trawinski stated that he did not recall the specific amount but recalled the hockey parents did agree to do a fund raiser in the amount of ten to fifteen thousand dollars in addition to contributing their actual labor for outfitting the facility. Although the appropriation has been authorized, no money has been advanced and no money has been borrowed yet so there is no cost to the taxpayers at this time.

Mr. Coviello spoke of the old Library Theater asking how much was paid to Mr. Meccy who did the presentation. He wondered why the schools are not used because their acoustics are better.

Councilmember Trawinski stated that the original contract with Mr. Meccy was \$10,000. There was an amendment to the contract when the scope of the work changed.

Councilmember Ahearn added that he had asked the director if there were other facilities they could use and the view of the group

was that they preferred the more intimate setting of the theater.

Mr. Coviello asked what Mr. Meccy's commission will be once the project has been completed. Mayor Ganz stated that Mr. Meccy is to get back to the Council with a time line and cost.

Mr. Coviello asked about the parking across from the Arts Center. Mayor Ganz stated there were was a limited amount of spaces which belong to the Arts Center.

Mr. Coviello commented on the SCADA system wondering if this would control water, sewerage or both. Mayor Ganz stated it was a combination of all of those things. Mr. Coviello asked if there will be a loss of personnel because of this system. Mayor Ganz stated that would not happen right away.

Mr. Coviello talked about the car in the Water Department and wanted to know what the vehicle's intended use was. He suggested reading the water meters through the telephone. Mayor Ganz stated that was a good suggestion and he would ask the Borough Manager to look into it. Manager Sacks replied that she has been looking into the system that reads through the phone.

Mr. Coviello asked about the radio reception problems on Banta Place. Manager Sacks stated that he was supposed to contact her but has not done so. She asked him again to call her to arrange a meeting with the Borough Engineer at the site.

Leon Wender asked if the old Library Theater was still condemned and if so why is it still in use. Attorney Lustgarten responded that it was never condemned. There were certain inadequacies there that were investigated and addressed. The Borough had professional people go in to investigate it, the Council collectively decided it should be kept open. The Borough received certification that the building is safe.

Mr. Wender asked why the Borough employees are not cutting the trees down. Mayor Ganz explained that contracting out for cutting trees down is actually less expensive.

There being no additional comments from the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, the time for public comments was unanimously closed.

Councilmember Tedeschi explained the comment he made at a recent meeting when he stated it was a "dog and pony show". He explained the definition of Dog and Pony Show thanking the Library staff for their help.

He commented regarding the re-negotiation of the Borough Manager's contract after only eight months on the job. The circumstances disturb him. There was no previous Council discussions with regard to a review. There was no prior discussion on the part of the Council with regard to re-negotiation. No papers or documents were distributed prior to the appearance of the resolution. The Borough Attorney was unaware that a contract he prepared as is his duty was to be amended.

No Councilmembers were aware that this subject was going to be discussed. When the discussion was introduced by Mayor Ganz, Councilmember Trawinski requested that the discussion be delayed until he returned. This request was ignored by the Mayor contrary to Council tradition. Borough Attorney Lustgarten was home ill. Councilmember Trawinski requested the minutes of the discussion when the Borough Manager was hired be reviewed. This request was ignored. He said the Borough Manager indicated that she had been induced to sign her contract, but declined to state the nature of the inducement.

Councilmember Tedeschi stated that a review of the minutes would have revealed the following: the original offered salary was \$90,000 per year, the salary was specifically increased to cover incremental cost from single to family coverage along with \$2,500 to cover additional tax liability.

The salary of the Borough Manager was set at \$98,500 for the afore stated reasons. There was never any intention on the part of the Council that this was temporary. The increase from \$90,000 to \$98,500 was directly the result of health benefits.

The minutes and the contract clearly reflect the Council's intent. Four of the now seated Councilmembers were at that meeting and supported the action. The Borough Clerk was at that meeting, the Borough Attorney was at that meeting and the minutes as approved by this Council clearly state what he has stated.

Councilmember Tedeschi said there was no contingency plan for the Borough Manager's salary based on the outcome of negotiations. The reasoning is incontrovertible. Simply put, to have the Borough Manager take single coverage - pay her the difference of \$8,500 and instruct her to go negotiate with bargaining units that they accept single coverage with the "alleged" agreement that should she not be successful she would receive the same coverage is to create an inherently unethical situation. It would make the Borough Manager the beneficiary of her failure to get bargaining units to accept single coverage for new employees. He stated that the Borough Manager, were this scenario be correct would be negotiating against herself. This rationale and attempt at revisionism is ridiculous by any standard. He said what the Council did while he was away was pay the Borough Manager again for benefits that the taxpayers already paid for. That is called "double dipping".

His concern, however, was far greater considering these facts. The Mayor showed up at the meeting with a Resolution, the Resolution was not prepared by the Borough Clerk or the Legal Department. The logical nexus from these two points is that either the Mayor prepared the Resolution, the Borough Manager prepared the Resolution or perhaps they worked on it together.

The next question is - how did the Mayor know that the Resolution would pass - it was never discussed by the full Council. He stated the question must be asked - did the Democratic majority conduct an illegal meeting wherein the Mayor knew the Resolution would pass.

The final question was why. Why give the Borough Manager a 9.44% raise without an evaluation, without the Borough Attorney present, without the Minutes in hand, without one Councilmember present and without regard to the request of Councilmember Trawinski.

He will not attempt to surmise the reasoning. Although it was an obvious quid pro quo, - a reward for something; some additional service or special treatment.

If these things are true, the Democratic majority of the Council has committed a grievous fault against the Democratic system and the citizens of Fair Lawn. Councilmembers do not have the right in the dark of night to behave like cattle rustlers preying upon their neighbors trust, they cannot be midnight cowboys.

Councilmember Trawinski reiterated the comments he made at the last meeting. He concurs with the comments of Councilmember Tedeschi. He referred to the April 23, 1998, Closed Session Minutes, Page Two, as well as the Closed Session Minutes of May 5, 1998, Pages One and Two, where they indicated very clearly that the Manager's salary would not be any higher than \$92,500. The Borough would pay for single coverage and add the difference for family coverage to the salary and a car would also be included. The next meeting on May 5, 1998, the Council determined that the difference between single coverage and family coverage, taking into account the additional tax cost, was \$8,500. The Council indicated they were prepared to offer, by way of consensus, the Borough Manager \$98,500 per year. He had asked that the Council just wait one week to have an opportunity to review these Minutes. The history of this Council has been that any time a Councilmember has asked, particularly where a matter has not been placed before them, where they have not received the documentation, where someone has asked for a little bit of time to take a look at it, it has always been delayed. However, he fears in the Council's haste, they may have acted improperly. He submits to them that they still need to do a Council fix. He would like to refer to the Borough Attorney, Resolution 87-99, which purports to amend the Borough Manager's contract and ask the Borough Attorney by what authority does the Mayor have to execute an addendum to the contract of employment agreement since that resolution fails to specifically include authority for the Mayor and Municipal Clerk to execute an amendment setting forth the terms and conditions that were changed according to that resolution. He submitted, under statute, that the Mayor does not have authority to execute an agreement without a resolution from the Council authorizing it. He acknowledged that the Mayor was in the majority and would get the appropriate consent. He thought it was inappropriate to prepare a resolution of this type without giving the Borough Attorney an opportunity to review it. He wondered if the Borough Attorney has reviewed the addendum to the contract dated June 12, 1998, or did his office prepare it. He spoke of the language in the resolution which referred to the Manager saying she was induced into accepting the terms of the agreement. Councilmember Trawinski stated that if the Council had done such a good job on "inducing" the Borough Manager, it would have been logically inconsistent for them to say they were concerned about whether or not the Borough Manager would accept the position.

Councilmember Trawinski further stated that he was also troubled by the process. He went back and re-read one of the candidates Website that appeared during the campaign in which it attributed graciousness. Graciousness was included as an obligation to deal fairly. He stated he does not understand the haste for one week. He stated he would formally like to ask the Borough Attorney to take a look at the addendum and the resolution and report back to the Council at the Work Session. Mayor Ganz stated it was so ordered.

Deputy Mayor Ahearn addressed one comment that Councilmember Tedeschi made and stated for the record there was no meeting, there were no discussions and he knew nothing about it until he came into the meeting tonight. He voted the way he voted because it seemed like the right thing to do. He does not think they should have one employee not having benefits for their family when other employees do. He respects Councilmember Tedeschi's views.

Councilmember Tedeschi said he would agree with everything Deputy Mayor Ahearn stated except for one caveat; the minutes specifically stated that the remuneration was increased directly as a result of the single family coverage.

Councilmember Trawinski stated that one of the Ordinances that was voted on tonight was a salary ordinance to sustain different classes for Municipal employees. The Council had eliminated longevity for certain employees.

Mayor Ganz asked Manager Sacks if she wished to comment. Manager Sacks stated this was not the forum for her to make comments at. She will get a tape of the meeting and will consult with counsel on it.

Councilmember Tedeschi commented on the Mayor revising and extending his remarks, specifically the January 5, 1999, Minutes Pages Nine and Ten. According to Roberts Rules of Order, Rule number 13, Item #B, a Councilmember may extend his words not to exceed one hundred words. The comments that the Mayor made were two hundred and seven words. He requested that the Municipal Clerk pay attention to following the rules. Mayor Ganz instructed the Municipal Clerk to strike everything after the one hundredth word.

Councilmember Trawinski commented about the substance of the revised and extended remarks on the January 5, 1999, Minutes. The comments made amount to revisionism over what took place with appointments in 1998. There was an indication that this years process was much fairer in comparison to last year where matters were sprung on the Council. He referred to the Minutes of the November 17, 1997, Closed Session, the November 25, 1997, Closed Session and December 16, 1997, Closed Session and the process that took place in those meetings. There were a series of discussions on appointments. Several significant appointments were made that were sought by the Democratic Organization including Marty Etler, Allan Lash and at Councilmember Dobrow's request, Andy Karras with the consent of then Manager Bert Kendall. He said the Mayor remarked in the Minutes that the process used this year was a new process. Councilmember Trawinski submits that while revisionism is nice, it is not accurate. The process that took place this year was anything but fair. It was a highly political process. He believed the Mayor's right to reserve and extend is inaccurate and not justified by the facts that took place.

Deputy Mayor Ahearn remarked that he was not happy with the process of appointments this year. The concept of not having resumes left him at a real disadvantage of knowing who they were dealing with. He asked the Borough Attorney if it would be possible to enact an Ordinance to deal with the transition period between Councils. Attorney Lustgarten stated the Council could do it. In regard to data accumulations the Council would need an administrative policy. Deputy Mayor Ahearn stated he suggested an Ordinance to prevent politics.

Councilmember Trawinski said that perhaps the two municipals chairs should talk about it and establish a mechanism that states they are going forward. Mayor Ganz stated that the Council should have something either by resolution or ordinance.

Upon motion by Councilmember Tedeschi and a second by Deputy Mayor Ahearn, it was unanimously agreed to open the time for public comments.

Barry Winston, 19-11 Greenwood Drive, wanted to clarify that there were four or five Democratic holdovers. He asked Councilmember Trawinski to specifically repeat what he had mentioned.

Councilmember Trawinski stated that Councilmember Tedeschi and himself did not request resumes because they were serving on a board already. What he was referring to was the November 5, 1997, Democratic appointments that were done at the January 1, 1998, Reorganization.

Mr. Winston said to correct that point the appointment may have come from Councilmember Dobrow. Up until that point he as Municipal Chair did not know Andy Karras, whether he was a Democrat, Republican or Independent. The fact that he came up was his understanding that Mr. Karras had bi-partisan support.

Borough Attorney stated it has always been a point of this Council not to discuss appointments that have been made or to get into the details that normally would take place at a Closed Session. He thought that pursuing it from either the floor or the dias would be a violation of the personnel considered or not considered. He asked everyone to respect the privacy of those people.

Mr. Winston stated he only wanted to make that one point. He certainly does not disagree with the comments that were made tonight.

There being no additional comments from the public, upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, the time for public comments was unanimously closed.

Adjournment to Budget Meeting:

Upon motion by Councilmember Trawinski and a second by Deputy Mayor Ahearn, it was unanimously agreed to adjourn to Budget Meeting at 9:15 p.m.

Respectfully submitted,

Marilyn B. Dugan, RMC

Assistant Municipal Clerk

Budget Meeting - March 9, 1999

Mayor Ganz reconvened the meeting at 9:25 p.m.

PRESENT: Mayor Ganz, Deputy Mayor Ahearn, Councilmembers Tedeschi and Trawinski.

ABSENT: Councilmember Dobrow.

Also present: Manager Sacks, Municipal Clerk Kwasniewski and CFO Eccelston.

Construction and Zoning - Construction Official VanHook was present. Mayor Ganz asked where vehicle maintenance was appropriated. CFO Eccelston explained they charge all vehicle maintenance to the Maintenance Garage. Construction Official VanHook added that the vehicle would be under warranty so there would be no required maintenance except perhaps for tires. The Council had no other questions on his budget.

Mid-Bergen Health Center - Linda Hausdorf and Len Kaufman were present. They asked that the Council restore this allocation to the level it was a few years ago. The merger does not mean that the services have decreased. They have increased. They can restrict the funds for the use of Fair Lawn residents. They sorely need the money for Fair Lawn residents since not everyone has insurance nor can they pay for service. They have applied for funds through a Community Development Grant to help defray some of the costs of the renovations.

The consensus was to restore the contribution to \$32,000 with the caveat that the funds are restricted for Fair Lawn residents.

Ambulance Corps. - John Steffanie, president of the Ambulance Corps., was present. They want to purchase an ambulance in 1999, in 2000 and in 2004. The ambulances were refitted in 1985. They are breaking down too often. They have paid for all the rigs in the past. The building is fifty years old. They will be doing major renovations to the building and they cannot pay for both. They have many members who do not live in town so part of the renovations will be to allow for a place for them to sleep. They need more storage space to meet OSHA's requirements. He was not in favor of third-party insurance since that would change their status as a volunteer organization. He also felt it would hurt their fund-raising efforts. They schedule transports between 7:00 p.m. and 10:00 p.m.

Tom Metzler, OEM advised that LEPC has investigated third-party billing. Two communities that have begun using third-party billing said that the public as a volunteer corps perceived them so their fund raising did drop. The Manager will be receiving a detailed report. In addition, one of the loop holes in the system is that if a doctor places a 911 call they are obligated to dispatch a police car and ambulance. The Council wondered if what they collected through third-party billing would be more than the decrease in donations. Manager Sacks added they would also have to follow some State mandates, which will cost the Ambulance Corps. The Council asked for a financial report from the Ambulance Corps.

Councilmember Trawinski wondered if they were going to have the people to drive the ambulances or if they were going to be looking for some kind of paid daytime coverage.

Mr. Stephanie advised that they took 2130 calls last year. They have a mutual aid agreement with Hawthorne. In addition, Merck-Medco covers them on Wednesdays from 7:00 a.m. to 5:00 p.m. They have a tentative agreement with Saddle Brook and they are meeting with Glen Rock as well.

Deputy Mayor Ahearn suggested that the installation of a cellular tower by Omnipoint could provide a significant revenue stream. It might be possible to suggest to Omnipoint that they might want to have the equipment placed in doors and have them build the addition for the Ambulance Corps. with a room with outside access for their equipment so they do not have an ugly communication shelter under the tower.

Mayor Ganz suggested that the Ambulance Corps. consider spreading the ambulance purchases out so that it is every other year. He expressed the Council's interest in finding out the details of the third-party billing and how the Borough can help in that. The capital budget will be held for a report on the revenue stream and the report from LEPC.

Fire Department - Chief Reardon, Deputy Chief Timinski and Fire Marshal Bender were present. Councilmember Trawinski noted that in the past there have been philosophical discussions on radios being in the capital budget when they should be in the operating budget. They are recurring items. CFO Eccelston advised that legally they can be in the capital budget or he can set them up as a line item in the capital section of the operating budget. It has been done both ways based on the tightness of the budget. The Council had no problem with purchasing the radios. They will decide whether to purchase them out of the operating budget or the capital budget later.

Fire Prevention - Fire Marshall Bender explained that he is asking for a hand-held computer and software so that the inspectors can access files, up date files and issue violations at the site. Manager Sacks noted that there is a similar system for use by the Building Department. Fire Marshall Bender noted that they do 1,000 violations a year.

Councilmember Ahearn wanted to be sure that there were sufficient funds included for training. Councilmember Tedeschi thought this system would eliminate the backlog of paper. Mayor Ganz stressed the importance of backing up the system.

Fire Department - Chief Reardon advised that they have requested the replacement of engine 973, a 1985 emergency one vehicle that is approaching fourteen years of age. Life expectancy is between fifteen and twenty years. He estimated the cost will be between \$350,000 and \$450,000. The old one will replace 975 which is the 1970 American LaFrance. That truck can be sold or it can be used as a trade in. In 2004 they will start thinking about replacing the snorkel that will cost approximately \$1,000,000.

Mayor Ganz wanted to know if there was any way to share the cost of new equipment with other towns. Chief Reardon replied that other towns are having difficulty manning their equipment during the day. They have been asked to supply an engine company to some of the other towns particularly for house fires and industrial fires.

Councilmember Trawinski noted that though the chief changes every year, he would like to see the capital requests for five years. Chief Reardon thought that doing it for two years would be possible but after that they do not know who will be the deputy or the chief.

Chief Reardon advised that they need to upgrade the telephone system but did not have a cost estimate. CFO Eccelston advised that any projects that do not have a cost will be put into 2000. If the Council decides to do them sooner, they can amend the capital budget with the bond ordinance.

Councilmember Trawinski asked for an explanation for the \$8,500 requested for the ansul fire extinguishing units for Company No. 2. Chief Reardon advised that Fire Prevention has posted signs saying that if there are grease laden vapors there must be a suppression system. Attorney Lustgarten will look at this issue and report back to the Council if they are legally required to install it.

Manager Sacks said that she would add the fire truck to her list of recommendations. She recommended phasing in the alert monitor receivers requested. Chief Reardon noted that the pagers are approaching or are more than ten years old. The repair contract is expensive once they are more than ten years in age. Pagers usually last ten years. Since the siren system is not installed if there is a problem with the pagers, no one will know there is a fire. He thought he could do sixty this year. Manager Sacks thought replacing forty each year would be better. The consensus was to include forty in the capital budget.

Chief Reardon advised Federal OSHA and PEOSHA is mandating respiratory tests. Manager Sacks noted that this requirement will affect the Department of Public Works. It will apply to volunteers and employees. She wrote to the JIF since these physicals will provide a base line for who should or should not be using respiratory equipment and therefore, drive down the costs of claims, the JIF should fund this mandate. She has not yet heard from the JIF.

Chief Reardon advised that they need a copier. It will cost \$500 to repair their present copier. Manager Sacks advised they are looking at leasing or purchasing. She will come back to the Council with a recommendation.

Funds were appropriated last year for their computer-aided Dispatch System. They are going to try to get the system in operation this year.

OEM - Director Metzler was present. Councilmember Trawinski wondered if there was enough budgeted for training. Director Metzler felt it was sufficient for this year. The respiratory regulations that are not in the budget also affect them. As membership and training expands in HazMat there will be an increase in physicals so additional funds will be required. He has been trying to maintain equality in the emergency services but he is falling behind in the clothing allowance for the Rescue Squad. They get less than the Fire Department. This is an issue that will need to be addressed in the future.

Deputy Mayor Ahearn advised that Monmouth County HazMat did a fantastic system where the floor plans are available on GIS. Director Metzler advised that the Borough has the cameo system that has the right to know information and the floor plan from one of the facilities. They graduated twelve people from HazMat. They now have the largest volunteer HazMat team in the County. Deputy Mayor Ahearn wanted to be sure that the hardware was shareable. The data base should be compatible.

Capital - The exhaust removal system is a hold over from last year.

CFO Eccelston will summarize the radios requested by all departments.

ADJOURNMENT - Upon motion of Deputy Mayor Ahearn and a second by Councilmember Trawinski, the meeting was adjourned at 11:10 p.m.

Respectfully submitted,

Joanne M. Kwasniewski, RMC/CMC/AE

Municipal Clerk

