

WORK SESSION JUNE 29, 2010

Mayor Tedeschi called the meeting to order at 10:01 p.m.

PRESENT: Mayor Tedeschi, Deputy Mayors Swain and Weinstein and Councilmember Baratta.

ABSENT: Councilmember Trawinski

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

BUDGET:

Mayor Tedeschi wondered how they can resolve the budget issue and what has to be done that this Council can unanimously approve the budget.

Councilmember Baratta stated her main issue was with health care which was her reason to vote against adopting the budget. Deputy Mayor Swain wondered what they could do to make her comfortable with this budget. Councilmember Baratta stated if they put the health care aside, the issue of the Library still remains. She is upset that the Library has been over funded for a long time. This Council has cut \$200,000 from them, but she would have cut more. Mayor Tedeschi said that actually it was close to \$300,000. Acting Manager Kwasniewski stated they took them back to the 2009 number. Councilmember Baratta did not think the residents understood the situation at the Library. The fact that there are people there making \$33.00 per hour upsets her to no end. She was in Trenton yesterday about Library surpluses. Attorney Rosenberg advised that many Libraries carry large surpluses. Deputy Mayor Swain said the money they have in the budget gets carried over into the next year. Attorney Rosenberg advised that there are many municipalities that have Libraries which over the years have developed war chests for capital improvement projects. Deputy Mayor Swain said that Friends of the Library have about \$5,000 in a fund. Deputy Mayor Weinstein stated in Teaneck they have a miscellaneous account and they use that money for maintenance of the HVAC, the roof, etc. He would also like to know what their surplus is. Acting Manager Kwasniewski said that would be an easy question to ask them.

Deputy Mayor Swain questioned if there was a state mandate for the Library salaries. Acting Manager Kwasniewski stated they have part time employees. Attorney Rosenberg stated their part time employees get health care benefits. Deputy Mayor Weinstein said if they cut the money from the Library, they have a right to decide how they will use the money. The Mayor and Council cannot control how they spend it. Acting Manager Kwasniewski stated when they spoke about cutting the money from their budget she thought it would be cut from supplies and books and reducing some of the part timers that they have. Instead they chose to close the Library and are doing 18 furlough days, which is a massive amount of days. To their credit, they did not lay off any of their staff.

Mayor Tedeschi stated he ran into the Library Board President, Jerry Weiner, and he spoke to him about the e-mails about closing the Library on Sunday and Mr. Weiner told

him they looked through their records and found that Sunday was the most logical day to close.

Deputy Mayor Swain stated she agrees they are getting paid a lot of money. The problem is this has been going on for years and years. Councilmember Baratta stated it does not make it right. She is appalled looking at these numbers. She was very upset that they gave themselves those increases and then said it was a mistake. They were getting paid for months. They did not provide any back up to the Finance Department, Tim Murphy told the department to give the increase and when they asked for the back up paperwork or resolution, there was none. When she sees something like that, she wonders what else is going on.

Mayor Tedeschi questioned the part time employees receiving the health care benefit. Attorney Rosenberg advised it is contractual. Acting Manager Kwasniewski stated they could change that for the people they hire going forward. They are autonomous.

Deputy Mayor Swain said a lot of the salaries are because the employees are well educated and have to have MFA's.

Mayor Tedeschi asked to see their salary guide or job descriptions.

Deputy Mayor Weinstein wondered if there were any other items that would help make the approval of this budget unanimous.

Councilmember Baratta said they spoke about part time employees and they did the 20% cut across the board which she did not like. Acting Manager Kwasniewski stated that reducing the part time hours by 20% was equivalent to the furlough plan for full time employees.

Mayor Tedeschi wondered if the department was going to keep track of the hours and how it worked out so it can be benchmarked. Acting Manager Kwasniewski stated the CFO would keep track of this.

Mayor Tedeschi stated his goal was to have unanimous approval of the budget. He did not know if that was possible or not. Deputy Mayor Weinstein questioned how long they had before they faced penalties. Acting Manager Kwasniewski stated they were supposed to have adopted the budget on May 31 so they are over the time limit. The Borough did receive one letter saying the budget had to be introduced but they have not received any correspondence telling them that it had to be adopted. The State is behind approving other budgets.

Mayor Tedeschi stated they do not want this to turn into a political quagmire. Councilmember Baratta said that is why she did not make any kind of statement and just voted no. Deputy Mayor Weinstein recommended that they have a meeting in two weeks and come back with fresh ideas. Attorney Rosenberg advised that is July 13 and it is already a Regular Meeting. Deputy Mayor Weinstein thought they should have a Special Meeting. Attorney Rosenberg felt it was important that CFO Palermo understands this. Acting Manager Kwasniewski said she would invite her to the meeting.

Mayor Tedeschi encouraged each Councilmember to go through the budget one more time to see what they can change.

Councilmember Baratta said the Library was her sanctuary when she was growing up. She is a huge fan of that Library, she sees Senior Citizens that cannot pay their bills and others who can't pay their tax or water bill and then she sees their salaries she is disgusted. Deputy Mayor Swain said look at the salaries everywhere else, for example, the Police Department. Councilmember Baratta said she agreed with her. Deputy Mayor Swain stated she was not happy about letting four Police Officers go but this was part of the budget.

Acting Manager Kwasniewski pointed out that the number of furlough days that the employees have to take is hinged to that budget. The budget as introduced is 14 days. All of the employees have the list of 18 days as approved by Civil Service. It will be a sin to have all those furlough days. Deputy Mayor Weinstein stated they have to make decisions on July 13. Acting Manager Kwasniewski stated the 14 days are still doable. They can adopt their budget whenever they want because it has been introduced already.

Attorney Rosenberg advised if the budget is amended the meeting would have to be advertised. Acting Manager Kwasniewski thought they may be looking at the July 20th meeting date.

Mayor Tedeschi asked if there was any way to get past the self insurance issue. Councilmember Baratta said not for her. She said she sat in this room and Deputy Mayor Weinstein and Deputy Mayor Swain completely flipped on. They were the complete opposite. Mayor Tedeschi said she thought it was a good idea at first. Councilmember Baratta said she did think it was good at first.

Deputy Mayor Swain thought it was time to move on. Councilmember Baratta said she did not make it political. Mayor Tedeschi said it will be political. Acting Manager Kwasniewski said she will see if CFO Palermo is available on July 13.

Closed Session

Upon motion by Councilmember Baratta and a second by Deputy Mayor Swain, the following Closed Session resolution was adopted at 10:23 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 Contract Negotiations – Police Department and Pending Litigation – Police Department; and

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

WHEREAS; minutes will be taken during this closed session and once the need for confidentiality no longer exists the minutes will be available to the public.

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.

ADJOURNMENT:

Upon a motion by Councilmember Baratta and a second by Deputy Mayor Swain, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Marilyn B. Bojanowski, RMC
Assistant Municipal Clerk

The undersigned have read and approve the foregoing minutes.

Mayor Joseph Tedeschi

Councilmember Jeanne Baratta

Deputy Mayor Lisa Swain

ABSENT
Councilmember Ed Trawinski

Deputy Mayor Weinstein