

## **SPECIAL MEETING**

**MARCH 26, 2011  
8:00 AM**

This Special Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to The Our Town, The Record, The Community News and The County Seat newspapers on March 21, 2011. In addition, copies of this notice were posted on the bulletin board in the Municipal Building at 15 Park Avenue, filed with the Borough Clerk and distributed to all persons, if any, requesting copies of same pursuant to said act.

In case of an emergency or fire alarm, you must evacuate the building by using the exit door immediately to my right at the rear of the room. Occupants must exit the building by using the staircase and not the elevator.

### **Special Meeting for the purpose of:**

Discussions on the 2011 Municipal Budget and such other matters that may arise subsequent to this notice.

**Roll call showed the following members of the Governing Body present:** Mayor Eustace, Councilpersons Febre, Jengo, Fleischmann and Savage. Also present were Borough Clerk Jean M. Pelligra, Borough Administrator Thomas H. Richards, and CFO Charles Cuccia.

Late: Councilperson Auriemma 8:20 am

Absent: Councilperson Bresko

### **MEETING OPEN TO THE PUBLIC (FIVE MINUTE TIME FRAME)**

Mayor Eustace opened the meeting to the public for any comments.

Hearing none, Mayor Eustace closed this portion of the meeting.

### **CLOSED SESSION**

Councilperson Savage made a motion to go into closed session; seconded by Councilperson Jengo - All in favor.

#### **BOROUGH OF MAYWOOD Closed Session Resolution # 84-11**

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Mayor and Council meet in closed session to discuss the following subject matter(s):

#### **Personnel – Contract Negotiations**

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated subsection(s) of Section 7 of the Open Public Meetings Act:

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- ( ) Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- ( ) Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest
- ( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege
- (X) Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof
- ( ) Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

- (X) Will return to open session after this meeting.
- ( ) Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 03/26/2011 Time: 8:15 am

Councilperson Fleischmann made a motion to return to the regular order of business; seconded by Councilperson Savage – All in favor.

Council President Savage reported a resolution will be presented stating the Mayor and Council will continue to serve the municipality without pay or benefits.

Administrator Richards explained his recommended cuts as listed on the memo he distributed to the council.

CFO Cuccia clarified that we are only discussing items that do not affect personnel or salaries and reviewed Administrator Richard’s list in more detail.

Mayor Eustace spoke regarding the Administrative and Executive line item and stated we have to commit to purchasing only one police car and not take one out of the budget and then purchase it later.

Councilperson Fleischmann responded it is a matter of symantecs because there is still one car in the line item.

CFO Cuccia explained the Public Building and Grounds line item is affected by conditions.

Councilperson Bresko questioned what would be affected in the 4<sup>th</sup> of July parade with the \$10,000.00 reduction.

Administrator Richards responded it would primarily affect the marching bands.

CFO Cuccia suggested not reducing the Street Lighting and Gas and Diesel lines for \$5,000.00 each because he is skeptical with the rising oil prices. The Council was in agreement.

CFO Cuccia stated we anticipate collecting \$29,552,000.00 which is our total tax burden for the town including school, county and municipal taxes and explained delinquencies are the sole responsibility of the municipality.

CFO Cuccia explained the need for cash flow and stated he still maintains the reserve for uncollected taxes should not be touched.

Mayor Eustace responded he understands, however, he feels we need to be fiscally responsible to our taxpayers.

CFO Cuccia stated he would rather take more surplus from dollars we actually have then reduce the reserve for uncollected taxes.

Council President Savage asked CFO Cuccia to explain.

CFO Cuccia responded instead of anticipating \$855,192, he would raise it to \$900,000.00.

Councilperson Fleischmann questioned how Westwood reduced their reserve for uncollected taxes.

CFO Cuccia responded they reduced their medical costs.

Councilperson Savage made a motion to go into closed session; seconded by Councilperson Jengo - All in favor.

**BOROUGH OF MAYWOOD**  
**Closed Session Resolution # 85-11**

BE IT RESOLVED by the Mayor and Council of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Mayor and Council meet in closed session to discuss the following subject matter(s):

**Personnel – Contract Negotiations**

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- ( ) Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof
- ( ) Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest
- ( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege
- (X) Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof
- ( ) Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Maywood

- ( X ) Will return to open session after this meeting.
- ( ) Do not envision that they will return to open session after this meeting but reserves the right to do so.

Date of Passage: 03/26/2011 Time: 9:12 am

Councilperson Jengo made a motion to return to the regular order of business; seconded by Councilperson Fleischmann – All in favor.

Councilperson Fleischmann stated the Administrator for the Borough of Emerson negotiated directly with United Water for a reduction in the increased hydrant fees. He reported he contacted Senator Weinberg's office and they will be sending a letter of request to the Board of Public Utilities so we may also negotiate a reduction in fees directly with United Water.

CFO Cuccia stated according to his calculations, there is an estimated 4.66% increase.

Councilperson Fleischmann spoke regarding the reduction in the Fourth of July line item and stated we have come up with the suggestion of asking local high school marching bands who may volunteer to participate.

Administrator Richards responded he will look into it.

Mayor Eustace responded all bands solicit donations.

Councilperson Fleischmann spoke about the line item for radio maintenance.

Administrator Richards explained the required re-programming that will be necessary on all the new radios.

Mayor Eustace suggested this year we remove \$10,000.00 from this line item.

Councilperson Fleischmann suggested removing \$10,000.00 from the Shade Tree Commission line item – Council agreed on removing \$5,000.00.

Councilperson Fleischmann discussed the \$25,000.00 line item for the opening/closing of the swim pool.

Administrator Richards explained the repairs that need to be done this year.

CFO Cuccia stated we will be treating the swim pool concession stand as an appropriation expenditure this year.

Councilperson Fleischmann suggested \$5,000.00 be removed from the swim pool opening/closing line.

CFO Cuccia responded this does not have a tax effect because it is a utility and is separate outside of taxes.

Mayor Eustace stated he appreciates everyone's hard work and asked for any further comments or questions on the budget.

Council President Savage stated he is comfortable with the budget and had no further questions.

Councilperson Jengo agreed.

Councilperson Auriemma questioned the \$106,000.00 BAN line.

CFO Cuccia explained the payments of bond anticipation notes.

Councilperson Auriemma asked if we have looked at what could be saved by furlough days versus laying people off.

CFO Cuccia explained the savings associated with furlough days versus laying off employees.

Councilperson Auriemma asked what amount equals one tax point.

CFO Cuccia responded \$140,000.00.

Councilperson Febre questioned the pros and cons of using county dispatchers.

Mayor Eustace responded we have a two minute or less response time to calls using local dispatch, and added he will have a study on the county dispatch system that he will share with the council in about one month.

Administrator Richards thanked CFO Cuccia for his assistance with the budget and the collective effort made by the council.

Council President Savage thanked the council for their efforts and asked the Administrator and CFO to provide the council with information earlier next year if possible.

Councilperson Fleischmann questioned the cost per household.

CFO Cuccia stated he estimates a 4.13% increase but will work with the Auditor and email the council with the new rate.

Mayor Eustace thanked everyone again for their efforts and stated any additional work on the budget will be done during regular work sessions.

**ADJOURNMENT**

Councilperson Savage moved the meeting be adjourned; seconded by Councilperson Jengo and so carried at 9:50 am.