

TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
BUDGET WORKSHOP

MARCH 8, 2011

The Meeting was called to order at 7:00 p.m. by President Kuser. The Salute to the Flag was recited, followed by the reading of the Open Public Meetings Act Statement by Deputy Township Clerk Kathy Costello. Mrs. Costello reminded everyone that this is a non-smoking facility and anyone wishing to smoke must leave the grounds. She asked that all cell phones be muted or turned off.

ROLL CALL: ANDES, FITZPATRICK, SHAW, SMITH, STECKY, KUSER

ABSENT AT ROLL CALL: GOLINSKI

ALSO IN ATTENDANCE: MAYOR HUSSA, ADMINISTRATOR WARD, CMFO GOBLE,
DPW SUPERINTENDENT EGBERT

OPEN PUBLIC PORTION:

Gerry Idec, 1 East Longview Trail, stated that Mrs. Smith commented at the last meeting that, if canoes were allowed at the Rockaway property, it would be similar to when Cook's Pond was opened and the entire property had to be fenced in. Mr. Idec said that is obviously not true because the Rockaway River is a State river and doesn't belong to Denville. He said the he feels that the property should not be purchased unless there is a purpose for the property. Mr. Idec suggested that a sign be put up to allow boats and feels that there would be no more liability than on any other part of the river. He stated that the Township should buy to property on Diamond Spring Road from the Foundation for the Blind and that would be of some benefit to the residents. President Kuser asked if we can get an opinion from our Attorney on the liability of allowing boating on the Rockaway property.

Mayor Hussa responded that the Township bought the property because a developer had a letter of interpretation from the DEP which would allow them to build 85 to 100 townhouses on that property. He said that our purchase of the property deferred the building of those townhouses and saved 2 to 3 acres of runoff, protecting residents from flooding. The Mayor added that there is nothing to stop anyone from putting a boat into the Rockaway River anyplace along the river. He said that it would be no problem to put that in the park rules. Mr. Kuser suggested that we just check on the liability.

Sari Caruso, 6 Cambridge Avenue, stated that she has been gathering signatures, which she will present to the Council at a later time. She asked for clarification so she can put the proper information out in her e-mails.

Ms. Caruso asked if everyone agrees that the two officers that are being discussed are replacements, not additional officers. Mr. Ward replied that, when they get to the budget portion of the meeting, they will be discussing the DARE program. Ms. Caruso responded that she is not concerned about DARE at all, right now. Mr. Ward said that it is one of the items that will be discussed tonight. Ms. Caruso asked if she could get an answer as to whether they are replacement or additional officers.

Mayor Hussa replied that officer #31 is a replacement, #32 is actually above our quota of officers. Ms. Caruso then asked for the salary and wages figure for 2010.

Mr. Ward explained that our ordinance establishes what the full complement of police officers is and that is what the Mayor was referring to when he said 31. Ms. Caruso responded that we had 35 last spring. Mr. Ward said that the most recent number was 33, in December. Ms. Caruso asked again, is this a replacement. The Mayor replied that 31 is a replacement. Ms. Caruso asked what he is calling 32. Mayor Husa said that 32 is actually above our statute. Ms. Caruso insisted that she needs to know if it is a replacement or an additional officer. Mr. Ward said that he is trying to explain it to her. Ms. Caruso again insisted that she is not getting the answer.

Mr. Ward explained that our local ordinance establishes what the authorized complement of police officers should be. He said that number is 31. Mr. Ward added that, over the past many years, we have had more than the authorized complement, with 33 being the most recent number. Mr. Ward advised that the Chief's budget request was for 33 officers. He said that the initial budget submitted to the Council by the Mayor and Administration included one additional officer and we will be discussing a second additional officer this evening.

Ms. Caruso said that it would not be any additional, if the number returns to 33. Mr. Ward said that is correct.

Ms. Caruso asked about the cost for just one police officer.

Mr. Ward advised that the first year, for one full year, with benefits, clothing allowance, etc. would be roughly \$90,000 to \$100,000. He said that over the next 4 to 5 years the salary alone would increase by \$10,000 per year to the top step, which would bring the actual cost to \$140,000 to \$160,000, with the benefits.

Ms. Caruso said that the 2010 police budget was said to be \$3.9 million and she asked what it is for 2011. Mrs. Goble replied that it is \$3.774 million. Ms. Caruso asked where the money that was lost is shown. Mrs. Goble noted that this is down by \$137,000 but the pension is up by \$354,000.

Ms. Caruso asked about the \$200,000 figure that she received in an e-mail from the Mayor as a police officer's salary. She said that is very misleading to the public and a serious insult to the Police Department. Ms. Caruso stated that she can't even imagine where a figure of \$200,000, just to teach DARE, could come from. She noted again that she thinks it is misleading and dishonest and she wants an explanation. Mayor Husa replied that it was just an over-estimation.

There was an angry exchange between Ms. Caruso and the Mayor.

President Kuser asked Ms. Caruso to direct her comments and questions to the chair.

Ms. Caruso continued to address Mayor Husa and demand answers to her questions regarding the need for an additional officer. President Kuser again instructed Ms. Caruso to address her remarks to the chair.

Ms. Caruso, citing public safety, stated that, unless there is gross mismanagement of funds going on, there is no reason not to give the Police Dept. at least half of what has been requested.

Administrator Ward replied that the Patrol Division has not been affected and, even in the original budget, there was no request for additional personnel in that Division.

Mr. Kuser interjected that the cuts will be in Community Policing.

Mr. Ward noted that the replacement of one of the retirees was in the Patrol Division, which responds to calls for service throughout the community. He said that the other officer that was requested was to fill the position of DARE officer.

Ms. Caruso asked that something be done to replace the second officer because it is irresponsible not to do so.

President Kuser noted that the Council asked Administration, at the last meeting, to come up with a plan to save the DARE program and he believes that a plan will be presented tonight. Mr. Ward said that is correct.

Ms. Caruso cited that planning that goes into a lock-down, the fact that all of the children in town know Lt. Nigro and Chief Wagner and, in a crisis, there will be more control because of those relationships.

Mr. Kuser thanked Ms. Caruso for her input and advised that Administration will present its plan tonight for DARE and Community Policing. Mr. Kuser asked Ms. Caruso for a copy of the e-mail that she was referring to during her remarks.

Michele McGlynn, 38 Longview Trail E., commented that many parents are too busy to attend Council meetings so she is collecting signatures to indicate how many parents support the hiring of two officers. She displayed a number of sheets with signatures and said that she will give it to the Council when she has it completed. Ms. McGlynn also spoke about the misinformation regarding the salary of the DARE officer.

Mr. Kuser replied that we should give Administration a chance to present their plan, when it is the appropriate time.

Ms. McGlynn asked why they don't add to the \$30,000 that the Mayor said has been put aside for a DARE officer and hire a full-time policeman to teach DARE and protect the town for the next 25 years. Ms. McGlynn spoke about statistics from 1992 and also asked for the date that the current ordinance establishing the number of officers was adopted. She spoke about gang infiltration, increase in population and businesses and the need for more officers.

President Kuser noted that the consensus of the Council was that they want DARE and Community Policing.

Ms. McGlynn spoke in opposition to having anyone but a Denville Police officer teach DARE because the children form a lasting relationship with that officer.

CLOSE PUBLIC PORTION.

BUDGET:

Administrator Ward suggested that, since so many individuals present seem to be interested in the Police Dept. budget, it may be appropriate to begin with that budget.

Mr. Ward noted that he, Mayor Hussa and Chief Wagner have had several discussions trying to come up with creative ideas.

The Administrator advised that the initial budget indicated 31 officers and in February we filled one of the slots to make the Patrol Division whole, and we are looking at alternatives to continue the DARE program. He said that they are working with the

Chief to try and find a way to continue DARE, either with the current staffing or with some alternative solution.

Administrator Ward noted that, the idea that was suggested to the Chief and Governing Body, is included in the budget that was submitted to the Council tonight. He advised that the Chief's window of opportunity to continue the Spring session of DARE by hiring two new sworn officers, was back when he presented his budget to the Council. Mr. Ward said that, since the Township was not in a position to give that authorization, the Spring session of DARE at Riverview School was no longer viable.

He advised that, not only a long-term solution, but one that might bring back the Spring semester was sought. Mr. Ward noted that he and the Mayor met with a retired officer, who is certified in the DARE program, from Chatham Township who is a 25 year veteran. He said that the officer is very passionate about DARE and taught it for about 12 years. Mr. Ward commented that he and the Mayor wanted to get a feel for what was available if, in fact, this was the solution moving forward. He said that in just a 30 minute meeting with this officer, they had a great deal of confidence that he would be able to assist in the Spring. The Mayor interjected that, unless we went out and did something, there was no way that anything would happen with DARE in the Spring. He asked the Chief if that is not correct. The Chief replied that it is correct.

President Kuser asked if this discussion took place back in August, when Administration was first made aware of the issue. The Mayor replied that it was just recently. Mrs. Goble added that it was three weeks ago. Mayor Hussa noted that, by bringing in this officer, they were trying to provide DARE when it was not otherwise going to happen. President Kuser asked if we can cut to the chase; what did they do, how did they do it and is everyone on board.

Mr. Ward replied that it is felt that this officer would meet the Township's current needs and would interact extremely well with the children in the DARE program. He noted that funds were incorporated in this budget to hire a new officer to teach DARE, effective mid-year 2011. Mr. Ward stated that they felt, after meeting this very qualified and energetic individual, it would be a potential opportunity to continue DARE through the Spring and perhaps for the long-term. He said that, if it didn't work out, the funds are in the budget to hire a police officer for half a year. Administrator Ward advised that he has met with the Chief on various occasions and the Chief is uncomfortable with bringing in a special officer to teach DARE. He said that the Chief feels that it is more appropriate that a sworn Denville officer teach the program.

Chief Wagner advised that he spoke with Mr. Ward, after meeting with him and the Mayor last week, and told him that the DARE program is multi-faceted. He listed many of the components that make up the program. The Chief noted that he is unwavering in the position that he has taken from the very beginning: bringing in a part-time officer from the outside just to be able to say we got the program going, is totally inappropriate. The Chief advised that he has done some research on the legality of special police officers and the idea that a volunteer police officer, from another jurisdiction, could do it for free in our town, and there are some serious legal issues with that. The Chief stated

stated that, if we start this just to get it done with a special police officer for three or four months, when does it end. He said that he stands steadfast in his position that DARE must be taught by a Denville officer. Chief Wagner noted that the public made it quite clear at the February meeting that they want a full-time Denville policeman to teach DARE and they want a replacement officer to replace the DARE officer who is not teaching. He said that the public does not want a band-aid approach, they want a Denville officer with whom their children will develop a relationship that will last many years.

Mayor Husa responded that it doesn't answer the Spring question; he said that we want the Riverview students to have the DARE program this Spring. He reiterated the qualifications of the officer that Administration would like to hire for the Spring DARE session and emphasized the individual's passion for the program and the fact that it otherwise will not happen. The Mayor spoke passionately about Administration's intervention to make this Spring program possible and noted that Denville officers could visit the DARE program while it is being taught by the Special Officer. He added that the only people who will be hurt, by not doing this, would be the children, whom everyone claims to care about.

President Kuser stated that he doesn't know why the Council needs to be included in this discussion. He said that the Council asked that this be taken care of and asked if he is hearing that we came up with nothing.

Mr. Ward responded that there is funding in the new budget sheets for a second officer for one-half year of salary and benefits. He said that what the Mayor was referring to was the solution for offering the DARE program this Spring as opposed to not at all. President Kuser asked Chief Wagner if there is anything he can do; he said that Administration is pleading with him. The Chief replied that he had indicated in February that he wrote a letter in August advising of pending retirements. He added that on February 10th he stated that it was the last shot, the ship was sailing and he was out of time. Chief Wagner listed several issues that he has with bringing in a retired police officer.

President Kuser noted that Councilman Andes had suggested putting the current DARE officer in the school to teach the program and have other Denville officers come in on overtime to cover the DARE officer's other duties. He said that the budget would remain flat and maybe we can get this done.

The Chief replied that the officers' jobs are not interchangeable; he cannot switch officers from job to job. He said that many jobs are continued from one day to the next and cannot be handed off to someone else. Chief Wagner spoke about Officer Underwood's responsibilities at home and how they do not allow for him to work DARE and then work overtime to complete the tasks that the Chief needs to have him do. Councilman Stecky asked if there is only one officer qualified to teach DARE. The Chief replied in the affirmative and added that the DARE officer has other duties besides teaching the program.

Councilwoman Smith asked what the DARE officers 40 hr. week was comprised of.

Chief Wagner explained the various duties, besides the time spent teaching, that are covered by a DARE officer. Lt. Nigro further explained that there is no place to pull an officer from to cover for the DARE officer because, if someone is pulled from the Patrol Division, there is one less officer to answer 911 calls.

Mr. Stecky made some brief comments regarding cross-training and having personnel to back up various positions.

The Chief responded that there are other officers who are trained to teach DARE, but they are in critical positions where they cannot just be pulled off the job to teach. He gave a history of how DARE classes were handled over the years and said how difficult it was to do while working shift-work. The Chief explained that they did have redundancies up until November, at which time he ran out of people.

Councilwoman Smith commented that, as she understands it, as of February, teaching the DARE program using our existing staff was impossible. The Chief said that it correct. Mrs. Smith asked the Chief the following question: If there is an alternative that is not ideal and does not make him happy, would he rather have that solution or nothing in Riverview? The Chief replied that he wrote it quite clearly in his letter - he selected nothing because he doesn't do things half-way.

Mrs. Smith commented that, if that is the Chief's decision, can Administration override the Chief and put in this special officer.

Administrator Ward replied that he does not think so. He said that the Chief manages the day to day operation of the Department and, even as the Director of Public Safety, Mr. Ward does not have the ability to tell the Chief how to use his personnel. Mrs. Smith asked if that applies to an outside person. Mr. Ward responded that the Chief would be able to assign him to whatever he felt was appropriate.

Mrs. Smith asked about the \$30,000 that was in the budget for the part-time DARE officer and noted that it has been removed.

Mr. Ward and Mrs. Goble explained that the funds are there because of the hiring of two new officers for only half a year.

President Kuser further explained that there is \$6,000 left out of the \$60,000 budgeted for two half-year officers and that will pay for an outside DARE officer for just the Spring session at Riverview.

Mrs. Smith again asked about the \$30,000 for the DARE officer and it was explained that it was originally for a full year for a special officer.

Councilman Andes re-capped what has been discussed about devising a plan to preserve DARE this Spring. He said that a plan that could be agreed upon by the Township, the Chief and the Board of Education could not be reached. He said that it seems to him that there is only one avenue left, that being overtime. Mr. Andes stated that he understands Officer Underwood's special circumstances and that he never meant that Officer Underwood should work the overtime; he meant other members of the force might pick up the hours in Officer Underwood's place.

The Chief replied that Officer Underwood is not on the road; he is Acting Sgt. in the Community Policing Division and works Monday through Friday from 8:00 a.m. to 4:00

p.m.

Councilman Golinski suggested that Officer Underwood could work sixteen hours a week, regular time, doing DARE and four other officers could each work four hours overtime to make up the difference. He said it would not require Officer Underwood to work overtime and the other officers would receive cross-training in the Community Policing Division. The Chief replied that the work in the Police Department does not work that way. He said that Officer Underwood is probably handling fifteen things at one time right now and can't just hand different pieces off to different people the next day.

Mr. Golinski responded that people on this Council have managed very complex businesses and scientific endeavors that are also very specialized in nature. He said that one possibility may be to take the roles of the Community Policing Division and train various people for those roles.

The Chief said that we could start that today and be up and running by July. He noted that he advised the Council in February that time had run out and took the position that he stated again tonight. Chief Wagner said that he couldn't make it happen then and he can't make it happen now.

The Mayor replied "we can". He said that the officer is available and he repeated his background and qualifications. The Mayor stated that he has the support of Administration and the Mayor does not understand why it is such a traumatic thing to have the man come here and teach DARE. He said that this can work and we could start it tomorrow.

President Kuser asked the Mayor if he has gotten the approval of the Board of Education and Dr. Clark. The Mayor replied that he spoke with her about it and she said it is up to the Chief. Mr. Kuser asked who the Mayor is referring to and he said, "Dr. Clark". Mr. Kuser asked about the Board of Education. Mayor Hussa said that, speaking for Barbara DeLuna, she has already signed on to finding an alternative. Mr. Kuser replied that he knows that Ms. DeLuna has, but he attended the Board of Education meeting and they did not seem to be too keen on it. He said that is why he asked at the last meeting that the Mayor be sure to have all his ducks in a row.

The Mayor stated that everyone wants to have the program.

Chief Wagner stated that he wants the program as well, but wants the right program. He went on to speak passionately about the rapport between Officer Underwood and the fifth grade students at Riverview School, noting that the special officer that is being proposed doesn't know any of the children there.

Councilman Fitzpatrick noted that nothing has been worked out and we haven't gotten anywhere with this. He asked the Mayor and Administrator what they want the Council to do.

Administrator Ward replied that, right now in the budget, there is a provision for a hire that would re-institute the program in the Fall. He said that the Council had asked Administration to look for a viable alternative to continue the program in the Spring. Mr. Ward noted that finding a qualified substitute for the Spring semester was the best

solution that they could come up with, but the Chief was not comfortable with it. He noted that it will be re-instituted in the Fall.

Mr. Fitzpatrick commented that there is nothing then in the budget for the Spring, but the program will resume in the Fall.

Mayor Husa stated that there is the possibility, if they just hire the gentleman.

Mr. Fitzpatrick replied, in all due respect, the Mayor's own Administrator is not in line with that. He said that, to him, it is up to the Mayor and his Administrator to figure this out.

The Mayor reiterated Mr. Ward's comment that they can't force the Chief to do this. He said that there has been a discussion with our Attorney on that but he hasn't come up with anything conclusive as yet. He said that they want the children to have the program and have done everything that they can to make it possible.

Councilman Andes stated that it is a shame that the Chief asked for two policemen in August and the Council was not made aware of that until the first of the year. He said that Administration came so far in a few months, but we were just a few months short of what we needed to do.

There was additional discussion about offering the program that the Riverview students are missing in the Spring and making it up in the Fall. It was noted that, in the Fall Riverview and Lakeview students are co-mingled, so the Riverview students would have to be pulled from regular classes to take the DARE course. It was suggested that perhaps a lunch period or study period could be utilized. Chief Wagner listed other programs that the Police participate in with the schools and noted that he will speak with Dr. Clark about the possibility of finding a way to fit the DARE classes into the Riverview students class schedule in the Fall.

Councilman Andes commented that perhaps a before or after school, or a summer activity, might be considered. The Chief agreed that all of the suggestions are feasible. He added that he has never stopped working on trying to preserve the program and noted that, in the State of N.J., it is illegal to use a Special Officer to supplant a full-time officer. Chief Wagner commented that there has been some discussion concerning the sworn strength of the Department. He said that it was discovered just recently that, in the ordinance that was written sometime in the late 80's or early 90's, that it should be a complement of 31 officers, although we have been operating with 35. The Chief stated that, if you have a full-time police officer doing a certain job, it is illegal to bring in a part-time Special Officer to do that job.

Administrator Ward advised that our attorney has a different opinion on that issue.

Mayor Husa interjected that the comment was made that this issue was raised in August. He said that we were facing a 2% cap and could not commit to it at that time.

Councilwoman Smith noted that the Council could have been made aware of it.

Mr. Andes added that we could have explored other opportunities before February 10th.

President Kuser applauded Administration for hiring a second officer. He spoke about public safety, the flat budget and the hard work that has been put into the budget. Mr. Kuser noted that the Chief did not ask for two officers because he wanted them, he

needs them. He asked Chief Wagner for his word that DARE will be taught if he gets the additional officer. The Chief asked Mr. Kuser if he means that two officers will be hired in the summertime and DARE comes back in September? Mr. Kuser replied in the affirmative. The Chief said, "absolutely, positively and undeniably".

Mr. Kuser noted that the officers won't be hired until after the contracts are worked out. President Kuser stated that he agrees with Chief Wagner about the temporary officer. He said that he implores the Chief to figure something out to do the DARE program in the Spring. Mr. Kuser commented that Administration worked hard to try and find a way and it would be a shame if it doesn't work out.

CATCH BASINS:

Administrator Ward noted that he has asked DPW Superintendent John Egbert to attend this meeting to answer the Council's questions.

Mr. Ward advised that he spoke with Mr. Egbert after last week's meeting and asked him to do an accurate count. He said that Mr. Egbert had provided estimates in the middle of the winter of 70 to 80 drains in need of repair after the winter ends. Mr. Ward added that there are 40 catch basins that need to be re-built; he explained that, with added overtime and filling the vacancy in the Road Dept., it is anticipated that we will not only get ahead of the curve but we may actually get close to getting the ones that are damaged now repaired. He expressed confidence in the overtime program.

Councilman Andes asked if the number of catch basins needing repair is 80 or 40.

Mr. Egbert explained that, in the second half of 2009 when he became Superintendent, we had 56 storm drains. He noted that, before the 2009 road paving project could begin, 18 basins had to be repaired, which meant that work on the 56 basins had to stop. Mr. Egbert further explained that around the end of September he approached Administration and asked for two crews to be allowed to work overtime on seven Saturdays; he said that twelve basins were repaired, besides the ones that had to be done for paving. Mr. Egbert noted that, every time a street is put on the paving list, the basins have to be done first. He said that, to put it in perspective, in 2010 there were about 70 basins but, by the end of the year, the count was 30. Mr. Egbert advised that, as of today, 10 more have been added. He said that with the severe winter we have had, before we even look at the paving list, we have 39 basins as of 3:25 this afternoon. Mr. Egbert stated that, if he can start the overtime program again when the weather breaks, still being short in the Road Dept. he feels that he can still get the majority of the basins done. He added the caveat that he cannot see what problems may still arise. Administrator Ward interjected that he went over the preliminary road list with Mr. Egbert but, as the Council has discussed, that list will most likely be updated and finalized, possibly at the April workshop. He said that he feels this plan will give us a better handle on the basin situation.

Superintendent Egbert advised that he came up with an idea that may also be helpful. He explained that, even though they got two apprentices last year, the Road Dept. is

still short one man, twice a week, due to the rotation to be on call for the week-end. Mr. Ward noted that they had started to discuss that and were trying to come up with ideas to handle it. Mr. Egbert replied that his thought was that, if another apprentice is hired, he will work the week-ends and the Road Dept. will be fully staffed on Tuesdays and Thursdays. He said that the unexpected issues, like the flood last week, are what make scheduling certain tasks difficult. There were a few comments on drains that were clogged during the flood and the need to take care of them.

Mrs. Smith asked if the drains are being reported more frequently now, after the winter and the rains. Mr. Egbert said that is correct, especially after the rain. Mrs. Smith asked if he expects to be back up to seventy, given the weather forecast for the next month, or does he expect it to go higher than seventy in the coming months. Mr. Egbert replied yes and with the pot holes as well.

Mrs. Smith noted that her point is that, although it appears to be around forty, we are back up to seventy.

The Mayor commented that our professional said forty.

Mrs. Smith stated that we have forty plus the ones that have to be done for road paving and the ones that are being reported as the snow clears.

The Mayor noted that it will have to be determined how many are re-builds and how many are just repairs. Mrs. Smith said we were not defining them in that manner.

The Mayor replied that there is a difference in manpower for each type.

Mrs. Smith retorted that it is a matter of how many we have, not what condition they are in. She addressed Mr. Egbert and noted that her impression, during his budget presentation, when offered one new apprentice, was that he needed more than one.

Mr. Egbert stated, for the record, that he asked only for replacement of very old vehicles in his budget presentation, not for any employees. Mrs. Smith said that she is asking, in order to provide for the proper attendance to our streets and roads, for an estimate of how many additional people he would need.

Mr. Ward advised that this is one of the items, besides the additional Road Dept. person whom John did not request, but for which Administration recognized the need, that was discussed this morning. He said that another issue was the assignment of the seasonal and summer help in such a way as to allow Mr. Egbert to have more qualified and capable hands helping him to address the situation.

Mrs. Smith noted that the budget is tight, but her concern is the safety of the roads and asked if it would make a difference to hire a second apprentice or a more experienced person.

Mr. Egbert replied that he would not turn away help. He noted that he has seven part-time people plowing because, over the years, at least five people who retired were not replaced. Mr. Egbert advised that one person in the Sewer Dept. and one in the Parks Dept. retired recently and were not replaced, leaving each department down one employee. He said that he is doing the best he can with what he has.

Mr. Kuser commented that he would like Mr. Egbert to understand that the Council feels that he is doing a great job. He said that everyone knows he is doing the best possible

job and the Council is trying to give him the tools to do that.

Mr. Fitzpatrick stated that he thought the last revision on catch basins to be repaired was estimated to be 25 to 30.

Mr. Ward replied that those are the ones to be done on week-end overtime. He said the others, to be done during road re-surfacing, would be done during normal hours.

Mr. Fitzpatrick commented that, if we end up with 50 or so, we are on track.

Councilman Stecky complimented Mr. Egbert on his approach. He said that Mr. Egbert is using creativity to get more work done and is willing to brainstorm to work through the obstacles of a tough budget and shortage of manpower. Mr. Stecky said that he likes the fact that Mr. Egbert is taking ownership and responsibility to get things done.

Mr. Golinski noted that Mrs. Smith asked about fuel prices last week.

Mr. Ward replied that 15% more has been budgeted than what was expended last year.

Mr. Golinski referred to budget page #20-03, Streets and Roads. He said that it indicates only a 6% increase for gas/diesel.

Mrs. Goble explained that there are increases on other lines as well and the total increase is 15%.

Mr. Ward noted that the 6% difference between last year and this year is the appropriation, not the actual amount spent.

Mr. Golinski replied that it says "projected final". Mrs. Goble advised that there is \$35,000 more in this year's budget than in last year's. She said that the 15% is the aggregate of all of the gas lines.

Mrs. Smith noted that her concern is that the 15% will not be enough if gas prices rise as trends indicate they may, and we may not have the funds to transfer.

Mr. Golinski asked for a total.

Mrs. Goble noted that they ran a vendor history to show what we spent with all 182 vendors, added all gas line items and added \$35,000 above that figure.

Mr. Golinski spoke about the 6% fuel line increase for DPW and the 30% increase in current gasoline prices and also expressed concern that not enough has been allocated in the budget.

Mrs. Goble replied that we are here tonight to finalize the budget and make changes, if that's what the Council wants.

Mrs. Smith again stated that she does not think we budgeted enough.

Mr. Ward commented that it is an estimate and we can certainly make adjustments and try to increase that.

President Kuser asked that, since Mr. Egbert was invited to attend tonight, the Council should focus on his comments. He asked if anyone had any additional questions for Mr. Egbert.

Councilman Andes noted that he was the one who brought up the issue of catch basins and he thanked Mr. Egbert for coming out tonight. He said that, if Mr. Egbert feels he can tackle it, no one is holding him to a zero balance of basins in need of repair. Mr. Andes commented that, even when they are all repaired, new ones will be reported. He told Mr. Egbert that he has a lot of faith in him and knows he will get it under control.

President Kuser asked if Mr. Egbert will now be down two people due to the loss of employees in all of the various DPW departments, or will he be down three and we are replacing one. Mr. Egbert replied that he is technically down four people because one of his employees has been re-assigned to the Police Department. Mr. Ward noted that the employee still does some of the duties that he performed in DPW, such as plowing the parking lots and making signs.

Mr. Kuser re-capped that DPW is down three people, not counting Mr. O'Dell, and we have budgeted for one more. He said that he is concerned about the snow plowing because we can't handle it now and he wonders how it will be handled when we are two people short. Mr. Kuser commented that it is great to have a zero budget but asked if it is realistic. He cited a problem at one of the schools due to lack of manpower available to plow.

Mr. Ward noted that a plan is being put together for snow plowing in order to avoid such problems in the future. Mr. Kuser asked if Mr. Ward is confident that the snow plowing situation is under control. Mr. Ward replied that he is.

Mr. Egbert explained that, right now, he is down three people, two that retired and the other one. He said that we are adequate for plowing, unless someone is out sick. Mr. Egbert advised that is why he is plowing himself, because he knows he is short-handed. He said that his employees proved to him, during the last few storms, that they can do the job. Mr. Egbert noted that no one complained and he is proud of them.

Mr. Kuser had a question regarding the effect of brine as opposed to salt on the roads. Mr. Egbert explained that brine is diluted and, therefore, less harmful. He spoke about the possibility of a shared service agreement with Randolph for the brine solution, noting that he had brought that to the Council during his budget presentation. Mr. Egbert further explained that shared services, with regard to DPW, involves equipment rather than personnel.

Mr. Kuser thank Mr. Egbert and all of the men and women under his supervision for their good work.

Mr. Stecky asked about the chemical make-up of the brine.

Mr. Egbert explained it to him and noted that it is environmentally safer than other materials that could be used. He stated again that he feels it would be ideal for Denville to join with Randolph to use their system for brine.

Mr. Egbert advised that a company contacted him today regarding a process to re-coat catch basins with rhino liners. He said that he will be looking into that process to determine if it would be worthwhile.

Mayor Husa thanked Steve Ward and Marie Goble for presenting the possibility of a flat budget. He said that they are very detail-oriented and work very hard. The Mayor noted that it is very difficult to make cuts and every cut that has been made has been well thought out and considered from every angle.

President Kuser asked if the Mayor would say that we have not suffered any loss of services from these cuts. The Mayor replied that DARE is the only thing and Administration is ready to provide that. He said that Mr. Egbert and Mr. Ciardi are both

making things work in spite of cuts, as is everyone in every department.

Administrator Ward noted that, other than the discussion on fuel, he had no other item for discussion tonight except for the Palmer Road and Broadway paving issue. He said that a decision must be made as to whether we want to appropriate the \$190,000 for the paving of those roads locally, using local funding and incorporate it into our bond ordinance, pending a decision on our appeal and/or application for discretionary aid. Mr. Ward noted that, if funding does come through from the State, the impact to this year's budget would be minimal, just the down payment money, which we have in the Capital Improvement Fund.

As to fuel costs, Mr. Ward advised that, since the price is always fluctuating, it is a matter of making one's best educated guess. He said that he feels that a little more funding could be found in order to provide a little more confidence in that number. Mr. Ward stated that they will work on it tomorrow.

Mr. Kuser asked if he could return to the road paving. He asked, with regard to the \$190,000, if Administration wants to have people start writing letters and have the Council pass a resolution. Mr. Kuser said that he would really like to get on this and would like to see what we have asked for, in terms of paving grants, over the past five years and what amount of money has been granted to us.

Mr. Ward replied that this year's request was for \$193,000 but he does not have the document in front of him. He advised that, statewide, the average award was in the range of \$180,000 to \$185,000, so we were within \$5,000 of the average. Mr. Kuser said that he would like to see the figures that he just requested. Mr. Ward noted that, last year, we applied for \$225,000. Mayor Hussa interjected that, in every other year, it was under \$100,000. He said that we have gone over \$100,000 three times in the past ten years. Mr. Kuser commented that he would still like to have that analysis. Mrs. Goble replied that he can certainly have that but, what needs to be decided tonight in order to stay on track with the budget, is what the contribution is going to be from Denville Township towards the Capital Budget for road resurfacing. She said that we do not have to go know what roads they are this evening but she thinks that the reason Mr. Ward brought up Palmer is that it is a \$100,000 road. Mr. Kuser asked for Administration's recommendation before the Council talks about it.

Administrator Ward replied that the recommendation is that it be included in the Capital Budget. Mr. Kuser asked if Mr. Ward intends to include \$190,000 in the Capital budget. Mr. Ward replied in the affirmative, with the understanding that a very aggressive push will be undertaken to get that reversed through the appeal process.

Mr. Golinski asked what the qualifications are for a road to be included on the State list. He said that his recommendation would be not to pave Palmer and Broadway with our own money and try again next year for the State grant money. He asked why we choose some roads and not others.

Mr. Ward explained that part of the criteria is the fact that Broadway connects Route 46 and Route 53 and Palmer Road is a connection between two municipalities. He said

that it has been almost like an entitlement from the State because it is Transportation Trust Fund money that local residents are contributing to. The Administrator noted that it is the first time in twelve years that an application such as this has been denied and he is shocked. He said that he has spoken to the DOT and to our Senator and was assured that all our i's were dotted and t's crossed.

Mr. Golinski stated that he doesn't want to spend our own money on roads that we may get money for next year. He said that he would rather defer them for one year.

Mr. Ward replied that is a good suggestion and what we can do at our April meeting, if we have an idea of the amount of our appropriation, is develop a new prioritized road list.

Mr. Andes asked, if we do Broadway and Palmer this year, what roads we would seek a grant for next year.

Mr. Ward replied that there was one road that the Engineer recommended, Smith Road, for the 2012 grant list. He noted that, although Mr. Golinski's suggestion is well taken, if we are putting in a supplemental application, our application for the 2012 grant is due in July and we may not have heard back from the first one. Mr. Ward said that he does not think it would be beneficial to have two overlapping grant applications for the same road. He commented that, by April, we may have a better plan.

Mr. Kuser noted that it sounds as if Mr. Ward wants to cover all bases. He said why not budget the money, just in case, and move forward with that understanding.

Councilwoman Smith commented on the fact that other Counties received more State grants than Morris County did. She stated that she feels that, at the moment, it might be wise to put the money in the budget. Mrs. Smith asked if the price for the paving material locked in for 2011 when the Engineer did the estimate for paving costs. She advised that the cost for paving roads next year will be even higher if the anticipated petroleum price increases take effect.

Mr. Stecky spoke about the high fuel costs and asked if there are not fewer vehicles this year.

Mr. Ward replied that administratively, as of April 30th, there will be three less vehicles assigned for commuting purposes. He said that there will be some very old vehicles being replaced with newer ones.

Mr. Stecky commented that his thoughts were running along those lines: replace gas-guzzling vehicles with high-efficiency ones, minimize idling and reduce the number of non-essential trips. He said that he thinks that will create a big savings. Mr. Stecky stated that we should start to see some energy efficiency in the building as well. Mrs. Goble noted that we are going out for bid for electricity and, last month did so for natural gas. She said that they anticipate that bid activity to result in some savings.

Mr. Kuser commented that there is not a fuel shortage, it is the market overreacting.

Mr. Golinski disagreed stating that fuel costs are already 30% higher only a few months into the year. He said that eliminating three cars, compared to all of the trucks, plows and police cars, is not going to do it. Mr. Golinski noted that replacing old trucks with more fuel-efficient ones should also help, but he is still nervous about it. It was noted

that electricity rates are decreasing.

Mr. Ward advised that, since last June, we have seen about a \$3,000 saving in electricity. He said kudos to John Ciardi for his work on that.

Mrs. Smith spoke about adding three people, not at full salary, and how that fact and the steps involved will impact the 2012 budget by almost one tax point. She said that when doing a budget, we need to take into account not only this year, but next year and the following year. Mrs. Smith expressed concern that with the cap, which is not going away, we could exceed the cap next year and have to eliminate positions because we weren't responsible by bringing in a flat budget this year.

Mrs. Goble advised that we will not exceed the cap next year because the cap that we are not using this year will go into our cap bank. She explained that there is a formula that controls those funds. Mrs. Goble noted that we just lost our 2008 bank and we have a 2009 bank of \$719,000, which we could have used this year, if we needed it.

In speaking with the Auditor, Mrs. Goble commented that it is unlikely that next year's budget can remain flat, but Mr. Sarinelli does feel that we can regenerate our fund balance. She said that there are not many years when we can keep a flat budget. Mrs. Goble stated that we have already gotten the bill for the pension for next year.

Administrator Ward advised that he and Mrs. Goble met with Mr. Sarinelli yesterday and went over the budget line by line. He said that Mr. Sarinelli felt that it is very much a responsible budget and with decrease expenditures, increased revenues and given the information at hand, we should be able to regenerate the fund balance. Mr. Ward added that we are very comfortable with where we presently are with our fund balance.

Mrs. Smith suggested that Mr. Ward may want to update a memo that he sent to Council on February 2nd. She gave a brief summary of changes that have been made between last year and this year: changes to Social Services, loss of the DARE program and a decrease manpower. Mrs. Smith stated that the Superintendent of DPW John Egbert has done an excellent job, but she would like to talk about what services we have lost. She said that she would like to clarify that and lay it out.

The Mayor replied that, with regard to the Local Assistance Board, we have not lost anything there, we have gained. He said that people who are on local assistance have gained because there are a lot more programs available to them at the County.

Mrs. Smith responded that they always had those programs available; she noted that what has changed is having a full-time local person available to them. The Mayor said that the same people will still be here.

Councilman Golinski interjected that he is looking forward to meeting with Mr. Ward on this next week. He said that, in the meantime, he has done some research on his own. Mr. Golinski disputed the statement that the welfare recipients will not lose anything. He said that the recipients come here once a month but, at the County level, it would be once every six months. He said that he has not double-checked that to see if that is, in fact, the case. Mrs. Goble stated that is incorrect, they have to go every month to obtain their assistance. Mr. Golinski asked if it is not done electronically. Mrs. Goble said that she believes they still have to go there.

Mr. Golinski commented that he is concerned that we are budgeting on a plan, which sounds good, but he thinks that it would have been appropriate for the Council to review that plan. He said that the Council is not aware of a transition plan, which would have been good for them to know, and it sounds like they are just agreeing to a loss in services. President Kuser agreed that, if we are voting someone out of the budget, it would be proper for the Council to know Administration's plan. He asked what the benefits of moving local assistance to the County are and, is this person being fired. Mr. Ward replied that the hours of the individual are being cut and he is working with her to develop a schedule. He advised that he has met with this individual and she came up with a comprehensive list of the programs that she provides, which the town hopes to continue to provide. Mr. Ward noted that she runs these programs with the assistance of local volunteers. He explained that the administration of local assistance consists of State funds that currently come here and checks are written out to approximately 32 recipients, but they will now be written out at the County level.

Mr. Kuser asked what the savings will be.

Mr. Ward replied that it would be \$32,000 per year. Mrs. Goble explained that the individual was a part-time person but was grandfathered in for health benefits, so there will be a savings on health benefits. Mrs. Goble added that it is a proven program, since 36 of the 39 municipalities in Morris County participate.

Mr. Ward explained that there will still be a local individual here to assist the clients. He said that part of the transition plan is to meet with representatives of the County and there will have to be file transfers and letters sent to the recipients of the aid. Mr. Ward noted that all of the local programs will still be provided and the local individual will still be here to run them.

Mr. Golinski noted that we must do our due diligence in this regard and commented that the fact that so many municipalities participate does not make it a good program. Mrs. Goble defended the program and assured Mr. Golinski that, in her experience with it, it is well run. Mr. Golinski replied that he just wants to be sure that it is done right and is thoroughly investigated.

Mrs. Smith stated that she wants a memo outlining the changes in manpower, in the Engineering Department, etc. and indicating the impact in dollars and in services. She said that she would like that memo before we introduce the budget next week.

CFO Goble advised that the budget has to go to the Auditor on Thursday morning, on the State form, for his review and signature. She noted that she will be out of the office on Friday and Monday. Mrs. Goble stated that she finished the State form this evening and will e-mail it to Mr. Sarinelli tomorrow; Mr. Sarinelli will review and sign it and send the copies to the Township so that they have them in time to meet the State deadline for introduction on March 15th. Mrs. Goble said that she does not think it will get to the Council until Tuesday night.

Mrs. Smith interjected that she is asking that Mr. Ward write the memo and it is not a herculean task. She said that she appreciates that Mrs. Goble has worked closely with Mr. Ward and feels that he is more than capable of providing what she is asking for.

Mrs. Goble repeated that she wants the Council to understand that they may not get the final sheets until Tuesday night's meeting.

President Kuser commented that there will be a lot of questions, such as inquiries about the Engineer, and asked how they are going to be handled. He asked who is going to come and tell the Council which roads are going to be paved. Mr. Kuser asked if Administration has a plan, what is the plan and why doesn't the Council know about it. Mrs. Goble replied that the money is in the budget.

Mrs. Smith stated that the Council has agreed to the numbers but is asking for the back up to substantiate the Council's support of the budget.

Councilman Andes commented that he thought that there was going to be a discussion about Social Services and Engineering before the budget was introduced.

Mrs. Goble replied that, because of the new mandate by the State for introducing the budget by a certain deadline or they will take away State aid, and they did it before....

Mr. Kuser interrupted and told Mrs. Goble, "no offense, but we don't need you anymore. You did your budget and did a great job"; he said that the Council is asking Administration about this. Mrs. Goble replied that she thinks what Mr. Andes is saying is that he thought we were going to do that before the budget was introduced. She said that she is trying to explain why they are pushing up the schedule because we just received the mandate from the State, advising that they will take State Aid from us if we don't introduce on time.

Mr. Andes stated that we still have time. Mrs. Goble explained that, since she will be away, there will be no one here to make changes before the meeting of March 15th, when the budget must be introduced.

Mrs. Smith noted that there will be time between introduction and adoption to get the plan and, that it would be nice to have the re-cap she requested before introduction.

Mr. Kuser suggested that, at this point, the Council should ask specific questions regarding Social Services and the plan for engineering.

Mr. Golinski asked which is easier, to budget \$100,000 and spend \$70,000 or to budget \$40,000 and try to spend \$70,000.

Mrs. Goble replied that it depends on what the Council wants. She said that if they want to put more money in, that is what will go in.

Mr. Golinski said that he thought that, when we run out of money, we run out of money.

Mrs. Goble replied that we can transfer and she has never run out of money in the 25 years that she has been doing this.

Mr. Golinski questioned the Engineering figures, stating that it indicates that there is a 65% decrease in 2011 as compared to 2010.

Mr. Ward explained that in mid-year 2010 an employee was eliminated. He said that a large portion of that decrease is due to that because it was a very expensive proposition. Mr. Ward noted that the salary budgeted for the retiring Engineer through April 30th and the cost for transition are also included. He stated that, it is his understanding, he and the Mayor will work with the Council, as they did with the selection of the Planner, on the matter of a consulting engineer. Mr. Ward advised that

he and the Mayor are speaking with two or three engineering firms. He said that he would be happy to go over the pros and cons of why it would be more beneficial to Denville to have a consulting engineer, rather than a full-time one. Mr. Ward noted that, with the retirement of the present Engineer coming up on April 30th, he thinks it would be prudent to make a selection within the next two weeks. Mr. Kuser stated that he would like to have the same sub-committee that was formed to interview the Administrator. Mr. Golinski asked if Mrs. Goble feels there is sufficient money in the budget for the engineering services for the rest of the year. Mrs. Goble explained that the funds can be drawn from several areas that require engineering services.

Mr. Ward explained that, under the proposed scenario for a consulting Engineer, most of the firms that they have met with stated that any of their work with either of the Boards would not cost the municipality anything. He said that their fees are billed to the individual applicant, through escrow. Mr. Ward further explained that using a consulting Engineer reduces the work load for the Boards. He said that in 2007 there was \$74,000 in the Engineering escrow fees from the Planning and Zoning Board applications, which our engineering staff reviewed. Mr. Ward noted that it dropped to \$54,000 in 2008 and \$18,000 in 2009 and ultimately, to \$15,000.

President Kuser asked the Council if they feel that a workshop meeting on Thursday is necessary.

Mr. Golinski noted that he is concerned about whether the vote on the budget will tie the Council in on Social Services and Engineering. He asked if there would be the latitude in this budget to decide not to send local assistance to the County if they decided that is best.

Mr. Ward replied that amendments can be made after introduction, as long as they are not greater than 5% of any line item. Mrs. Goble explained the procedure for voting on an amended budget.

President Kuser stated that he would like to cancel the meeting for Thursday, March 10th and meet on Tuesday to introduce the budget. He said that, in the meantime, Mr. Golinski will be meeting with the Mayor and Administrator and Social Services.

Mr. Kuser commented that he would like to have our Engineer come in and answer a couple of questions. Mr. Ward and Mrs. Goble said that would not be a good idea. Mr. Kuser asked who the Council should then direct their questions to. Mrs. Smith suggested that any information that the Council requires could be supplied by Administration and the Mayor. Mr. Ward advised that he has put some numbers together and information concerning our engineering services and can give a brief summary and answer questions next week.

Mrs. Goble again noted that the budget must be introduced by March 15th, and that there is no public hearing at introduction.

MOTION TO ADJOURN: MOVED BY MEMBER SMITH, SECONDED BY MEMBER STECKY
Township Council

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AYES: UNANIMOUS

MEETING ADJOURNED AT 10:00 P.M.

Respectfully submitted,

Kathleen A. Costello
Deputy Township Clerk