
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 1 of 8

Mayor Bieri called the Special Meeting of the West Milford Township Council to order.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this special meeting was advertised in the Herald News in its issue of May 8, 2016; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits - located to the left, right, front and rear of this room for use in case of an emergency. Thank you.

Councilman Wagner asked for a point of order. He said because this is a special meeting, it is his understanding that by the rules, he would like to take from the table the motion to rescind something previously adopted, specifically resolution 2016-142. Mayor Bieri asked what the topic of the resolution is regarding. Councilman Wagner said it was in reference to the matter that was tabled at the last meeting. Mayor Bieri suggested finishing the pledge of allegiance and roll call, and then the discussion can be continued.

Pledge of Allegiance

Mayor Bieri led all in attendance in a salute to the flag.

Agenda No. I

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley (5:34pm), Tim Wagner, Michele Dale, Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator/Clerk Antoinette Battaglia

Mayor Bieri asked Councilman Wagner to repeat what he said earlier. Councilman Wagner said he would like to bring up a motion that was tabled at a previous meeting regarding resolution 2016-142. Township Administrator/Clerk Battaglia explained that this is a special meeting and we can only conduct the business of which has been advertised. We have advertised for the 2016 municipal budget so at a special meeting we can only address those matters. Mayor Bieri said that it was her recollection that the topic was tabled to a later date and the attorney said that there would be no later discussion. In the interim, we have received an email regarding that topic.

Agenda No. II

Purpose

Review of the proposed 2016 Municipal Budget

Agenda No. III

Review of 2016 Municipal Budget

Mayor Bieri noted that this meeting is specifically to review the proposed 2016 budget. As you are all aware, the budget has already been passed and approved so we are talking strictly about operations. In addition, formal action may be taken at this meeting.

Mr. Robert Casey

Mr. Casey said he would like to start off with clarifying something. There was some discussion by the council stating they didn't have an opportunity to review or discuss individual department budgets. Mr. Casey explained in the budget book, the actual budget request that was supplied by the departments was \$34,426,000. The budget that was presented to the governing body by the Administrator and himself had already been reduced by \$400,000. He noted that some of the discussions with the department heads had to do with items that were not approved. We reduced that budget down to a point that we felt comfortable presenting to the council for final consideration. If you look at the budget and take out the reserve for tax appeals, the actual change in this budget is \$171,000 over last year. From an operations standpoint, there is not a lot of room for maneuvering. Mr. Casey explained that he doesn't think it would

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 2 of 8

be productive to try and go back to the departments because there is not a lot there unless you are going to change the operations. The department budgets are essentially the same as they were last year with very little change. He stated that it is up to the council to tell us what you want to do and what your thoughts are with the budget. With that said, we are open to suggestions.

Mayor Bieri said for the last eight years, the operations side has basically remained level each year with no cost of living adjustment. All of the departments have worked within the constraints of their operating budget, short of specific requests or needs. Mayor Bieri explained that she agrees with Mr. Casey's statement. That is not an area where there are really significant cuts that can be done. Council President Dale noted that she has a specific idea that she would like to explore with the council that could provide significant savings. She requested an executive session on that matter pertaining to collective bargaining unit agreements. Township Administrator/Clerk Battaglia explained that Mr. Casey called her today regarding this matter and Council President Dale spoke with Mr. Casey this morning. She stated that we can go into executive session because it is directly related to the budget and it would require a motion for executive session for bargaining unit agreements. Mayor Bieri asked if the council is agreeable to that to hear the suggestion.

~ Resolution No. 2016 – 177A ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 11th day of May 2016 that:

1. Prior to the conclusion of this **Special Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - (X) b. (4) A collective bargaining agreement including negotiations.
 - Contract Negotiations – Personnel
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - () b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: May 11, 2016

Council President Dale made a motion, seconded by Councilwoman Erik for executive session to discuss contract negotiations for personnel.

Moved: Dale Seconded: Erik
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg
Voted Nay: None.
Motion carried.

The Governing Body went into executive session at 5:41 pm.
The Governing Body returned to the public meeting at 6:07 pm with all members present as before.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 3 of 8

Review of 2016 Municipal Budget

Mr. Casey stated that the budget is open for discussion from the governing body. Councilman Wagner said he has been going over the major snow storm cost summaries and break down of the line items for snow removal. He provided a handout of his own cost analysis. He explained that he went to the county shed and took photos of what we have stock piled currently. He distributed the photos to the council. He noted that the amount requested for salt stood out to him when looking through the DPW budget in the amount of \$610,000. The prior year, \$600,000 was requested. Councilman Wagner stated that was alarming to him because we had such a mild winter and there are several other costs like the ice control aggregates and contractors have jumped up significantly. He explained that he put together his own cost analysis together with the average of the last four years. He noted that the average is significantly different than what was requested this year. The amount is about \$50,000 difference. For the average, we are up \$464,000 in the past four years. Councilman Wagner said that there are obviously going to be worse winters than others. In addition, we have a trust account with approximately about \$200,000 for snow related emergencies. He noted that these line items are higher than what he feels they should be. He suggested reducing those amounts to give it back to the tax payers. He stated that those photos of the DPW shed show that there is 25% left for an average winter. He would like to leave the topic up for discussion.

Councilman Wagner said that he is focusing on three items; contractors, salt, and grit. Not the overall cost. He explained that he is going by the snow storm summary for the season, not the year total. Councilman Wagner explained that if you go to the snow removal line items from 2012-2016. In 2012, we ordered \$262,000 and expended \$219,000. Now we are at 2015 with \$600,000 that we received last year and now we are requesting another \$610,000 after one of the warmest winters in history. Mr. Casey said that we budgeted \$500,000 for this year. Councilman Wagner stated that there should be a reserve left from last year so we are budgeting a tremendous amount. Councilman Signorino agreed and said we are also budgeting more than it has ever been since he has been here. He noted if you look at the history of what was expended, obviously we are budgeting way too much. Township Administrator/Clerk Battaglia stated while the dollar amounts may have increased, the quantities have not increased. She explained that the quantity the DPW is budgeting for is 8,500 tons of salt and that number has not changed in 20 years. Councilman Signorino asked how the amount could go up that much if there has been no change. The price has not increased that much. Township Administrator/Clerk Battaglia said about three years ago, there was a tremendous salt shortage in the entire state and salt prices doubled that year. The prices have never gone down since and in fact they have gone steadily up. Councilman Signorino stated that last year, we budgeted \$600,000, and we only spent some \$300,000 dollars. This year now we are budgeting \$500,000 and it's still a significant jump. Council President Dale stated that is not the type of planning that we should do. Councilman Signorino explained that we are talking about \$200,000 dollars budgeted that's not necessary. In addition, you also have emergency appropriation. It's something that no one can forecast. If we put twice as much money just in case, the taxpayers are not going to be happy about that. Council President Dale said that if you take the average from four years and deduct the cost of salary and wages, the average has been \$784,000 a year. She stated that we have talked about doing long term forecasting and planning for the municipality. We need to make sure the funding is there that we are being fiscally responsible. Looking at one mild winter is not enough to say that we are over budgeting on a line item. Councilman Wagner said that being fiscally responsible is not over spending. He said he took the average of four years based on the actual snowstorm cost summaries for the season. Those are the actual costs that are not being fiscally irresponsible. He said that we shouldn't be taking money from the taxpayers and overspending. He stated it is still high even \$500,000. Council President Dale disagreed. She said that she is showing an average of \$784,000 over four year period. Councilman Signorino said that you keep taking about something different than he is talking about. He explained that he knows where Councilman Wagner is because he has gone over this topic with him, thinks it's a great idea and supports it. He went over the numbers for the salt and grit and asked why it is kept so high.

Councilman Wagner said the township has salt and grit stock piled right now and that's why he provided the photos. He stated that he spoke with the DPW director and was told the amount was based on an average snowstorm and that we have currently 25%. Additionally, we have some and on top of that we have a reserve account with \$200,000 in it. Mayor Bieri said that amount is nothing and that is one storm that we are not anticipating. Councilman Wagner said with the mild winter, there is additional money that is going to replenish some of that account. Mayor Bieri said that she wanted to clarify. She noted that there was a comment made that we were overspending. We are not overspending, it would be over budgeting. We are not overspending; we are ordering the salt that we need. We are budgeting what the municipality and what our DPW has requested and feels is necessary to adequately cover this township and not have to provide for emergency funding. She said that she just wanted to clarify for everybody and the public. Council President Dale noted that it also feeds the reserve dollars that we utilize to offset the overall budget when we introduce it to begin with. Mayor Bieri explained that around two years ago, there was another ice storm and we had to put down salt often. We had the funds available without having to jack up the tax rates because we could hit those reserves. Mayor Bieri said in her opinion, to have only \$200,000 in those reserves, that only one storm that you are not anticipating. She said that we were lucky

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 4 of 8

this year; next year might not be like that. Councilman Wagner noted that's where the number is right now in the reserve account. He said we are probably going to be adding to that, it's not going to stay at \$200,000. Township Administrator/Clerk Battaglia said that Councilman Wagner is right. If you look at the handout that was distributed, there is now \$400,763 in total. She said that we are anticipating \$200,000 going from 2016 going into the reserve. Another thing that has changed with the state standards regarding the snow reserve account. Prior to last year, the account had to be used for just snow related emergencies. The governor and the legislature changed that to where those reserves are for any storm related emergency. If we had another Super Storm Sandy or another event like that, we can go into this reserve account.

Councilman Wagner addressed the council about the grit line item. He went through the averages and the highest that we went through for grit was \$96,000 for 2014-2015. Yet in the budget, we are requesting \$152,000. He noted that the line item can be reduced. Councilman Wagner said if the salt and grit line item could be lowered, it would add some savings to the tax payers and he would definitely support that. Councilman Signorino agreed. Councilman Wagner said he didn't recommend a number because he would like to keep that up for discussion, but he would like to see it reduced. Councilwoman Lichtenberg asked Mr. Casey what the current numbers in the budget are for the salt and grit. Mr. Casey said the \$610,000 is really in the budget for \$500,000 and the grits is \$130,000. Mr. Casey said that he would like to provide a different perspective on this. Thus far, you have spent \$450,000. He went over the previous year's history and the averages for November and December. From a budgeting standpoint, you should assume two bad events in November and December at least. He said the total was budgeted at \$1,000,047 based upon the prior years. He said that we had a light winter and only spent \$450,000. It's realistic to say that with two snow storms, we will be around \$750,000. Mr. Casey said yes we can reduce the budget but it means two things. He and the Administrator have talked and they are looking to replace one of the two shed roofs that blew off. We were going to fund it from this account. In addition, we were also going to fund the adjustment for police in this account in the amount of \$50,000. Mr. Casey suggested taking out \$100,000 but that is a council decision. Councilman Wagner explained if we could lower the salt and grit by \$100,000, which would be a big help. Mr. Casey noted that the amount could be taken out safely and the account is still within a reasonable amount. Council President Dale said she isn't okay with taking out half but she is agreeable with taking out the \$100,000. Mr. Casey said whatever is left; we will roll into the reserves.

Council President Dale noted that what would have been left in the account would fund the reserves. The reserves that we start the money off with in next year's budget will be reduced by \$100,000 as well. Every time you make that change, it needs to be forecasted on how that is going to effect the budget for future years. Councilman Hensley said it's like a pay now, pay later situation. For the next year's budget, we are going to have a steeper hill to climb because there is not that \$100,000. Councilman Wagner said in the prior year we had \$325,000 and the year prior to that \$180,000 in reserves. He said that we are adding to the reserves so that amount will be higher. Council President Dale said she is just making the point that we are starting from a reserve standpoint; we should not be spending everything that we have. Township Administrator/Clerk Battaglia said five years ago, a previous council member said that he wanted to go from having debt to pay as you go. We are looking at putting in a salt shed at the Newfoundland Depot without going into debt for it. These reserve accounts are helping us to build to a point where we have the reserve for the emergencies, but when the emergencies don't arise, we have the ability to fund some of those things without having to bond for them or raise taxes. Councilman Signorino said that you are raising taxes to not raise taxes later. He said if we were about to take \$100,000 off of that, that's a significant number. In addition, we had discussions about another significant amount from a different place. We really need to go down by line item to understand what is being spent and what the need is. Councilman Signorino said being here for 6 years; he does believe that there is room to take the budget down. He said that he thinks that there is room if we are talking about 10% on several different items and wouldn't be surprised if we could cut the budget 5% percent across the board other than salaries. Council President Dale asked if this is the most that we have taken for surplus. Township Administrator/Clerk said yes. Councilman Signorino said that we have taken more than ever and the surplus is higher than ever. That's his point; he said the room is there. He would leave it to the administration to go back to the department heads and see if we can take 5% off besides the salary and contractual obligations. That way we can come up with a plan and if the answer is no, then the department heads should give the justification. Township Administrator/Clerk Battaglia asked if the council is requesting for each department head to come back in and start over again. Councilman Signorino said that the departments should come back with a reduction of 5%. Councilman Wagner said his thought on this is that we should definitely not cut any services on this or any pay. Township Administrator/Clerk Battaglia said that you will see a reduction in services because if you look at the budget at the end of the year, we are spending very close. Councilman Wagner explained he really doesn't want to make cuts to a department that he doesn't really know the ins and outs of. The department heads know their departments. He said that he would be for giving direction to each department head and suggested they find a way to cut by 5%. There have been adjustments in the past and would rather have them do it, then us do it. Councilman Signorino said that he would not want to compromise services but I think it would be incumbent on administration.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 5 of 8

Mr. Casey addressed the council and noted that in the beginning of the budget process, he went over how to generate surplus. At any one time you can reduce your current expenditures but all you have done is reduce next year's surplus. Council President Dale agreed and said that was her point. Mr. Casey explained that yes we have built the budget and it's comfortable but we also know that whatever they don't spend gets rolled into surplus. Looking at the surplus regeneration, the biggest impact is the cancellation of the prior year unfunded balances. Mr. Casey noted that yes the balances can be reduced this year but what you have done is reduced this year's taxes and you have increased it for next year. Council President Dale agreed. She explained that looking at the budget year by year is not going to fix the issue that we have with taxation in West Milford. There has to be long term planning. Mayor Bieri said that she recalled the auditor not being happy with our level right now. He wanted even more in surplus. The idea of cutting now so we have fewer surpluses next year, all you are doing is forwarding the burden. Councilman Signorino stated no one is talking about reducing the surplus. He said maybe certain things can't be done, but why not ask the question. He asked why there is so much opposition to save money. There is nothing wrong with asking the department heads if they can take off 5% and see if they can get the job done with 5% less. Council President Dale explained that we had department head meetings where you had the opportunity to sit in front of department heads and ask them to reduce their budget by whatever percent you wanted. Line item by line item we went over them. Councilman Signorino said that the whole point of the budget process is to understand where the money is being spent. He said that we are talking about it and he is asking the question now. Councilman Hensley stated it is our responsibility up here to give direction to the department heads. He asked why he didn't ask for the 5% cut when they were in front of him. He said that we have been at countless budget meetings and have had the paperwork updated routinely. He noted that the reduction will affect services. Councilman Wagner said that we emphasized that we are not looking to compromise any services or staff. That's up to the department to look through it and maybe they don't have any cuts and can't do it. We can bring up any recommendation at any time. He explained that maybe ideas come up at a later time and the budget should be worked all year to try and find ways to save. Councilman Wagner noted that he is looking to cut the taxes as much as we can so the tax payer pays less than they did the prior year.

Councilwoman Erik noted that she has attended many council meetings while on council and before as well. She explained that we had a council for seven or eight years that went to a 0% increase for the municipal budget. After the second year, the auditor said that you can't keep doing this. There is going to be a time where you are going to have to pay the piper and we are at that point right now. Councilwoman Erik said she agrees that we can't cut the surplus. In addition, an analysis should not be done on a winter that was not normal. It should be done on normal winters to get an accurate analysis. Councilman Wagner explained that the analysis was an average of the four winters. We are just looking to cut the fat and go through their budget a little more carefully. Councilwoman Erik said that we don't have any fat left right now. Councilwoman Erik noted that both Mr. Casey and Township Administrator/Clerk Battaglia cut the budget before it was even presented to us and then it was cut again. Councilman Wagner said he spoke to a department head earlier today and that person said that they would have no problem cutting their department head budget by 5%. He stated if a few departments can do it then why not. Councilwoman Erik noted regarding the snow budget, taking \$100,000 from \$500,000 is 20% and that's a lot.

Mayor Bieri said that she would like to remind everyone that the same quantity of salt and grit has been ordered for the last 20 years so it's a matter of pricing. She said they have budgeted based on those current prices and that's how they have come up with that figure. Mayor Bieri suggested putting the \$100,000 aside because it sounds like everyone is agreeable but anything more than that would not be responsible. Regarding some of the comments that were made, the administration does work all year on the budget and it's an ongoing process. In September they start on next year's budget and sit down with departments. She explained that every department has been given the directive to make whatever cuts they can, to be as cost effective as possible, and to come in with the lowest numbers. Not only did they already do that, but it was cut by \$400,000 before it was even presented to the council. They come in with their lowest numbers, get cut, and then get cut by the council. When it comes to asking them to cut by another 5%, that directive was given in the beginning and they were asked to come in with the best possible budget they can give us. That directive was already done. Mayor Bieri said that her recommendation would be to give that directive for the cut to administration in August, for the 2017 budget. She noted that you don't give it to them now when we need to get tax bills out and determine a budget. Another problem that has been brought up is if you cut too much from any one year with the 2 percent cap because, it defers subsequent increases. It creates more of a hardship for the following year. Lastly, we already have our auditor telling us that we have insufficient surplus because we roll the surplus. We count on those reserves to keep a relatively stable tax base.

A discussion ensued by the council regarding cutting services for departments. Mayor Bieri explained that by doing that, you are asking the departments to do even more services for less money. She noted that when you are looking at the biggest departments, no one up here has mentioned recreation and community services. It's one of our biggest line items and it's the only thing that is discretionary. We do not have to provide that service and the council may want to consider looking at that. Councilman

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 6 of 8

Signorino made a motion to ask the department heads to see if there is a way for them to reduce their budget by 5% outside of salaries and commitments that we have that we have no control over. Mayor Bieri said that she would like to clarify the motion. She said that there is not an argument that the request could be made but there is seemingly consensus to say that they may not be able to fulfill that request without jeopardizing services. She asked if he is going to set some kind of time constraint or are you willing to allow this budget process to go onto the point that we are going to need to issue estimated tax bills. Councilman Signorino asked the professionals how to move forward with this. Mr. Casey said that the Administrator can send out a memo tomorrow, raising that issue, and sending a return date of Monday or Tuesday and then it can be brought forward to the council on Wednesday. Mr. Casey noted that we have already talked about two possible budget amendments. We already know that we are not going to adopt next Wednesday because we are going to schedule it forward. If we adopt the first meeting in June, it gives the departments two weeks and we will discuss it. We can hopefully adopt in early June. Councilman Signorino stated that he would like to modify his motion to potentially reduce everything except for the commitments, salaries, and contracts. Mr. Casey said that a 5% change in the line item is doable without a further amendment. He is hoping to come out of tonight with major changes so we can amend the budget going forward and see if there is anything in there that is worth pursuing. If its 5% of a line item, then we can make that change without another budget adoption. He said that's our goal.

Mr. Casey mentioned that the goal is to amend next week, adopt in the beginning of June, get feedback back from the departments by the end of this month, and then go forward and adopt. Council President Dale stated that she would like to know if the goal is to get to a 0% increase and what is the number to achieve that. She explained that with the two major adjustments tonight that counts for 50% of the way to get us to zero. Instead of taking an arbitrary number, we should figure out the number by line item because it might be 10% or 2%. We don't know. Mr. Casey noted that the budget would be at a one cent increase with the changes if they are agreed upon tonight. Councilman Signorino explained that he appreciated the 0% with the Board of Ed. He said that he would certainly like to join them with the very least at the 0% increase. He noted that it would be great and the people in town would be appreciative. Mayor Bieri said if the council is agreeable the two items that were discussed in the amount of \$200,000, how much more do we need to reduce to get to a 0% increase. Councilman Signorino said he wouldn't be comfortable for more than the 5% but certainly we can explore it. Mayor Bieri asked if the goal is to cut 5% or is the goal to have a 0% increase. Councilman Wagner said that 0% increase would be nice. Township Administrator/Clerk Battaglia asked for a clarification. If the departments can cut 5% across the board, without cutting services or impacting staff, then they submit the new budget to the governing body. If they cannot, each department has to come in and justify why they can't. Councilman Signorino and Councilman Wagner agreed.

Council President Dale said that there needs to be clearer direction. If you want to get to zero, give them the task to get to zero. A discussion ensued whether the direction is to get to 0% increase or if it is to cut 5% for each department. Mayor Bieri explained that to set an arbitrary number like 5% doesn't give a an amount to cut or direction for the departments. Councilman Wagner said that he is agreeable to have the administrator go around and sit down with department heads and go through the budget. Mayor Bieri asked what the timing would be because there is a meeting the next two weeks. Township Administrator/Clerk Battaglia said if she and Mr. Casey are given the opportunity, we can at least come back on Wednesday evening and let you know where we are in that process. We can schedule a meeting for May 25th if needed. Mayor Bieri explained if we are agreeing to introduce on the May 18th, you may or may not have answers at that point but we can still introduce. Mr. Casey said that we can still amend the budget and schedule a second hearing. Township Administrator/Clerk Battaglia said on the 18th we are still going to have the public hearing on the budget as introduced. We will introduce the amendments which alter a line item by 10% or more which are the two major topics that were discussed this evening. Any other amendments that we make, we do not anticipate that any of those triggering another public hearing. Councilman Signorino asked because of the concern that it's going to be dragged out to much, would next Wednesday be reasonable to get the answers to those questions. Township Administrator/Clerk Battaglia said that by Wednesday, we will at least be able to tell you where we are and if we need another meeting in between.

Mr. Casey said the real concern he has is that the budget was predicated to generate \$2.5 million dollars for next year's surplus. That should be kept in mind. Councilman Signorino noted that he never said he doesn't want surplus. Mr. Casey said if the council is not concerned about the 2017 budget, he can certainly bring the budget to a 0% increase. The problem is not building surplus will move the tax increase forward to 2017 or 2018. Mayor Bieri and Council President Dale agreed. Council President Dale noted that the council needs to think about long term forecasting. We don't need to kick the can down the road. She explained that she is not opposed to seeing what we can do but we need to keep that in mind. We can get to a 0% increase but we are going to be paying for it later. Mayor Bieri said that zero percent is always possible but it's a matter of what are the consequences. Our auditor and budget consultant are saying that we need surplus or there will be a greater increase next year which will hurt the tax payers more.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 7 of 8

A discussion ensued about the reasoning for surplus and how the departments are working within their budgets. Mayor Bieri said if we cut the budget, we will not have any surplus to generate. If you keep the budget where it's at, they will spend their 5% less and now you have surplus that is regenerated. We need to regenerate the surplus in order to not fall short. Councilman Signorino said he understands that completely. If it's the council's directive to find a way to spend 5% less, it really is incumbent on the mayor or the administration to be on top of them to make sure that extra money is cut. The idea is to find a way to spend less money. Councilman Wagner suggested letting the administrator discuss with the department heads. Mayor Bieri noted that we need to give them direction. She asked if the direction is to try and get them to zero percent or less after the cuts that we may be making tonight and try and keep on the timeline that was suggested. Council President Dale agreed. Mayor Bieri asked for consensus. Councilwoman Erik said that she does not give consensus because departments like the police cannot reduce their budget. She stated that if you want to cut 5%, it should be suggested in September for next year's budget. She noted that she is against cutting the surplus because it is needed to improve the town. It is on average \$35 per home owner. Council President Dale noted that the number is before our adjustment. Councilwoman Erik explained that people are not going to lose their home for \$3 a month. In addition, we only control 20% of the taxes. Councilman Wagner stated he is looking for is for the administrator and the department heads to get together and look through the budget again. They may find somewhere where they can cut the fat. Councilwoman Erik asked where they are going to put the fat if they find it. Are you going to leave it in or cut the surplus. She noted that she is against cutting the surplus. Council President Dale said that this also affects our bond ratings down the road as well.

Councilman Signorino asked if we can add language to include keeping the surplus at a certain level. He suggested not going lower than last year's surplus. Council President Dale agreed. Councilwoman Erik asked what we had in surplus last year. Mr. Casey noted that we had an unusual year because of Newark and everything else. If you look at your budget, you moved the biggest amount that you have ever had which was \$2,680,000 in surplus which was very high. Mr. Casey said his goal was to have \$2.5 million next year. Mayor Bieri said in order to move this forward, it is the directive to the administration to go back to the department heads and attempt to go to a zero percent budget increase or less while still maintaining the \$2.5 million goal of surplus and maintaining services. The council gave consensus.

Mr. Casey said that we also need a motion relative to the reductions that had been agreed to. He explained that the council is looking at is to reduce the salary adjustment account by \$100,000 and reduce the snow ice control by \$100,000. The budget would be reduced by \$200,000 and an amendment would need to be prepared to be considered at the next meeting after the budget hearing. Councilwoman Erik made a motion, seconded by Councilman Signorino.

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg
Voted Nay: None.
Motion carried.

Mayor Bieri asked if there is any further discussion on the budget. She noted that we also have the draft insert to discuss.

Discussion – Tax Bill Insert

Mayor Bieri asked if the council is agreeable to the language in the draft. The council gave consensus. Mayor Bieri asked if there was anything else related to the budget for discussion. Mr. Casey said that there used to be a requirement to put the amount of state aid on the tax bills. That was taken off and the state is now requesting that it go out as a budget memo. He said there needs to be a section on this which relates to the amount of state aid that is funded in the budget. Mayor Bieri asked if a pie chart will be on the insert as well. Township Administrator/Clerk Battaglia said yes.

Agenda No. IV

Public Comments

Mayor Bieri opened the meeting to the public after advising that there is a five-minute limit for each speaker.

Gary Steele North Glenwood Rd said that he is here for the same reason that he was last time. He stated that he would like to see resolution 2016-142 rescinded. He explained there is a basic constitutional principle called due process. Due process in a nut shell involves written notification of charges, the right to a hearing, and the right to be present at that hearing. Without knowing anything other than that, you know that none of that happened in this case. He is respectfully asking the council to follow the constitution of the United States and the state legislation which deals specifically with the replacement of

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: May 11, 2016
Time of Meeting: 5:30 pm
Minute Page No: Page 8 of 8

members and alternate members. Mr. Steele gave the governing body details about due process. He requested that this issue be put to rest and indicated that he will be speaking until something is done.

There being no comments from the public, Councilman Hensley moved to close the public portion of the meeting.

Moved: Signorino Seconded: Dale
Voted Aye: Unanimous voice vote.
Voted Nay: None.
Motion carried.

Council Comments

Councilman Wagner stated that he has been speaking up against the treatment that Gary Steele has been receiving over the past month or so. Township Administrator/Clerk Battaglia urged Councilman Wagner to use extreme caution when speaking about this matter. She noted that Mr. Steele put the attorney on notice that there may be pending litigation on these matters and the council should not be speaking on any matter of pending litigation. Mayor Bieri indicated that it is scheduled for executive session at the next meeting. Councilman Wagner said based on the letter from the attorney, no council comment.

Agenda No. V

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 7:35 p.m.

Moved: Erik Seconded: Signorino
Voted Aye: All in favor.
Voted Nay: None.
Motion carried.

Approved: September 7, 2016

Respectfully submitted:

Nichole Hanrahan Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK