

SPECIAL WEST AMWELL TOWNSHIP COMMITTEE MEETING

April 13, 2010 – 4:15 p.m.

The West Amwell Township Committee met on the above date at 4:23 p.m. Present: Mayor Molnar, Committeemen Masterson and Fisher, and CFO Luhrs. Also in attendance were Bill Corboy, Shirley Skillman, Hal Shute, Steve Bartzak, Lolly Hoagland, Steve Bergenfeld, Zach Rich, John Ennis, Gary Hoyer, Dan Malek and Joan Van Der Veen.

In compliance with the Public Meetings Act, Mayor Molnar announced that this Special Meeting was called pursuant to the provisions of the Open Public Meetings Act with notices faxed to the Hunterdon County Democrat and the Trenton Times on April 8, 2010 with a revised notice faxed to same and posted on April 10, 2010. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Shirley Skillman led the assembled group in the pledge to the American flag on request from the Mayor.

The meeting was recorded via digital recording system and a copy of the CD is on file in the Office of the Municipal Clerk.

BUDGET WORKSHOP:

Mrs. Luhrs presented a new budget packet that included revenues, a re-calculated cap sheet, revised appropriations and the latest departmental cuts. With the re-worked figures, the township is \$2 under the levy cap; has a balanced budget; and, a 2.5 cent tax increase. Salaries were cut 15%, with an effective rate of 9%. Operating has been cut to the bone and revenues maxed out. She suggested that the Township Committee review each line for the cuts that were made to see if they are too deep as there can be some adjustment between line items.

Mr. Fisher noted that all this is pending an agreement with the Police and Mrs. Luhrs noted she met with Patrolman Vanselous and Lt. Bartzak to review the numbers. However, the budget cannot be presented until a signed agreement is in place.

Concerning the Construction Department, Mr. Fisher stated that he spoke with Mr. Rose earlier but that he is unaware of these cuts as he is currently on vacation. The plan is for the department personnel to receive a 15% salary cut and become revenue neutral. If this cannot be achieved, the State would have to be brought in. A possible shared service is also in the mix—Lambertville and Delaware have expressed interest, as well as Raritan Township—so there are options available. Mr. Fisher indicated that he would hate to lose the department if things will be picking up. However, to maintain the local office there's still \$2000 that has to be cut to meet the revenue neutral parameter and the decision for this rests with the Construction Official. Mr. Molnar also noted conversations with Mr. Rose concerning the value of local inspectors who know the residents.

Mrs. Luhrs relayed that the other number that is unresolved is that of the Reserve for Uncollected Taxes. This line was increased a bit but whether or not it will be enough is unknown until the after the budget is presented to the Auditor. If insufficient, something else will have to be cut. A decision on staff positions also needs to be made. An overview of some of the appropriation cuts was undertaken as follows: Legal decreased to \$45,000; Planning Board OE reduced to \$11,200; Fire Company back to \$10,000; Prosecutor line reduced to \$18,000. If any operations line is exceeded, the bill(s) cannot be paid until there is hopefully enough money elsewhere for a transfer in November.

Conversations by Mr. Fisher with officials of other townships hit hard with CMPTRA reductions about efforts to push the State for restoration of the money, has revealed that nothing in particular is going on. The consensus is that there will not be any relief

as there is no money, which is why the call for shared services. It is Mr. Fisher's sense that the budget be passed as constituted and that talks about shared services continue for the remainder of the year.

Mr. Molnar expressed continued interest in trying to make money through garbage collection. There's been no response from Central Jersey to Attorney Faherty's phone call but there is a history of lateness by the hauler. The contract will be checked for the possibility of imposing a fine and a letter written.

The last item to be dealt with involves the eliminated assistant positions and official notification to office holder. Mr. Fisher stated that it is amazing to actually get to the budget number needed but that if this doesn't work out, it's back to square one...which means people.

The meeting was opened to those in attendance. Court Administrator Lolly Hoagland brought forward a stack of tickets, together with a letter from Judge Schaul outlining obligations and responsibilities of the municipality to provide personnel. A new court schedule was presented showing the elimination of the July session. Mrs. Hoagland will handle first appearances for those arrested, which is within her authority to do. Her stated concern is that the prosecutor has already spent half of the proposed budget which means that there is money for only three more courts. She doesn't know how the last four months of court will be funded but there has to be court. There is also the issue of the court security plan which calls for an armed law enforcement officer. A policeman is needed but with a reduced police budget she is not sure how this will be handled. There is no money in the court budget for this either. If there is no armed officer, Judge Schaul has indicated that he will close the court. The court will be in session tomorrow and all is covered. She hopes to work things out with Lt. Bartzak for police coverage but there's the money problem. There is one officer in particular that will be needed as he writes the most tickets.

Hal Shute inquired about losses under the budget. Mr. Fisher relayed that part-time in-house positions were lost, including the deputy court administrator and the assistant waste security officer. The other assistants have other jobs with the Township.

Bill Corboy commented that salaries were restored in January; inquired about the levy cap; and, if the tax could be increased, since a 1% raise would make the employees whole. He commented that Mr. Molnar had said that a short fall should not be on the employees. However, he sees no way around it; that the newspaper said no layoffs except for those mentioned; and, wondered if there was any way to appeal. Mrs. Luhrs explained that the levy cap cannot be exceeded; that State aid loss was an exception to the cap last year but eliminated this year; and, the only way around the levy cap would be to apply for a cap waiver. She added that the League is fighting to put the exception back in. If this is permitted, it'll be a different ballgame. However, the Township cannot introduce a budget thinking that this will happen. If the League is successful, there will not be any more cash or State aid but the loss of State aid can be factored in.

Mr. Corboy inquired if this were to happen if the mayor would consider making the employees whole. Mr. Molnar responded that this is something they would think about.

A closed session will be needed later in the meeting to discuss some personnel issues.

DISCUSSION CONCERNING ESC & POLICE CALL-OUTS:

Mr. Molnar inquired of Lt. Bartzak about the number of hours spent on ESC call outs and of Mr. Corboy about his previous efforts with the school. It was estimated that a 'hot week' at the school could see 5-6 hrs of officer time. Mr. Corboy relayed that Lt. Bartzak and he met with folks at the school in Titusville and had several meetings with Dennis Cox of ESC, who indicated at the time that people were being trained to handle the problems. For a while all was quiet but now it appears that the problem has returned. Mr. Corboy noted that the school in Titusville has their own security staff, so

the Township needs to go back to ESC to get them to handle 99.9% of their problems as they should not be burdening the Township.

Lt. Bartzak offered that there's a different element at ESC now and that the school also has budget problems. The type of program allows a more troubled clientele and that crimes have escalated. The school tries to handle the small stuff but the amount of calls has increased over last year. He knows that staff was laid off last year due to budgetary issues. The lieutenant will set up a meeting with Mr. Cox to see if they can arrive at a solution.

Mr. Masterson commented that the Titusville school had a tight operation and the staff was right on top of the students. He, too, acknowledged that there was money problems at ESC and offered to accompany Lt. Bartzak to the meeting with Dennis Cox.

A question as to whether the Township was required by law to provide police services to ESC, as this is not a Township school, was raised by Mr. Fisher. Lt. Bartzak relayed that the Attorney General requires that the department sign a Memorandum of Understanding that every school in the district can call the police department. There's no wiggle room; it is still a Township responsibility; and, they cannot be charged for the service.

Shirley Skillman suggested that perhaps a County Sheriff's officer could be stationed at the school, especially if the facility is a County one, which might deter the problem. Lt. Bartzak will pursue this suggestion.

Joan Van der Veen stated that she's involved in the Master Plan Re-examination Community Plan Element and was curious if the situation could be documented. Her contention was that if ESC can't support or manage the school properly, perhaps it shouldn't exist...be disbanded and the students attended to elsewhere. The situation has gone on for years; it is time for them to pay their own way; and, that the school does not appear to be a safe place for those using the facility. Mr. Fisher questioned Lt. Bartzak if the calls are categorized differently but was informed that they were just routine calls—school requests assistance—just like any other school. However, the volume of calls is different.

Mr. Masterson noted that there was a lot of contact made a year or so ago and he found out a lot about the organization. There are groups that tell them how to work, etc., and they do not like anyone telling them what to do, which creates a wall for any cooperation. The Township may want people to take care of the violence but this won't be an easy proposition. Mr. Cox is cooperative and a good relationship was achieved but he's not ready to do what the Township tells him either. The school staff is comprised primarily of women, and the students, most of whom have criminal records, are not easily controlled.

LETTER FROM COMMITTEEMAN MASTERSON: Mr. Masterson had written a letter concerning the meetings of the Financial Advisory committee but that that this matter has since been resolved.

OPEN TO THE PUBLIC:

Several members of the Financial Advisory committee spoke to the referenced letter.

- Hal Shute stated that it is good that Mr. Masterson is comfortable and now has a clear understanding of what the committee is trying to do. Mr. Masterson disagreed, stating that he has none because he's never been allowed in; wants to find out if there is anything he might help deal with; and, will not pose a problem. Mr. Shute continued that anyone paying attention would know that the Township is in trouble and this is serious. It may be possible to limp through this year but next year things will be even worse. The community will have to pull together instead of fighting each other...something that he's always been willing to do...but he doesn't understand the controversy about a simple informal committee that was formed to put together ideas,

vet them, and if found viable, present them to the Township Committee for open, public discussion. Why anyone would want to come to these meetings is beyond him as they are not exciting but time will tell if anyone actually shows up with anything to contribute. It is his hope that this does not become a political football as then nothing gets accomplished.

The next meeting of this group will be held April 22nd at 7:30 p.m. As long as Mr. Fisher will not be in attendance, Mr. Masterson is welcome to attend. A brief discussion ensued about the constraints imposed by the Open Public Meetings Act, which prohibits a quorum of the Township Committee to attend a session that has not been noticed. Mr. Fisher is the Township liaison to this group but will not attend the next meeting so that Mr. Masterson can do so.

- Steve Bergenfeld offered that this has turned political for no reason. The group has no power, just makes suggestions to be acted on, and that the Township Committee has more power than anyone. There has been concern that some people could twist the ideas for political gain, which was why it was not open to the public. He was ok with Mr. Fisher not being there so Mr. Masterson could attend. However, he still believes that the meetings do not have to be open to the public.

A brief exchange between Mr. Masterson and Mr. Bergenfeld ensued over questions of the group making money, receiving revenue and secret meetings, the latter being the reason he was not permitted to attend. In response, Mr. Bergenfeld noted that the former was 'not our job,' and that the talks were to find ways to generate money, not save it.

- Zach Rich inquired whether the Township Committee supports the brain storming sessions, which is all that they are. If they do not, the group isn't interested in notoriety. They need people to speak up and support them. Getting this into the papers is not their intention as there are bigger problems to address. Mr. Masterson indicated that he just wants to contribute. As stated previously, Mr. Masterson's desire to attend a session was accommodated. He will attend the April 22nd meeting instead of Mr. Fisher.

Joan Van der Veen inquired about the membership of the financial committee and how it was formed and members chosen as there are people that have long time experience with the township. The members were relayed. She noted that some are new, which is good for new ideas, but the group needs more folks with township background like Hal (Shute).

Mr. Fisher offered the following credentials for the group: Gary Hoyer, financial services; Anton vonSaase, international corporate engineering attorney; Jim Hamtil, owns and operates a manufacturing and design engineering company specializing in the oil business; Dan Malek owns one or more car dealerships; and, Zach Rich oversees \$50 million in concrete sales. He stated that he wanted people outside of government that think in a different framework...outside the area of regular expertise.

Ms. Van der Veen took some issue with this in that this grouping would not understand the nuts and bolts of the township. She appreciates the help being tapped but there are inter-workings of the township that can't be avoided and must be addressed. With the explanation that the Township Committee would be the 'nuts and bolts' of township operations for this committee, Ms. Van der Veen was satisfied.

Mr. Molnar closed the segment by noting that volunteers are needed. The form is available on the website but that personal calls can't be made to everyone to solicit workers for the township.

As a continuation of the budget workshop and to discuss matters not able to be addressed in public, the following resolution was presented.

RESOLUTION #70-2009

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and WHEREAS, this public body is of the opinion that such circumstances presently exist, NOW, THEREFORE, BE IT RESOLVED by the Committee of West Amwell Township, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
PERSONNEL
3. It is anticipated at this time that the above stated subject matter will be made public when the matter has been resolved.
4. This Resolution shall take effect immediately.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

The meeting returned to Open Session at 6:29 p.m.

ADJOURNMENT:

There being no further business, the meeting was unanimously adjourned at 6:30 p.m. on motion by Fisher, seconded by Molnar.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk