

TOWNSHIP OF LOPATCONG
COUNCIL MEETING

April 2, 2014

The Meeting of the Lopatcong Township Council was called to order at 7:30 pm by Mayor Steinhardt. The meeting was held in the Municipal Building located at 232 S. Third St., Phillipsburg, New Jersey 08865.

Mayor Steinhardt stated “adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Gazette and The Express-Times and by posting a copy on the bulletin board in the Municipal Building.”

A prayer was offered followed by the Oath of Allegiance.

Present: Mayor Steinhardt, Council President Ciesla, Councilman Belcaro, Councilwoman McCabe and Councilwoman Schneider. Also present were CFO Dobes, Tax Collector Edinger, and Attorney Campbell.

Resolution No. 14-50 - was passed to hold an Executive Session that lasted approximately 35 minutes to discuss contractual and personnel matters. Motion to go out of Executive Session by Councilwoman McCabe, seconded by Council President Ciesla. All in favor.

Mayor Steinhardt – There were two items on the Executive Session Agenda that we were not able to get to folks by virtue of the time, so at the end of the meeting we are going to go back in to handle the last. There will be no official action taken on either of those things; they are both contract items as well, but there’ll be no action taken on either one; they are simply for discussion purposes for us as Council. The purpose of tonight’s meeting, as you’ll notice, is a very limited agenda; it’s really to deal with just two items. The first is to establish the CAP Bank and the second, is the introduction of the Municipal Budget that is not a public hearing on the budget. We will not be entertaining questions or debate, if you will, on the budget itself. It’s kind of like a first reading of an ordinance presented by the Nisivoccia tonight, our Auditors, will be presenting a budget to Council for them to discuss and ask any questions they might have of Mr. Evans and then entertain a motion here. A public hearing, assuming the budget is adopted or introduced if you will tonight, will be on May 7th; first Wednesday in May at which point will be available to the public to ask questions, make presentations, exedra. Mr. Evans and associates will be here then to answer those as Council will be as well. But, so everyone understands the procedure tonight, the only thing I can equate it to, again, is like an ordinance reading and tonight would be first reading. We’ll here from the public on it in more detail on May 7. I should also point out that as a result of some other projects that were going on over the last week or two or some other time demands, both Betty and Beth, they were not able to get everything done that needed to get done in order to have a complete agenda for a full meeting tonight so, consequently, there is going to be a meeting next Tuesday to kind of do what would be the rest of the regular agenda, the other monthly business items, and they will be covered on Tuesday night, normal time. There will be an Executive Session at 7 and the regular agenda at 7:30 and the rest of this would have been this month’s regular monthly business, will be conducted them. We’ll have an agenda up on line (inaudible) and that’s it, so public comment on the two agenda items themselves.

Business:

Ordinance No. 2014-03 – First reading to establish CAP Bank for calendar year 2014.

Mayor Steinhardt – Betty will you give us an overview.

CFO Dobes – The State allows (inaudible) we are allowed to increase our appropriations up to by Ordinance 3 ½ percent and we can use those in years coming up to help us with our appropriations. So basically that’s it.

Mayor Steinhardt – I’ll read the language for everyone’s particular (inaudible).

2014-03

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2014
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget a municipality shall limit any increase in said budget to 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of Lopatcong, in the County of Warren finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$152,598 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lopatcong, in the County of Warren a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Lopatcong shall, in accordance with this ordinance and N.J.S.A. 40A:4.45.14, be increased by 3.5% amounting to \$178,031 and that the CY 2014 municipal budget for the Township of Lopatcong be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption with the recorded vote be thereon; be filed with said Director within 5 days after such adoption.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on April 2, 2014, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on May 7, 2014 at 7:30 pm or as soon thereafter as the Township Council may hear this Ordinance in the Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Ordinance no first reading. Motion by Council President Ciesla, seconded by Councilwoman Schneider. Roll call vote:

AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla, and Mayor Steinhardt.

NAYS: None

Introduce 2014 Municipal Budget – Mayor Steinhardt asked auditors to provide an overview.

Auditor John Mooney – Good evening. As your budget stands tonight, you are currently compliant with both the expenditure CAP and the Tax Levy CAP. You are very close on both CAPs. The increase to the average local taxpayer with an average assessment of \$230,000 would see a monthly increase of \$9.46 per month. That's just under a five cent increase for the local tax rate. It comes in at \$.049. You are collecting this year a little over, \$4,151,000 in taxes to you budget, as revenue for your budget. Just as a statewide average, we received information from the State about a week ago comparing municipalities within the State and the State average came up with the local municipality collects \$7,988.00 on average for each municipality. In 2014 Lopatcong would come in around \$6,253.00.

Mayor Steinhardt – That's CY 2014 correct.

Auditor John Mooney – That's correct.

Mayor Steinhardt – What's the figure again?

Auditor John Mooney – For the municipality you are at \$6,253.00. Statewide average again is \$7,988.00. The County average is around \$6,400.00. So in comparison to the County, you are below the County average. That doesn't factor in the municipalities, or it does factor in the municipalities that have full-time police departments. But included in the County average is a township with a landfill, a township with an electric utility; a power plant. So those bringing in actual, bring the average down. Exclude those; you are much more below the County average. You've done an excellent job in years past of keeping taxes as low as you could but that has a negative effect too because you haven't been able to save any money. There is really nothing left to use. Your Fund Balance position, at the end of 2013, was better and you were able to use a little more Fund Balance to help balance this budget out. We've gone over in our meetings major areas; I don't know if you want me to go through them again but the biggest area of increase this year and, we can get you some more details on this, you have about \$350,000 more in Capital Improvements this year than you did last year. You have \$110,000 going in for Third Street and you have \$250,000 in the budget for DPW equipment and an EMS piece of equipment. The reason this is in here, this could help you potentially with your Capital Improvement Fund which is a part of your General Capital Fund. You only have about \$3,000 in there to do anything with. This will help you move along when you are looking to replace equipment. Another item that came up that just kind of stands out, that you don't get hit with on an annual basis, is you had about \$40,000 in prior years bills that came in after year end and that has to be raised in the current year budget. On top of that, you have a lot of day to day things that you are very close and very consistent with prior years with expenditure levels and the same as revenue levels; you keep those consistent. You really can't go and increase your revenues past what you've collected in the prior year. So you are very stable with your revenue levels from one year to the next and you're the same with your expenditures from one year to the next. Is there anything specific you are looking for?

Mayor Steinhardt – (Inaudible). Roughly \$250,000 (inaudible).

Auditor John Mooney – One other thing to bring up is you are in a State examination year. So you don't self-examine your budget this year. All of the documents will be sent down to Trenton. Trenton will review every aspect of your budget from the calculations to the percentages, the revenue items, the expenditure items and grant items. They look at everything so you will get another set of eyes on your budget and the only downside to that is if you did not introduce tonight and pushed it off, they start to back up and you may not be able to adopt a month after you introduce. So tonight, theoretically, you should be able to get the State to get the documents back to you for your May 9th meeting although that might even be cutting it close.

Mayor Steinhardt – What are the downsides again?

Auditor John Mooney – Downsides of?

Mayor Steinhardt – If we don't introduce tonight.

Auditor John Mooney – Well, if you don't introduce tonight, it pushes it back and it could have potential effects of getting your tax bills out late. If you push it back, your introduction to May and the State is not ready with the document in June that pushes back adoption until July. If you adopt in July, then chances are your tax bills are going to go out late and that presents a revenue problem because the County is still going to want their money, the school district is still going to want their money, and if you put those bills out late, you are not collecting the money to give them and you'll put yourself in some financial hardship.

Mayor Steinhardt – Again, let's draw distinction between introduction for tonight's purposes and adoption which will take place when we have our public hearing. Is that correct?

Auditor John Mooney – That's correct. Your introduction would be tonight. There is no public comment tonight. Public comment is welcomed on the May 7th meeting when you vote on the adoption.

Mayor Steinhardt – We have some additional discussion then on response to the various public comments (inaudible) correct?

Auditor Dave Evans – (Inaudible).

Council President Ciesla – So we can't make any changes if we introduce tonight?

Mayor Steinhardt – Between now and public hearing right. After that we can make any changes we want. Betty?

Auditor Dave Evans – (Inaudible).

Mayor Steinhardt – Anybody have questions specifically of Dave and Nisivoccia folks. We'll go down the line.

Councilwoman Schneider – I have something to say about the budget.

Mayor Steinhardt – Questions specific on the budget presentation.

Councilwoman Schneider – I can start with specific question if you would like. If you go to Revenues, um, if you go to Sheet 10. Um, under Open Space Trust Receipts Debt Service, we did have \$256,000 in there at the March 11 meeting and it's not there anymore. Under Revenues.

Auditor Dave Evans – 2011 was the last year (inaudible) same dollars paying for the same debt service. Since now not being recognized General Fund (inaudible).

Councilwoman Schneider – So where, can you show me where, where on here.

Auditor Dave Evans – Page 43. There has been absolutely no changed in the methodology- it's just a change in presentation, anticipating questions or further criticism from the State.

Mayor Steinhardt – About the line that says Trust Fund Appropriations \$256,000.

Auditor Dave Evans – Yep.

Mayor Steinhardt – Relative to introduction, any further questions pertaining to introduction?

Councilwoman Schneider – Um, yeah. Well, I have a lot of questions regarding the entire budget I mean, there is so much here, there's mistakes, there's errors, I just see, I see so much here I can't, I don't even feel comfortable saying yes to an introduction to this budget.

Councilwoman Ciesla- I'll make it easy for everybody. Sorry. I would like to make a motion to reject the budget at this time. We were, we've been under a lot of pressure, it is a very big budget and we were directed by the Mayor to submit our comments on the budget by last Wednesday or Thursday. To the best of my knowledge not all of us did so. Like I said, it has been very busy around here and I understand. There are a lot of questions; this is a very big budget. I had a lot of comments that I heard that there wasn't enough time to review the budget nor to have all the questions answered by our CFO. Comments were also made that the questions, some which were not even budget related were deliberately not being answered. To avoid a repeat of January where we were unfairly and unjustly accused of being unprofessional and not transparent, I just want to, I did hear, I want to make a motion to reject the introduction of the budget so we can all set up with Betty a reasonable schedule that will allow us to meet with her, get our questions answered but yet still allow her to do her job in a timely manner as is demanded by the Statutes that she works under. We can't monopolize her workday with our questions, but we do need to have our questions answered. Unlike last year's budget which, you know, was completely barebones, there was nothing in there; this one is definitely more robust. I had some suggestions and changes that I'd still like to go over and I'm sure everybody else here does. Um, definitely we need to be asking questions and making suggestions highly encourage and recommended but again we have to make sure that Betty can and all the employees can get their jobs done. Um, so the only way I can see we can accomplish this, is by delaying it even if it's Tuesday, a month.

Mayor Steinhardt – A month will bump it to May. That way if there's questions, we can all ask our questions. Schedule and ask them of Betty, ask them of Dave. Fill in the blanks and that way we avoid the necessity of potentially two public hearings and not being able to introduce in May. So that's your motion.

Council President Ciesla- Yeah, I'd like to make a motion to a reject the budget and we can make a schedule with Betty; all of us together.

Councilwoman McCabe – Second that motion. I agree I wasn't able as well to get in as well. Betty had a very busy schedule. I know it was end of quarter and I didn't want to burden her any further so I would appreciate the extra time.

Councilwoman Schneider – Um, I still, I have questions, can I, I have some comments. Can I say that now or do I need to wait for that.

Mayor Steinhardt – I think that once it's dead. Tonight it's done, it's off the table. There's not even anything to discuss. I think it's all according to schedule. Go back and talk to Dave or talk to Betty or whomever and get your questions answered. Um, as soon as it, once we vote, we vote to reject it, it's rejected. There is nothing to even consider at that point. So that's the motion, there is a second. Roll call it.

Councilwoman Schneider – I still have some things I'd like to say, if that's okay. I know Lori had her interpretation of how things went.

Council President Ciesla – Are we voting?

Councilwoman Schneider – Are we voting to reject it?

Council President Ciesla – We are in the middle of voting.

Councilwoman Schneider – Okay yes I'll reject it.

AYES: Councilwoman Schneider, Councilman Belcaro, Councilwoman McCabe, Council President Ciesla and Mayor Steinhardt.

NAYS: None

Mayor Steinhardt – Sorry guys. Maybe by then we'll get our questions answered. So, uh, I guess other than on the budget which is now dead, um, any other questions I guess or comments?

Councilwoman Schneider – I'd still like to talk about my comments since I wasn't able to finish. Um, when I came in to look at the budget, um, I just, you know, I'm reading off a paper right now because I don't speak to people in a group like this throughout the day, I speak to three kids,

um, so I'm a little uncomfortable trying to get everything out and not be nervous at the same time. So excuse my, um, reading off of a paper. The exercise of creating this budget is a process and I'd like to express to the residents my concerns with this budget. I'm not an accountant, I'm not an attorney and I've educated myself on this process to the best of my ability based on the limited amount of data provided to me by our Township. I've identified multiple errors, savings errors within this budget. I found these errors after the CFO gave her information to the auditors and after the auditors reviewed it and handed it back to us at the workshop on March 11. I found more than \$150,000 worth of opportunities of fat that we can cut. We are only a town of 7 million with a few departments but yet we use a method of budgeting called Base Line Budgeting. That has become a dying practice in municipalities and it is a lazy sort of budgeting process. By carrying over the same budget numbers and in most cases, spending all of it or adding to it year after year is lazy. When was the last time there had ever been a budget that we brought down to zero. Has there ever been a time. We can do better and choose a different way to approach this budget. It's called Zero Based Budgeting where every year or every few years you do a hard reset of the budget and build it from the ground up justifying expenditures with data and educating our employees about wants vs. needs. We should be living within our means and we clearly are not. For every \$86,000 we cut in this budget it will reduce your local Tax Levy by one cent. I'm uncomfortable with the budget as is and everyone else should be too and I'm glad that you are. We need a thorough process with full transparency and there is a fundamental flaw in this budget process. We are not there yet, but we could be. The budget should not be introduced in this format. There should be no errors, money should be appropriated to the correct line items and it should be void of non-reoccurring items. This is the taxpayer's money. I'm asking you to table it which you did and I'm glad for that. I realize you would like to have the budget approved early but I guess that's not going to happen. I don't have answers to all my questions. I tried to get answers and, unfortunately, I was road blocked a little bit. I'm happy to be wrong about my numbers, but I think I'm right and I'm comfortable with facts and not words if you like to prove my findings are wrong. I would be happy to be wrong about it. I have made assumptions in certain areas of this budget because I do not have the data I requested. Our auditors are no longer independent and change is needed. This all goes back to January where I questioned another of our processes. The bid process. I questioned this process for our support staff and that we needed to consider a turnover of our professionals since they have been here for very many years. Apparently, this request and opinion was not welcome. The residents want change, that's why I'm here. I did try to get answers from my questions and I was cut off once I found some errors. I did go to the CFO, she was very forthcoming with information and when I found some errors, I brought it to her attention. The next day I did go in and I spoke to the CFO and our Administrator, Ms. Dilts, asking questions and when I found two more errors on the same day, I got a letter asking for all of us to send our suggestions into Doug. On March 20th, I received an email from the CFO to say that she spent too much time with me and now she has considerable volume of work to complete before April's meeting and I should email her and let her know ahead of time when I will be coming in. I did do that and I sent her a list of my question asking her for a convenient time. I let her know of the deadline Mr. Steinhardt wanted our questions in by. She sent me a message on the same day saying she will gladly answer my questions but cannot for the next five days because her work load is so heavy. I sent her a message asking her to reschedule for the following week and still to this date have not heard back. I don't know why my request for information is being blocked. I don't know what causes so much discomfort when I do ask for information. They're all public documents I'm requesting and I'm being denied some access to them. I don't know is there a statute somewhere that say I have to OPRA the documents to do my job.

Mayor Steinhardt – Yeah, I'm about to tell you that. Go ahead and finish up.

Councilwoman Schneider – Okay. That would be great. Um, I'm not a subordinate to any of you. I mean, I want my, I would like the documents when I ask for them and, um, you know, I'm here to get information for these folks out here and, uh, we're equals, I don't think I need a hall pass to get what I need. Um, I'm on team taxpayer, I don't know if you guys are or not. Um, I just would like my information when I ask for it. I don't think it is unreasonable to ask for information regarding this budget. Especially, being a person here for the first time and not knowing the process. I'd like some clarification if you do have it, that would be great.

Mayor Steinhardt – As for team taxpayer, I'd call it team Donna cause you just come here, I'm going to use the same word I used before, you come and you make your political grandstanding speeches month after month from the dais while the rest of us are trying to do the towns work

and in-so-far as you know, the request that you made, let's start with those. We have the list; Betty was kind enough to prepare a list of the things you asked for. Roughly 30, 47 of them- 36 of which are not actually budget related and I'm happy to sit down and go through them but we can talk about some of them. Things like why the pool was closed for thirty days, a list of employees, why we pay so much for certain things concerning the Planning/Zoning Board, Rent Leveling Board, what they do, and when their meetings are and, as a result of that, you took Betty's time for five consecutive days and, quite frankly, it is a result of that that we are unable to have the rest of meeting that we are having tonight. It got to the point that neither she nor Beth were able to do the regular work and I know from your discussions with both Beth and Betty that when you took it back to team taxpayer, what you were actually talking about, your team of six or seven people because by your own admission you were taking information you were getting here back to have your little huddle and talk about them. The problem with that comes because you also forced them in my opinion, at threat of some retaliation from you because we got your email to them. You sent an email back to Betty when she said she didn't have the time to meet with you day after day to respond to non-budget questions and you also asked for, and if my memory serves me correctly, payroll information for all those same employees, you wanted some contracts from those employees. My problem with it Donna is, quite frankly this, DCA the Division of Community Affairs Local Finance Board serves and oversees issues related to the Local Government Ethics Law, the Local Government Ethics Law is NJSA 40A:9-22.1. And 49A:9-22.5c says that no local government official or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others. More specifically in ... 385 New Jersey SUPRA 188 to the Appellate Divisions decision in 2006 said an unwarranted privilege or advantage "would be one that is unjustified or unauthorized, one that would permit the municipal official to obtain something otherwise not available to the public at large and lastly, there is a specific Local Government Ethics Law decision in which the Local Government Finance Board indicated that a local government officer received, excuse me, need not derive a personal benefit or obtain anything of value personally to be in violation of 40A:9-22.5c but, quite frankly, it's my opinion that what you did by demanding all these records that every other taxpayer in the Township of Lopatcong would had to OPRA and pay for and you forced Beth and Betty to go out and reproduce all these things for you for free is not only derive a personal benefit for yourself but you derived a personal benefit for the hand full of people you were taking them back to. Quite frankly, they used you as a mouthpiece then, and tonight, to go and get information for them that they would have had to come in and file an OPRA request for at the expense of all the rest of us that have to do things legally and above board. So to the extent you say you play on team taxpayer, I respectfully disagree. There are 8,050 other residents in Lopatcong outside of the seven (7) of you who would have had to pay for the same documents that you took for nothing based on that particular issue. You also talked about lazy budgeting practices. There is \$350,000 folks in Capital Improvements in that budget and as Donna said she can find \$150,000 to cut from it, I can find \$350,000 to cut from it right now and we won't redo Third Street which the Express ran a story on the other day to say it was in need of repair but it's actually in the budget and was in the budget tonight to deal with as well as \$200,000 other dollars for Capital Improvements around the town that, quite frankly, if you keep taking them out of the budget you gonna continue to have the same problems were having now; roads that deteriorate, parks that don't get properly maintained and if you don't work to build up an account to afford to buy those things, you already heard this year from the Emergency Squad that was looking for an ambulance, from the Police Department that needed police cars that we put off for the last couple years in order to keep people's taxes down, it's easy to cut money from a budget, you can cut \$350,000 quickly by eliminating the Capital account but, quite frankly, folks won't have any roads to drive on if you continue to do that. I don't consider that lazy budgeting, quite frankly, it's lazy to sit here and suggest while everybody else went through and did the work and provided information to me so that we could make a budget presentation, and not just come here tonight and read your pre-prepared speech which is rather ironic that it's, you need a pre-prepared speech that criticizes us for, obviously, what you thought was going to be adopting a budget, but interestingly enough, we voted to turn it down in order to afford you time yet again to sit down and do your homework because you suggested that neither Beth or Betty could give you the time that you need so we've made a motion tonight and voted on it to give you yet another 30 days to go and do your research and do it and I would suggest to you that the speech that you wrote over the course of the last couple of days in order to come here tonight and point a finger at us ironically suggests that what you thought was gonna have happen tonight didn't and, consequently, half the comments you suggested, at least in so far as our tactics or strategy, quite frankly, make no sense because they are directed toward and action that never took place. What is disturbing to me, however, is you

as a sitting Councilwoman would take your position and use it as a weapon, if you will, and also take and use it to obtain for yourself, benefits that not any other resident of this town would have available to them. I for one, I'm not going to file the government ethics complaint against you but know that it is public knowledge I wouldn't put it past somebody else to go to the Local Finance Board website and download the Local Government Ethics Law Complaint Form and fill it out for themselves and submit it to the Local Government Ethics Board. That would be up to any resident in the Township to do if they feel so inclined but, quite frankly, I feel it is appalling that you would use your job to not only threaten these folks by not giving you what you wanted, going and asking for their payroll information and their contracts and then turn around and take the information that you got here, at every other taxpayers expense and turn it over to your handful of friends.

Councilwoman Schneider – I don't, you know, going

Mayor Steinhardt – Hold on let's take turns so the other Council people could get to talk.

Councilwoman Schneider - Okay go ahead, sure go ahead.

Mayor Steinhart – Anybody else.

Council President Ciesla – I just have, uh, in regards to your statement, um, we all said this budget you know were on a spreadsheet there were mistakes, I found mistakes. I found another (inaudible) I found another \$150,000 I think that we, and I actually had to put some back in because, you know, we were going over it. You know everybody has to put their input in, this is supposed to be a team were supposed to work together and try to and, you know, if we need to have another workshop, if we need to have workshops every week I don't care so we can sit here and discuss it but, I know for a fact, he didn't get your suggestions and also, so that's the first thing, and that's why we've come to this point, nobody has made suggestions yet, you know, everybody has suggestions. Also, and I know, I am sure Dave Evans and John can speak to the fact that the GAO actually does not recommend that you change over your auditing firm because of the natural turnover that occurs and here in January after we approved their contract, we began the audit and there was a handful of college students and this is typically what happens that people actually looking at their books is a natural turnover, this is all documented. They actually say more errors are found when you switch over. There is more likelihood of corruption or anything going on during that period of time because they do not know the books. That's it go ahead.

Councilwoman McCabe – Well, I would just like to say the reason I agree with Lori to put this off another month was when I tried to come, Betty was busy with Donna. Donna was in the office, so I don't understand how Donna can sit here and say she didn't have time and she didn't have enough documents. From what I understood is, she took a load of time and took a load of documents out of here so I didn't have time due to that. Now, was end of the quarter? Its, its end of March, there's end of the quarter work that has to be done in the normal course of business or, or the CFO. So look, I respect that, I'm not going to come in and say now I need to use up your time in order to, to do this. Um, so my comment is I'm glad we do, we need the other month, but I don't appreciate someone sitting there and taking all the time and then sitting up here and leading everyone else on to the fact maybe they were denied documents and time which neither were the case.

Councilman Belcaro – Um I'd like to say that, this budget or like any other year's budget is a complex budget. It isn't something you can grasp, you can look at it and you can say I got it because each one of us can interpret a line item but to come to a conclusion and say I think it's a mistake or I believe it's a mistake without first seeking the facts. My CFO's, I have confidence in our CFO's. Anytime I have a question, I contact them by phone or come in here and sitting down and questioning the line items because not all the numbers may not add up to what you think or believe and we can be wrong in the interpretation of this. None of us here are the experts here that we hired to do the work for us. So when we do find what we do think is a mistake, we have to seek the facts before we come out and say it is a mistake. Let's find out what those mistakes are, if you think it is, but I disagree in publically coming out and saying I found mistakes. Let's take a look at the facts first. Let's sit down and see if it can be corrected and I say this before it comes to public meetings. Let's get everything right so we can present it to you with the facts.

Councilwoman Schneider – Well, I, um, this was looked at by professionals before it did come back to us. Um, and it is a fact that there were mistakes. They were confirmed by Betty and by Beth that there were mistakes, so there, they've been proven, sorry, they've been proven. Um, as far as taking time, I was in here for three days; um, one day, I was here for probably, for about two hours, the following day, probably about the same, but the last hour, I was making photo copies, um, and on the third day, probably about an hour and a half. So, if four or five hours of time is hogging all the time, and I'm not complaining about the time, I am complaining about the information I didn't receive to make all of my, um, all, all of the, the, all of the things that I am doing and all of my assessment of this budget. How can I make, how can I give you suggestions if I don't have all the facts, so I can't ask the question. I don't have all the facts; I can't ask all the questions to you. Um, as far as Base Line versus Zero Base Budgeting, there are pros and cons to both of those and there are two different on Zero versus Base Line.

In this case, um, you know, we're almost ten million dollars in debt in this town and to make cuts on here that are, that reoccurring items, non-reoccurring items and things that just don't belong in here, um, would greatly help our tax situation, so, and, by asking for the documents I did ask for, I don't know where you think you're going with I'm giving it to a select seven because salaries and everything else I asked for are part of this budget and how am I supposed to prove a budget if I don't know all of the information. So, I sat here, time and time again, asking for this information and, you know what, I sat tirelessly for the past few weeks looking through this budget and trying to understand it and making sure I'm making the right decisions on the budget. So for you to sit there and tell me that I'm sharing it with someone is just a, a blatant lie, it is just a misstatement.

Mayor Steinhardt – Quite frankly, Donna, you're lying. You told both Beth and Betty that you were taking it back to share with your friends which is

Councilwoman Schneider – Oh no I did not.

Mayor Steinhardt – (Inaudible) more than welcome to

Councilwoman Schneider – Oh my God.

Mayor Steinhardt – Regardless of whether you take to share with your friends

Councilwoman Schneider – I did not.

Mayor Steinhardt – Quite frankly, or (inaudible) the fact of the matter is that when you sit there and say you spent five hours looking for, you know, you came and spent five hours, that's great you spent five hours here, but when you ask for the unemployment invoices from the State, when you ask for the various time cards for the employees, when you want backup documents for association fees for all classes, when you say you want payroll service reports for overtime for all employees, you want copies of all employees W-2's, you want the invoices backing up the pool and the snack bar, you want the original entries and backups for the various entries, throughout the entire budget, um, you wanted.

Council President Ciesla – Last year's budget.

Mayor Steinhardt – Yeah right, you asked for, so the point, a list of each employees, backup for the 2013 payment histories, 1099's for the various appointees, the point of that is, why you might of spent five hours here, those employees spent the rest of the five days that you were asking for information pulling it together and I'll go back to what I said before which is demanding that they provide those to you free of charge, is a violation of the Local Government Ethics Law and again, for anyone who is listening, it is 40A:9-22.5c and, quite frankly, therein lies the rest of your problem which is, you come in here and you think you can abuse your council position and take information that every other resident in this Township would not have available to them if they think they could get it, quite frankly, it speaks volumes for you and the type of person that you are and the time that you've been here and, in addition, to the fact that this is the second or the third month you've come in with a prepared speech, only this time, it was prepared and not quite prepared for the facts and circumstances you were presented with when the budget got shot down and, quite frankly, you didn't even think ahead enough to try to change it as you read it, you just read it as it still applied to what happened which I find somewhat remarkable but in any

event, um, if you don't have any other comments specifically on the rejected budget, we'll be visiting it again in May and, hopefully, sometime between now and May 7th you'll have enough time to come in and get the records you want and I would certainly encourage you that if there's documents that you're going to demand that the employees in this Township copy, you be mindful of the fact that the Open Public Records Act requires that you make payment to do so especially if you are asking them to compile certain records that might otherwise be subject to OPRA.

Councilwoman Schneider – I didn't demand anything. I sent a, I sent my email to her based on her email to me saying make some time, you know, tell me when you're coming and all that stuff. I tried to make it easy by giving her a list and, um, you're saying it's been compiled and wasted time has been spent, I haven't received any information. So when was it compiled and why don't I have it?

Mayor Steinhardt – You didn't get any documents.

Councilwoman Schneider – No. Not anyone's there on that paper.

Mayor Steinhardt – Those are my point, those are all the ones that they didn't give you yet. There's lots of other things that you took with you already.

Council President Ciesla – W-2's.

Mayor Steinhardt – And I'm quite sure you didn't pay for those either.

Councilwoman Schneider – Oh so an elected official has to pay for documents to review a budget?

Council President Ciesla – Uh, if we have to pay, if the Town has to pay for a report that doesn't exist that is actually a violation of your ethics.

Councilwoman Schneider - What you report doesn't exist?

Council President Ciesla – The report that you asked for. The, the one payroll, the payroll report

Councilwoman Schneider – The Payroll Register?

Council President Ciesla – No, yeah the one payroll report would need to be ordered and it cost the Township.

Mayor Steinhardt – In fact there was a resident that requested a payroll register (inaudible).

Councilwoman Schneider – That's fine.

Mayor Steinhardt – In any event, moving on,

Councilwoman Schneider – I'm not, I'm not moving on yet because you're sitting here accusing me of things that I, I didn't do. I'm asking for information for a budget and for you to sit there and tell me that I'm using my power, I'm using my authority to look through a budget for these people out here who complain about their taxes all the time.

Council President Ciesla – (Inaudible).

Councilwoman Schneider – So I don't want to hear that I'm doing this for any other reason because I'm not here for any other reason.

Mayor Steinhardt – Okay so I respectfully suggest that you are and suggest that your actions over the last couple months suggest that you are and, quite frankly, I think you get up here and are somewhat confused as to what you are doing and you prepare statements in anticipation of actions that don't take place instead of just sitting up here and thinking for yourself.

Councilwoman Schneider – I do and, uh, I'm sorry you feel that way.

Mayor Steinhardt – So anyway, that’s it for New Business. Under Announcements, the Easter Egg Hunt is April 12th at 10 am, the rain date of April 19 at 2. Council Reports are going to be held in abeyance until the next meeting when we deal with all the rest of the Township’s business. Folks, questions, comments?

Martin Swim - I listened to what everybody said. I understand it is a complex process but I would like to thank one Councilmember Donna. From what I hear, she has put in extra effort and if I were a new employee and I was that vigorous I would hope I would be congratulated by the rest of the staff up here. As far as, conspiracy theories, I don’t know what group of friends is in the conspiracy you dreamed up Doug, I consider Donna to be one of my friends but I’m not in the conspiracy. So whatever you are aiming that grandstanding at is wrongfully aimed.

Mayor Steinhardt – Carlos you had a question. No, you’re good anybody else tonight? Waiting for next Tuesday, motion to adjourn.

Council President Ciesla – Motion.

Mayor Steinhardt – Yep hold on.

Marla Endick – (inaudible)

Council President Ciesla – You have to come up to the mike.

Marla Endick – Marla Endick, 10 Byron Drive. We just cited case law or statutes about the unethical request for public documents by an official so on and so forth. Was Donna informed by the Clerk or the CFO when she was asking for those documents that they were Oprable documents that needed to be paid for? Thank you.

Mayor Steinhardt – Anybody else tonight questions or comments? Motion to adjourn. Oh yeah we have to go into Executive.

Council President Ciesla – Motion to go into Executive.

Mayor Steinhardt – Second?

Councilwoman McCabe – Second.

Mayor Steinhardt - All in favor.

All Council people – Aye.

Mayor Steinhardt – Motion to go out of Executive Session.

Councilwoman McCabe – Motion.

Mayor Steinhardt – Second?

Council President Ciesla – Second.

Mayor Steinhardt – All in favor?

Council People – Aye.

Mayor Steinhardt and Council discussed the remainder of the matters as noted in Resolution No. 14-50.

Mayor Steinhardt asked for a motion to adjourn the meeting. Motion by Council President Ciesla, seconded by Councilwoman Schneider. All in favor.

Respectfully submitted,

Margaret B. Dilts
Clerk/Administrator

Douglas J. Steinhardt
Mayor