
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Special Meeting
Date of Meeting: May 12, 2010
Time of Meeting: 7:30 P.M.
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Note

Attached to this agenda one can find a copy of a resolution that may be considered by the Township Council at the regularly scheduled meeting of May 19, 2010.

Background

At a Special Meeting held on April 29, 2010, the Township Council established a committee. This Committee of two (Councilmen Jurkovic and Ramaglia) met with a Committee of the Board of Education to review the defeated school budget and prepare recommendations for the Council. This resolution comprises those recommendations. It is in draft form and is subject to change.

Mayor Bettina 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 printed in the Herald News in its issue of May 9, 2010; copies were provided to the Record, Star Ledger, Suburban Trends and Greenwood Lake News 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.

Pledge of Allegiance

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

Agenda No. I

Roll Call

Present: Councilmembers Joseph Smolinski, Robert Nolan, Marilyn Lichtenberg, Daniel Jurkovic, Mayor Bettina Bieri.
Absent: Philip Weisbecker, Michael Ramaglia.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Dominic DiYanni

Councilman Jurkovic advised that Councilman Weisbecker is sick and Councilman Ramaglia is on a pre-scheduled vacation. Mr. DiYanni advised that Council President Smolinski will recuse from this discussion.

Agenda No. II

Purpose

Mayor Bieri advised that tonight's meeting is an information session related to the defeated 2010/2011 defeated school budget. This meeting shall provide for the public to comment and share opinions on this subject. She reviewed the process to date advising that both the Board of Education and the Council had formed committees comprised of members of their bodies to assist the Council make recommendations regarding possible cuts to the school budget. She stated that the Board of Education (BOE) is an independent body and the only time the Council can become involved in BOE matters is if and when a school budget is defeated by the voters. There is a statutory process that guides the Council and in accordance with that statute they must review the defeated school budget and if they determine there is potential for cuts they must recommend those cuts specifying the line items to be cut no later than May 19, 2010. The BOE must then abide by the amount to be cut but they are not compelled to make those cuts to the line items recommended by the Council. If the BOE disagrees with the recommendations the process allows them to appeal to the State. At a prior meeting residents questioned if the BOE can cut funds in excess of those recommended by the Council. The Township Attorney has researched that matter and the answer is no, they cannot cut more. The Council committee comprised of Councilmembers Jurkovic and Ramaglia, made their recommendations at the last Council meeting in an amount of \$750,000 and, at this time, the Council concurs with that recommendation. Therefore, if the Council adopts a resolution in accordance those recommendations the tax levy will be set based on the defeated school budget minus \$750,000. However, if the BOE does not expend all appropriations, the unspent funds will lapse into surplus in a succeeding year.

Councilman Jurkovic stated that the school budget is approximately \$70 million and \$45 million of that comprises the tax levy. The BOE proposed a \$2.5 million increase this year and the voters defeated the budget. The Council has no intention of running the school district and such action would be outside the scope of their charge. The Council is compelled to determine if and where appropriate cuts can be made. He reviewed the cuts that he and Councilman Ramaglia have recommended to the Council and commended the teachers and aides for concessions made to benefits.

Agenda No. IV

Public Comments

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

Al Demarest, 463 Warwick Turnpike, West Milford stated that he does not agree with the proposed cuts. Governor Christie already made significant cuts to the West Milford school budget and, he believes that the district could actually use more funding. He stated that he attended the last BOE meeting during which certain members indicated that they want to cut \$2.5 million from the school budget which would result in a school closing. He asked that each member of the Council state for the record before the end of tonight's meeting whether or not they support such action. He questioned the authority of the BOE to engage in such practices after the tax levy is set and tax payers are paying their tax bills. If they plan to close a school, residents should be made aware of those plans and there should be transparency about what special projects will receive funding if those monies are not going to be spent on education.

Jim Novack, Larchmont Drive, West Milford stated that he is a former Paradise Knolls student. He provided a history of that school including reminiscing about when it burned down in the 1960's and students were educated in split sessions. The Township Council, he said, can only make recommendations as to the dollar amount to be cut from the defeated school budget. Beyond that, it is up to the BOE. He stated that when you consider the concessions made by teachers and staff it becomes clear that the Council is only recommending a cut of \$250,000. Everything else is givebacks, elimination of services or retirements. He stated that these cuts are not sufficient.

Matt Conlin, 33 Orleans Lane, West Milford is the senior representative to the BOE. On behalf of students – past, present and future, he thanked the Council, especially Messrs. Ramaglia and Jurkovic for listening to residents. He stated that they listened, assessed and did a great job. Yes, the voters did defeat the budget but turnout was dismally poor. The most affected segment of our population affected by this vote, the students themselves, did not get a vote. However, in mock elections held in the schools, the budget did pass. He stated that if the BOE does decide not to spend an additional \$2.5 million this year, that money will lapse into surplus and the Governor will take it next year. He thanked the Council for not succumbing to scare tactics and propoganda. He urged them to continue to serve as role models for West Milford youth.

Elizabeth Bednerski, 119 Rolling Ridge Road, West Milford thanked the Council for their work on the municipal budget. She surmised that, at this juncture, residents have more faith in the Council than they do in the BOE members. She supports the recommendations from the Council and believes the cuts are well thought out and the result of thorough deliberations. Cuts should be made with a full understanding of the consequences and a school should only be closed after complete research and thorough due diligence.

Elizabeth Bengen, 137 Doremus Road, West Milford stated that people who voted to defeat this school budget are not necessarily pro-education. There is frustration with teacher unions and high salaries and it is time to stop these repetitive increases. However, she is particularly disconcerted by the actions of the BOE members last week. These representatives were not voted into office to make cuts without intelligent thought. If after such research it is determined that the student's best interests will be served by a school closing, there will be support. But the work must be done first. She is very disappointed with the three new board members and how they are behaving.

John Fabbo, 1954 Clinton Road, Hewitt thanked Councilman Jurkovic for his work. Despite the voter's decision, it is never easy to find cuts. He stated that he is sorely disappointed with the voter turnout in the school election and he blamed parents for their apathy. He is disappointed with the BOE members and how they are handling their elected offices. He stated that education is absolutely necessary to success and we must do more for our schools. He stated that there is significant pressure on teachers and there are many unique issues in West Milford. He stated that it is important to find ways to increase income and find new ratables for West Milford to offset the ever-increasing taxes and preserve the quality of education. He stated that home values continue to decrease while taxes are constantly on the rise. He plans to attend tomorrow's BOE meeting and commended the Council for finding cuts that have minimal impact on the kids.

Patricia Keller, 1 Lancaster Lane, West Milford thanked Councilmembers Jurkovic and Ramaglia for making responsible choices. She stated that certain BOE members are making irresponsible decisions and statements, threatening to make irresponsible cuts and closing schools. She thinks it interesting that a Council member recuses because his wife works for the district. However, two board members do not see an ethical dilemma when they influence each other's votes. She thanked the Council.

Wayne Gotleib, 20 South Ridgefield Road, Hewitt stated that he is speaking as a private citizen tonight; not as a member of the BOE. He thanked the Council for recommending responsible, thoughtful cuts; the most significant cuts ever made in this town. The Board of Education, he said, have a responsibility to draft a budget to provide for our children's education. At first, many were skeptical that the Council was

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not hiring a consultant to assist with the process. However, at the joint meeting at Westbrook it was clear that the Council was attentive to the residents and all the voices that sought to be heard. He has talked with his colleagues who served on the liaison committee and they all agree that the Council's approach was serious. He thanked the Council for listening at a time when others have been talking past each other. He stated that he was hoping there would be action tonight. He stated that he will resist efforts by the BOE to impact funds or redirect money. He stated that attempts were made at the last BOE meeting to circumvent the process. There were efforts to take action on items that were not on the agenda and one item was even broached at 1 a.m. By that time, most attendees had already left as had legal counsel. If there were truly a mandate BOE members would not feel a need to sneak an agenda through in the middle of the night. He thanked the Council for listening and doing a good job.

Amy Bennett, 130 Crestlake Drive, West Milford stated that there are a lot of emotions involved in this process. She stated that she wants to address property values and relayed an anecdote about a failed real estate deal and opined that the recent upheaval in the educational system is having a direct impact on property values. If we demolish our educational system, we will continue to see a negative impact on property values. She commended the Council for their good and fair recommendations which are well thought out.

Lisa Lyons, 18 Linwood Road South, Hewitt stated that the fate of our children is getting lost in a discussion about money. She relayed an anecdote about budget cuts made some four years ago and the effect these cuts had on her daughter who was ultimately held back in school. Even though her daughter is now in third grade, there is a lasting impact. Every child, she said, is impacted in a unique way by every cut. It is scary when people talk about random cuts, especially in a significant amount such as \$2.5 million, without disclosing what research and due diligence is associated with these cuts. She stated that she has concerns for her daughter who has special needs. She commended the Council for their research and the homework they have done. She stated that BOE members are engaging in bullying tactics and power plays. She urged the Council to focus on the impact to our children.

Doris Aaronson, 19 Bearfort Road, West Milford relayed a personal anecdote. She stated that Bernice Colefield's predecessor did not want to spend money on programs and was focused on keeping the budget low. There was even a tendency to retain the same text and curriculum for years to save money on books and the system was teaching on a visual basis rather than on a phonetic basis. During that time approximately 30% of students in grades 1-3 were in remedial reading programs. This supports the need to spend money on providing a quality education to our children.

Aimee Thenell, 24 Christine Court, West Milford thanked the Council for this meeting, posting the agenda and making educated decisions. She stated that the current BOE is acting irresponsibly at this time. She urged the Council to put the interests of our children before all others paying attention to transition issues and the needs of our special education student body.

There being no more comments from the public Councilman Nolan moved to close the public portion of the meeting.

Moved: Nolan Seconded: Lichtenberg
Voted Aye: Smolinski, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Absent: Weisbecker, Ramaglia
Motion carried.

Agenda No. III

Council Comments

Councilman Nolan stated that he has served on the Council for six years and this is the fourth successive year that the school budget has been defeated. While not an envious situation, the voters are clearly dissatisfied with salaries but this is not within the Council's purview. People have spoken about property values which are intrinsically linked to the quality of education in any given community. He has heard many references to Bergen County where homes are expensive because of their location and the quality of the educational system. He does not favor closing a school this year and would only support such action after in-depth study and undisputed justification. Such action would undoubtedly have a significant impact on special education. The Council, he said, must be the voice that balances reason with protecting the best interests of our children.

Councilwoman Lichtenberg agreed with Councilman Nolan. As a realtor with 35 years experience, she recognizes the impact the school system has on property values. She thanked everyone who spoke at tonight's meeting and the last Council meeting because she feels it necessary to hear from the public. A school, she said, cannot be closed overnight. This type of action needs a lot of study and a recognition of related laws and regulations.

