

**TOWNSHIP OF PARSIPPANY-TROY HILLS
TOWNSHIP COUNCIL SPECIAL MEETING**

March 11, 2008

Public Invited with Public Participation

MEETING CALLED TO ORDER by Council President Cesaro at 7:02 p.m.

Roll Call:	Barberio	-	Present
	dePierro	-	Present
	Fox	-	Present
	Grossi	-	Present
	Cesaro	-	Present

OTHERS PRESENT: Mayor Luther; J. Lim, Business Administrator; J. Silver, Township Clerk

FLAG SALUTE

PRESENT DURING PORTIONS OF THE MEETING: Police Chief M. Peckerman; Capt. S. Bandura; Capt. P. Phillips; Ptl. J. Masker; S. Dickens, President, Board of Trustees, Parsippany Child Day Care Center; C. Martin, Director, Parsippany Child Day Care Center; A Leal, Court Administrator; M. D'Alessandro, Fire Official

The agenda of this meeting, to the extent known, is as follows:

Review of the Mayor's 2008 Budget Recommendations

FORMAL ACTION MAY OR MAY NOT BE TAKEN.

Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on February 28, 2008 where it has remained posted since that date. Copies of this notice were mailed by fax to The Daily Record, The Star Ledger and various other newspapers and local radio stations on February 28, 2008.

The Township Council continued its review of the Mayor's 2008 budget recommendations.

POLICE DEPARTMENT (240)

Present for this portion of the budget review: Police Chief M. Peckerman; Capt. S. Bandura, Commander, Support Services Division; Capt. P. Phillips, Commander, Professional Standards Division; Ptl. J. Masker (technology)

Council President Cesaro noted a \$10,000 increase in the Chief's salary. Chief Peckerman explained that when he was promoted to Chief in November of 2006, the SOA Contract was yet unsettled. This contract was ultimately settled in the summer of 2007 and all of the superior officers received a 4% raise in 2006, a 4% raise in 2007 and, of course, a 4% raise 2008. He pointed out that he did not receive a raise in 2006 or 2007 because he was not a member of that bargaining unit. His salary, which was negotiated with the Mayor, was based upon \$6,500 more than what the deputy chief position called for, the position which he held at that time. Now, that the contract has been settled with the Superior Officers' Association, the salary amount in the 2008 budget is roughly what he would have earned had he not been promoted to the position of police chief. In recognition of what he and the Mayor agreed upon in November of 2006, he asked the Council to increase the 2008 budgeted amount by \$6,500, which would represent a salary of \$6,500 more than what he would have earned had he not been promoted, for a total increase of \$16,500. He feels this is equitable and reasonable.

Ms. Grossi stated that she has concerns with raising the Chief's salary by \$16,500. She felt that the residents shouldn't have to supplement the Chief's salary because, at the time of his contract, other contracts were not settled. He accepted the contract at a given salary. While she understands the practical realities of what he is saying, she is not inclined to support that kind of an increase in salary.

Mr. Barberio felt that the Administration should have put the increase in the 2008 Budget, including the \$6,500, noting that this was something not negotiated amongst the Council. He agreed with Ms. Grossi, that an extra \$6,500 is too much to bear at this moment.

Council President Cesaro commented that the Township is crying for tax relief. He, personally, would be inclined to keep the Chief's raise at 4%, just like all of the other officers, a \$5,900 increase.

Mr. dePierro supported the Mayor's recommendation. There would have to really be extenuating circumstances before he would want to overrule the Administration on salaries. Over the course of the 24 years he has served as a Councilman, there have been occasions when certain members of the Council had close friends in different departments and wanted to give them extra money. He has always opposed this practice because it circumvents the evaluation process and the chain of command. It opens up Pandora's Box. The Administration knows their employees; they make the recommendations.

Mr. Fox stated that his concern is the precedent involved, noting we have other unions that perform services for this community. He stated he is very concerned with this type of an increase, which could cause problems with our other employees, morale and otherwise.

Mr. dePierro noted that there is a statute in place providing that chiefs of police should make certain percentages over deputy chiefs who make certain percentages over the captains. Council President Cesaro pointed out, however, that Chief Peckerman signed a contract. Ms. Lim advised that the contract established a salary for 2006 and 2007. After 2007, the salary was to be negotiated. Mayor Luther stated that the salary in the 2008 budget is what the deputy chief's salary would be pursuant to the SOA Contract or within \$500 of what that salary would be.

Chief Peckerman stated that if he remained as Deputy Chief and was never promoted, his salary for 2008 would be about \$157,800. He added that working without a deputy chief for the last two years has saved the town, minimally, somewhere between \$60,000 and \$90,000. He pointed out that he has been doing the job not only of the chief, but many of the job functions formally done by the deputy chief.

Ms. Grossi recalled that when Chief Peckerman first became chief, he wanted a deputy chief hired. Additionally, he wanted to conduct an evaluation of the Police Department; \$25,000 was budgeted for this purpose. Mayor Luther explained that money was budgeted last year and that the Administration began to obtain quotes to have the study done. However, it was then discovered that the Department of Community Affairs has a unit that will handle this type of study with no cost to the Township. The Administration is pursuing this course of action. As of this date, the Department of Community Affairs has not committed as to when the study would commence. Mr. Fox suggested that, perhaps, the Township should hold off on the hiring of additional personnel until the staffing study is completed.

Ms. Grossi reiterated her concern that a \$10,000 increase is a huge amount of money. People don't get \$10,000 increases in government service. She indicated to Chief Peckerman that this is not personal to him. She noted that a salary of \$147,000, while it may be less than what the deputy chief might be earning, is still a lot more money than most people earn. She pointed out that the Chief's position is the highest paid position in the Township.

Mr. dePierro reiterated that if Michael Peckerman had remained Deputy Chief, he would be making the \$157,500. We are penalizing him for getting promoted and doing the work of two jobs. We should at least move him to the \$157,500 salary. Council President Cesaro reiterated that Chief Peckerman entered into his contract voluntarily.

A motion was made by Council President Cesaro, seconded by Ms. Grossi, to reduce the \$157,500 by \$4,100, providing the Chief with a 4% increase (\$5,900) in salary.

Roll Call: Barberio - Yes
dePierro - No
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

Council President Cesaro questioned if the deputy chief position will be filled. Mayor Luther advised that he does not have plans to fill the position at this point; the position is not currently in the budget. Council President Cesaro suggested that the Council and the Administration explore filling this position because he thinks this would help all of the police officers, noting that when one officer “bumps up,” every body “bumps up.” Mayor Luther stated he doesn’t disagree with this philosophy, but noted that this would increase the budget by another \$147,500. Council President Cesaro told Mayor Luther that he shouldn’t worry about this increase because he will be taking care of the cuts. Mr. Fox commented that this is something that should be discussed next year, noting that Deputy Chief Makowitz, who is on terminal leave, is in the 2008 budget for most of this year, if not all of it. Mayor Luther offered to meet with the Council President to discuss his views.

With regard to the proposed twelve (12) new hires, Ms. Grossi questioned the current number of police officers. Chief Peckerman replied that there are currently 105 officers, with an additional officer to be sworn in next week, for a total of 106. The ordinance provides for no more than 113 officers. Ms. Grossi advised that we would be over this number if twelve (12) are added. Chief Peckerman explained that it is anticipated that officers will be retiring in 2008. Only two weeks notice is required prior to retirement. We must plan in advance in case of a retirement because the process of hiring a new officer takes approximately 15 months. Without advanced planning, there would be decreased staffing, resources would be stretched, and an enormous amount of overtime would be generated. Chief Peckerman reiterated that the Department’s resources would be stretched to a level that he feels is not acceptable to the community.

Mr. dePierro felt there is a disadvantage in hiring twelve (12) officers at one time because they are all going to retire at the same time. He prefers to stagger the hiring and he recommended the hiring of up to six (6) police officers now and six (6) next year, depending on how many current officers actually retire this year.

Chief Peckerman advised that in the next five (5) years, through the end of August 2013, 29 police officers are eligible to retire. This is why it is important that we fully staff now. He further noted that the Department provides two (2) full-time school resource officers to the Board of Education, which provides a great service to the community, but these officers are not handling a large caseload in the Investigative Division or are not out on patrol. The longer we delay hiring to fully staff, the more of a problem we will have.

The Chief addressed where the new officers will be assigned, noting most will go to the Patrol Division, which is the most short-staffed.

Ms. Grossi stated that she would prefer that the number of new officers be spread out over a longer period of time to minimize the impact on the taxpayers. She is not convinced that the hiring of twelve (12) new police officers is the way to go; six (6) may be too many as well. She recommended that the Township hire four (4) this year, four (4) next year, and four (4) the year after that. Chief Peckerman questioned what happens if 15 or 16 officers retire; we will have less than 100 officers and serious questions would need to be asked. Year after year, the Patrol Division has done an outstanding job, short-staffed. To put ourselves in a position where we might end up with 95 officers instead of 112 or 113 is a grave concern. Can we still staff School Resource Officers full-time? Can we maintain a

separate Traffic Section? What are the priorities? What services do we provide? Additionally, if we are short-staffed, the overtime budget will be significantly affected. Council President Cesaro commented that it is sad that, after all of these years, we are now being asked to hire twelve (12) officers all at once. This will be a fiscal hit to the taxpayers.

Mr. dePierro made a motion that the number of new hires be reduced from twelve (12) to six (6) officers this year and, hopefully, six (6) can be hired next year, seconded by Mr. Fox.

Roll Call: Barberio - No
dePierro - Yes
Fox - Yes
Grossi - No
Cesaro - No

Motion failed.

Ms. Grossi made a motion to reduce the number of replacement officers (new hires) by eight (8), only hiring four (4) officers this year, seconded by Council President Cesaro. She indicated that we would look to complement this number in following years.

Roll Call: Barberio - Yes
dePierro - No
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

Chief Peckerman advised that he would do his best to keep the overtime budget down, but without hiring additional officers, he cannot guarantee that he will be able to keep the expenditures within the amount appropriated in this budget.

Council Members reviewed the other expenses within the Police Department Budget. The vehicles to be purchased under Vehicle Equipment (229) were noted. Mr. Cesaro questioned the cost of replacing the McGruff Animated Costume at a cost of \$3,394, listed under Community Policing (255). Chief Peckerman advised that the current McGruff Costume is at least 20 years old; it is time for a replacement.

As a result of the new hires being reduced from twelve (12) to four (4), Ms. Grossi made a motion to reduce Clothing Allowance (244), specifically with regard to Initial Issue, by \$29,200, seconded by Mr. Fox.

Roll Call: Barberio - Yes
dePierro - Yes
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

Additionally, Chief Peckerman and the officers in attendance addressed questions posed by Council Members relative to Building Maintenance (231), Communication Equipment and Service (252), Community Policing (255), Computer Non-Network Maintenance (263), Dues, Professional Journals and Conferences (297), In Service Training (302), Microfilming and Shredding (375), Physicals, Psychological Tests, specifically drug testing (412), Communications and Other Equipment Maintenance (453), and Traffic Section Equipment (497).

Ms. Grossi noted that Physicals, Psychological Tests (412), specifically the amount budgeted for the physicals for twelve (12) recruits @ \$375 each, needs to be reduced. Chief Peckerman requested that the amount budgeted be maintained to cover the cost for five (5) individuals since money has already been expended to cover the cost for one (1) individual who had been considered for a lateral transfer. A motion was made by Ms. Grossi to reduce this line item by \$2,625, seconded by Mr. Barberio.

Roll Call: Barberio - Yes
dePierro - Yes
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

In connection with the same account (412), relative to the psychologicals for twelve (12) officers at \$450 each, a motion was made by Council President Cesaro to reduce this line item by \$3,150, seconded by Mr. Barberio.

Roll Call: Barberio - Yes
dePierro - Yes
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

Additionally, a motion was made by Council President Cesaro, to reduce this same account (412), relative to drug test billing for twelve (12) recruits at \$35 each, by \$280, seconded by Mr. Barberio.

Roll Call: Barberio - Yes
dePierro - Yes
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

(Note: it was the Council's intention to budget \$35 for "drug test billing" for 5 individuals and to reduce the amount budgeted by \$245, rather than \$280.)

POLICE DEPARTMENT (240) – CAPITAL IMPROVEMENTS (525)

The Council requested additional information on the Department's request for Portable Radio and Chargers - 60 @ \$1,721 each. Chief Peckerman explained that this capital expenditure will provide for the issuance of a portable radio to each officer. Currently, there is a bank of portable radios that are assigned to officers in the Patrol Division when they report to work. Mr. Barberio expressed his view that \$103,260 is a lot of money, noting that individual police officers, who may not even live in town, will be taking these radios home. He questioned if the Chief could do with less. Chief Peckerman explained that police officers living out of town will need to be called in for emergency situations. He expressed his view that the Police Department should be well-equipped and prepared for any emergencies. Ptl. Masker pointed out that an officer could be anywhere in the United States with this particular radio and immediately get an individual on the line through a Stateside/Nationwide repeater system. Mr. Barberio indicated that, if this is a safety matter that would make the Police Department more accessible, he would leave the expenditure in the budget.

ANIMAL CONTROL (890) – The salary and wage portion of Animal Control, which falls under the Police Department, was reviewed. Capt. Bandura stated that there are currently three (3) full-time animal control officers. Relative to other expenses, Capt. Bandura explained that the reason for the increased appropriation for Maintenance (231) is the result of the new cat trailer. The amount should decrease next year.

DEPARTMENT OF HUMAN SERVICES/CHILD CARE CENTER (451)

Present for this portion of the budget review: S. Dickens, President, Board of Trustees, Parsippany Child Day Care Center; C. Martin, Director, Parsippany Child Day Care Center

Council President Cesaro noted that the Center requested \$120,000, but was only given \$60,000 in this year's budget. Mr. Dickens indicated that, of the 94 children enrolled, 40 children or 42% are on a subsidized program through the New Jersey Division of Family Development. Due to a reduction of State funding, the Center is currently experiencing a loss of approximately \$10,000 anticipated income compared to the previous year and, unless something changes, the Center will lose, in total, about \$25,000, which is almost impossible to make up. Mr. Dickens advised that the Center continues to deplete its savings, although not to the extent he reported last year thanks to the additional \$60,000 appropriation from the Township. Mr. Dickens further noted that New Jersey Natural Gas is increasing its rates by 10%. Additionally, he commented that the Director, staff members, and the Board of Trustees have been working incessantly to find ways to reduce expenses and bring in additional income while, at the same time, providing the highest level of service comparable to any for-profit center anywhere. Mr. Dickens reiterated that the Center's biggest problem is the cuts in State funding. In closing his brief presentation, Mr. Dickens indicated that this Center continues to be an asset to this Township and the families who utilize it, noting that 90% of the children enrolled at the Center are residents of Parsippany. Last year, the Council graciously increased the Center's appropriation from \$60,000 to \$120,000. He asked the Council to consider increasing the amount this year as well.

Mr. Barberio commented that he needs more time to consider this matter. Mr. dePierro stated that he was under the impression that the additional funding last year was a one-time request. He asked Mr. Dickens if \$120,000 will be the base request in the future. Mr. Dickens apologized for any confusion, noting that the need for additional funding on an on-going basis was discussed with former Council President Agostini, as Council Liaison to the Center. Mr. Barberio suggested that the Council revisit the Center's request.

Mr. Fox, in response to concerns expressed by Ms. Martin, asked if she is saying that the Center will close if the Township does not increase the allocation. She responded that she is just saying that the Center really needs this extra money to keep it going. She doesn't know when the State is going to "reallocate." Mr. Dickens explained that the Center will not be closing immediately, but the eventuality is that the Center will continue to have to draw down any savings to continue to make payroll, pay bills, heat and air-condition the building, purchase food, etc. and, probably, the closing of the Center at a future time is a reality.

Council reserved its decision until the Budget Review Meeting of March 15, 2008.

Brief recess taken.

MUNICIPAL COURT (270)

Present for this portion of the budget review: A. Leal, Court Administrator

Mr. Leal explained the reasons for the salary increases included in the Court's Budget, noting that he requests that the Township make the salaries of its Court staff competitive to surrounding municipalities. He pointed out that he added a new line item, DWI Fund, in the amount of \$4,500, to handle the back-log in DWI cases. This amount, per Mr. Leal, will cover potentially ten (10) extra court sessions. Additionally, a \$6,000 increase was requested to provide for the purchase of some new fire retardant and water proof furniture to store files, as well as for cleaning supplies which are no longer included in the Police Department's Budget.

FIRE PREVENTION BUREAU (296)

Present for this portion of the budget review: M. D'Alessandro, Fire Official

The salary and wage portion of the Fire Prevention Bureau Budget was discussed. Ms. Grossi noted that there is a position for a new part-time clerk, but questioned whether the employee (B. Merrill), who was transferred last year to the Housing Division, has been providing ten (10) hours a week to the Bureau, as planned. Mr. D'Alessandro advised that this never happened. Ms. Grossi recognized that the Bureau requires clerical help, but questioned how the Bureau functioned last year without this help. Mr. D'Alessandro indicated that he has been doing everything himself. Mayor Luther advised that certain calls (relative to hydrant outages), which normally would have been handled by Ms. Merrill at the Bureau, were transferred to the Police Department. Mr. D'Alessandro

reviewed the number of occupancies that require yearly inspection. He advised that he has three (3) full-time inspectors. He requested that the Council provide for an additional full-time inspector at a \$32,000 to \$35,000 starting salary. Mr. Barberio asked Mayor Luther why he would not approve the request. Mayor Luther replied that it was his reluctance not to increase the workforce. In response to a Council inquiry, Mr. D'Alessandro advised that the Bureau is self-sufficient. Fees are generated by inspections. Mr. dePierro asked if the additional fees, generated as a result of the employment of an additional inspector, would offset any tax increase. Mr. D'Alessandro responded that it would. Mayor Luther is to review the matter, noting that if we hire someone full-time and we "catch up" on the backlog, the position is permanent and there may not necessarily be additional inspections generating fees. With an additional inspector, Mr. D'Alessandro felt he could spend more time in the office as well as more time supervising the inspectors. Discussion ensued relative to whether or not J. Resciniti, who currently works twenty (20) hours per week at the Bureau and also works at the Sewer Utility, could possibly work full-time at the Bureau. It was noted that, if an additional full-time inspector is added to the workforce, the part-time inspector position would be eliminated. Mr. D'Alessandro felt that this would definitely increase the productivity in his department. Mayor Luther confirmed that this would result in a net change to the department of about \$25,000. The Administration will consult with Mr. Resciniti and provide a recommendation to the Council as to how the workload in the Bureau can be relieved.

Other expenses were reviewed. Mr. D'Alessandro explained his request for \$5,000 for Fire Safety Trailer Maintenance (227) to cover some items not included in the 2007 budget appropriation of \$7,000 (the money being expended this year). He advised that he doesn't think he will need to use the entire \$5,000 budgeted for 2008. A motion was made by Mr. Fox to reduce this line item by \$2,500, seconded by Mr. Barberio.

Roll Call: Barberio - Yes
dePierro - Yes
Fox - Yes
Grossi - Yes
Cesaro - Yes

Motion passed.

Mr. D'Alessandro also reviewed his request for \$20,000 for Vehicle Equipment (229) to replace his car which was totaled in an accident. Mr. D'Alessandro, in connection with Education (300), reported that he will be expending funds for seminars throughout 2008.

LEGAL EXPENSES (090)

Ms. Lim explained that some of the expenditures charged to Township Attorney (359) in 2007 could have been charged to Legal – Other Expense (357), noting that the Township had several extraordinary expenses in 2007. Of the \$287,000 expended under the Township Attorney line item, approximately \$47,000 was related to the preparation and implementation of the overcrowding ordinances; \$34,000 was related to the apartment inspections; and \$48,000 was related to the U.S. Attorney subpoenas.

ADMINISTRATIVE AND EXECUTIVE (020)

The Council reviewed the salary and wage and other expense sections of the Administration's Budget. Ms. Lim responded to Council Members' questions.

TOWNSHIP COUNCIL (021)/TOWNSHIP CLERK (020)

The salary and wage and other expense sections were noted. No specific questions were raised by Council Members.

COMMITTEES (025)

Ms. Lim explained, in connection with Municipal Alliance Committee (384), that there are matching fund requirements for the Municipal Alliance Grant. Mayor Luther indicated that he is trying to revitalize this Committee and asked the Council Members to advise him of any individuals who may be interested in serving as members.

Council President Cesaro opened the meeting to the public, noting a five-minute time limit per speaker.

Art Hendrickson, 65 Leamoer Drive, a 51+ year resident of Parsippany, stated that he was a little disappointed and somewhat embarrassed for the general public with the way the Chief's salary was addressed. He felt that the Township is very fortunate to have a man of his caliber, his ability and his enthusiasm as our chief. It seems that the Chief is being penalized for wanting to advance. Mr. Hendrickson further noted that he is a huge supporter of our Police Department and feels they do exceptional work. He would have preferred that the Council give authorization for the Police Department to hire four (4) new officers now, four (4) in August or September and four (4) at the end of the year to begin to fill in the holes that will come up in the ranks due to retirements.

Roy Messmer, 10 Drumlin Drive, asked "Can't we match revenue with expenses"? He questioned what is meant by "terminal leave." He suggested that a police officer should get paid at the end of each year for his unused sick and vacation time. Chief Peckerman wouldn't have a problem of being short staffed if revenue matches expenses. With regard to school police officers, Mr. Messmer expressed his view that it would be better for officers to show up at schools unexpectedly, rather than be there at scheduled times in specified places. In connection with union contracts, he indicated that he can't believe that police officers cannot provide a year's notice of their retirement dates. He asked why our Police Department cannot have "junior police officers." Mayor Luther noted that we have Police Explorers. As to the Day Care Center, Mr. Messmer questioned how many children's parents are not U.S. citizens.

Pat Petaccia, 182 Hawkins Avenue, noted that her major concerns are with the Police Department. She stated that, as a taxpayer, she is not only paying for their 4% salary raises, but for their clothing and other things. She expressed her view that all union negotiations should be open to the public. She also expressed her view that money not used for the purpose it was allocated for, should revert back to that specific allocation. She agreed with Mr. Messmer that police officers should provide enough advance notice of their retirements to allow the Township sufficient time to address the issues of hiring and the allocation of money due. She agreed with the Council’s decision to stagger the hiring of new officers, four (4) each year. She questioned several of the Police Department’s expenditures.

Jerry Manning, Oakdale Road, stated that he didn’t appreciate “the hoops” the Council put the Chief through in connection with Police Department expenditures. Mr. Manning expressed his view that the Chief of Police is asking for what he needs, not for what he would like to have. The Chief, per Mr. Manning, is not known for frivolous requests. Mr. Manning indicated that he would have preferred that six (6) new hires be authorized this year; six (6) next year. These officers are needed. We can’t wait until fifteen (15) officers retire, noting that it takes 12 or 14 months to get a new officer on board. He expressed his hope that the Council will put the School Board through the same “hoops” they put the Chief through this evening.

Seeing no one else come forward, Council President Cesaro closed the public portion.

MOTION TO ADJOURN: Ms. Grossi
SECONDED BY: Mr. Barberio

Roll Call:	Barberio	-	Yes
	dePierro	-	Yes
	Fox	-	Yes
	Grossi	-	Yes
	Cesaro	-	Yes

MEETING ADJOURNED: 9:45 p.m.

Minutes approved: April 29, 2008