

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

March 25, 2009

Public Invited with Public Participation

MEETING CALLED TO ORDER by Council President Cesaro at 6:01 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: A. Leal, Court Administrator; Police Chief M. Peckerman; Capt. S. Bandura; Capt. P. Phillips; Capt. M. Kennedy; Ptl. J. Masker; C. Dikovics, Animal Control Officer

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

Review of the Mayor's 2009 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 March 3, 2009 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 March 3, 2009.

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

Ms. Lim confirmed the following information provided to the Council via emails:

- Regarding the Municipal Alliance Committee (MAC), the estimated year-to-date 2008 expenditure is \$11,000. Mr. Plescia advised that the minimum required by MAC to match the County grant is \$8,400. If MAC receives \$10,000, it can provide all of the programming planned under the grant funding.
- Quotes were received for the prescription coverage effective May 1, 2009. If the Township switches back to Benecard, there would be a reduction in the amount originally budgeted of almost \$80,000 in the Current Fund.
- Revisions to the Blue Collar Supervisors' salaries have been made to reflect accurate base salaries, which are less than as listed in the budget proposal.

Council President Cesaro noted receipt of a memo (dated March 18, 2009) from Mr. Hardie relative to fuel costs. Mr. Hardie advised not to decrease the amount budgeted. Ms. Lim pointed out that, traditionally, gasoline jumps in April and we are already seeing increases. Ms. Lim commented that there is a real concern that if the budget is too tight, we will end up in a deficit of operations. She felt that the Administration has done a good job in tightening the budget, but feels it should not be tightened significantly more, noting that we don't have that kind of flexibility. Discussion ensued relative to the possible increase in the cost of gasoline. Per Ms. Lim, Mr. Hardie also noted in his memo that consumption may be up this year in terms of the number of gallons due to the bad snow season earlier in the year.

MUNICIPAL COURT (270)

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

Council President Cesaro indicated that the Council has been asking, throughout the budget proceedings, for department heads to make additional cuts in the amount of 5%, which in Mr. Leal's case is approximately \$1,000. Mr. Leal advised that, in connection with operating expenses, he has already cut between \$8,000 and \$9,000, which is a little more than 5%. Mr. Leal explained what the line item entitled Dues, Professional Journals and Conferences (297) covers and noted that he did not include funding in this year's budget for attendance at the League of Municipalities' Convention or the Spring Conference for either himself or the Deputy Court Administrator. Mr. dePierro questioned if the Court is self-funded through Court fees and fines. Mr. Leal advised that the fees and fines collected exceed expenses. He explained how the fines and court costs are distributed amongst a number of jurisdictions including the State and the County. Mr. Leal noted that the Court is backlogged and that is why the continued funding for the special DWI sessions was requested. He noted that the State recommends dispositions on most of these matters within a 60 day timeframe.

The possibility of three towns joining with the Court was noted. Mr. Leal expressed his opinion that the Court is in a position to take over these other jurisdictions subject to any additional staffing that may be required. Parking concerns were discussed.

Council President Cesaro opened the meeting to the public relative to this portion of the budget, noting a two-minute time limit per speaker, including questions and responses.

Seeing no come forward to speak, Council President Cesaro closed the public hearing on this portion of the budget.

POLICE DEPARTMENT (240)

Present for this portion of the budget review: Police Chief M. Peckerman; Capt. S. Bandura; Capt. P. Phillips; Capt. M. Kennedy; Ptl. J. Masker

Mr. Fox asked Chief Peckerman if he has called for a Deputy Chief's exam, noting he has heard rumors. Chief Peckerman indicated that Mayor Luther has called for the exam. The Chief's proposed salary increase was noted as being contractual; the amount will not change next year. Mr. Barberio asked if the Deputy Chief's position will be filled this year. Mayor Luther replied "yes." Mayor Luther explained that the salary is reflected in the differential; we are waiting for the results of the DCA study, but it is unlikely that a fourth captain's slot will be filled when one of the captains gets promoted to the deputy chief's position. Ms. Grossi commented that "unlikely" doesn't mean that it won't happen; expressing her opinion that the Mayor is really just promoting somebody into that position. She noted that the Police Department has been working without a Deputy Chief for four years now; that was the reasoning the Police Chief was given the kind of raise he was given because he was actually doing the job of two people. Discussion ensued as to what occurred last year relative to the Police Chief's salary. Mayor Luther asked if it is now the Council's position that it is against the Deputy Chief's slot, noting that last year the Council President questioned why the Township didn't have a deputy chief. Mr. Barberio stated that, last year, he never indicated whether or not he was in favor of the position, but we have done without this position for the last few years; perhaps, the Council could remove the salary from the budget this year, due to hard economic times, and reconsider the position next year. Chief Peckerman indicated that there is approximately a \$10,000 or \$11,000 difference between a captain's salary and the deputy chief's salary. Mr. Fox asked if there is a guarantee that a captain's position will be eliminated. Mayor Luther advised, "no," explaining that the position of the captain who is promoted to deputy chief would be vacated, but the position itself remains in the ordinance, but it wouldn't be funded to be filled. Mr. Fox indicated that he does not have a problem with the deputy chief's position as long as there is a captain's position that is not filled. Mayor Luther commented that this has been his position, but he wanted to wait until the Township received the DCA's report, which, although has not cost the Township anything, has taken far too long. Mr. Barberio indicated that he is personally in favor of waiting until next year. Mr. dePierro agreed with Mr. Fox. Mayor Luther reiterated his position that, relative

to the command structure of the Police Department, there would be a chief, a deputy chief, and three captains. He advised that he won't be looking to put money into next year's budget unless the Council indicates that this is something they want to consider. If the Council wants to amend the ordinance and eliminate the fourth captain's position, that is within the Council's purview. Mr. Fox commented that a deputy chief and three captains are not unusual for a police department of this size. Ms. Lim confirmed that the amount budgeted is \$6,000 for the remainder of this year. Chief Peckerman commented that he would like to see the deputy chief spot filled because it is an important position, even though we will have been without a deputy chief for three years this July. Mr. Barberio then questioned, if the position should be filled, was there anyone on the list to fill this spot at the beginning of this year and, if so, why wasn't it filled at the beginning of this year. Chief Peckerman explained that the decision to fill or not fill a position is the Mayor's decision. Mayor Luther explained that there was an incomplete list, noting that under the Department of Personnel (DOP) rules and regulations you are entitled to three candidates; there was a list with only one candidate. Ms. Grossi stated that the Mayor could have chosen the one candidate. The list wasn't incomplete; the Mayor chose not to appoint that one individual. Mayor Luther pointed out that there were officers who are now captains who were not entitled to take the exam; they didn't have the opportunity. By calling for the test now, these individuals are now given the opportunity. Ms. Grossi commented that, obviously, if the Mayor wanted to promote the person who had taken the test and was the only person on the list, he would have done so. Mayor Luther indicated that Ms. Grossi made a completely inaccurate statement as to his intentions. Chief Peckerman advised that the Mayor has assured him that there are no insinuations of any "back door politics" going on; he takes the Mayor at his word. Council President Cesaro clarified that Ms. Grossi is just saying that it is not stipulated that there must be three individuals from which to choose. Consensus of Council was not to revise the budget in connection with the \$6,000 differential budgeted for the position of deputy chief.

It was noted that there is funding for four new police officer positions. Chief Peckerman clarified that last year four officers were hired; this year the Department is asking for four more. He indicated that by adding four officers a year, pursuant to a projection he ran, conservatively factoring in retirements and officers who leave the force for other reasons, we can anticipate that in 2009 the Department will drop down to 102 officers; in 2010 we will have 103; in 2011 we will drop to 97; in 2012 we will have 91; in 2013 we will have 90; in 2014 we will have 94; in 2015, 93; in 2016, 92; in 2017, 90; in 2018, 93; in 2019, 96; and in 2020, back up to 100. Chief Peckerman confirmed that, even by adding four officers a year, the number of officers on the force will decline. Within the next 4½ years, per Chief Peckerman, 33 officers are eligible to retire. Seven officers have indicated that they will retire this year. To remain in the 106 area, where we are now, we would have to hire at least six officers a year for the next four or five years; then, we could taper off. Mayor Luther advised that part of the stimulus funding from Washington did include a "cops program." The Federal Government will fund the salary as well as health and pension obligations for three years. We intend to apply for these funds. Mr. Fox commented that the force will deplete over time and asked how the Council feels about bumping the number of new hires up to six. Mr. Barberio, Ms. Grossi and Council President Cesaro indicated that they were not interested in doing so this year. Chief Peckerman noted that the Police Department may be put in a difficult position this year if

more officers retire or are injured than projected. We will have to make some difficult decisions as to which programs we continue, how we staff, and what will be our priorities for the community. He emphasized that, by hiring four officers and losing seven, we may be put in a position, later in the year, where these kinds of decisions will need to be made.

In connection with operating expenses, Council President Cesaro pointed out that a 5% cut amounts to approximately \$46,000. Chief Peckerman advised that the Department already took a 10% hit from what was requested and what was approved last year. He felt that an additional 5% cut could not be made without drastically cutting services. He noted that the Department is only getting three cars this year, down from five to seven cars in previous years. Chief Peckerman, with input from Capt. Bandura, reviewed, in more detail, the following line item requests: Vehicle Equipment (229), Building Maintenance (231), In Service Training (302), Computer Non Network Maintenance (263), Office Equipment and Furniture (398), and Armaments – State Mandated (411),

Relative to manpower, Chief Peckerman agreed with Mr. Fox that long-term planning is necessary.

Council President Cesaro opened the meeting to the public relative to this portion of the budget, noting a two-minute time limit per speaker, including questions and responses.

Arthur Hendrickson, 65 Leamoor Drive, indicated that he monitors emergency calls and the police are very busy. In his opinion, police are needed.

Patricia Petaccia, 182 Hawkins Avenue, questioned the status of the payout for the Deputy Chief, noting her understanding that he was never replaced due to the payout. Mayor Luther explained that the payout was not the sole reason that the position was not filled. She suggested, relative to retirees, that the contract wording be revised to mandate more than two weeks notice. Mayor Luther explained that individuals can submit retirement applications at any time and then change their minds up until the dates of their retirement. He pointed out, however, that the common practice is additional notice.

Ptl. Ed Ailara, PBA President, thanked everyone for their efforts this evening and for endorsing officers' services to the community.

Sgt. E. Natoli, SOA President, noted, in terms of staffing, that the ordinance provides that the Department cannot go over 113. This is a ceiling. He questioned if there is a floor which we cannot go below. When we were between 109 and 111, we had the opportunity to obtain funding from the Federal Government to go over the 113, but the ordinance prohibited this, even if an officer was retired, but on the books. He suggested, instead of a fixed number, a range not to go lower than or more than be specified in order to provide more flexibility with hiring, noting, as indicated earlier, that it may take a year or two to get qualified candidates.

Mr. dePierro felt this was a good idea; and suggested that the Chief make a recommendation. Mr. Fox suggested that we wait for the DCA report.

Seeing no one come forward to speak, Council President Cesaro closed the public hearing on this portion of the budget.

ANIMAL CONTROL (890)

Present for this portion of the budget review: C. Dikovics, Animal Control Officer

Council President Cesaro advised that a 5% cut in other expenses amounts to \$4,000, rounded. Mr. Dikovics advised that one area that could be looked at is Uniforms (244), which appropriates funding for the replacement of old and worn uniforms. He noted the costs of the uniforms. Mr. dePierro commented that, based on what was expended/encumbered last year, it appears that more money, not less, is needed to cover the cost of these replacement uniforms.

Mr. Dikovics took this opportunity to point out that Animal Control is receiving financial donations from the public for what they feel is commendable effort. The donations, which currently total over \$4,000, are deposited by the Chief Financial Officer in a separate fund. The status of the \$10,000 donation from PASS for the renovation of the dog kennels was discussed. Mr. Dikovics pointed out that there is a stipulation that if we don't meet Code requirements or if we don't complete the project within this year, we must return the money. As of now, per Mr. Dikovics, it is estimated that it will cost \$70,000 to correctly do the job, including as much as \$45,000 for the kennels themselves. A lot of the labor will be done by Township employees. Discussion ensued as to the specifics of the Township's agreement with PASS. Capt. Bandura advised that the \$70,000 figure is quite preliminary. The final amount could be much less. He confirmed that it is a two-part process; the main part involves completing the dog runs/kennels. The second part involves the construction of a quarantine room. Capt. Bandura indicated that PASS is most concerned with renovating the dog runs; once the dog runs are completed, he believes the agreement would be satisfied.

Council President Cesaro opened the meeting to the public relative to this portion of the budget, noting a two-minute time limit per speaker, including questions and responses.

Patricia Petaccia, 182 Hawkins Avenue, asked for an explanation of line item 675 entitled State of New Jersey. Mr. Dikovics explained that a portion of the fees collected for dog licenses goes to the State of New Jersey. He pointed out that the State supplies the rabies vaccine; we give free vaccinations to both dogs and cats.

Seeing no one else come forward to speak, Council President Cesaro closed the public hearing on this portion of the budget.

Chief Peckerman took this opportunity to publicly thank Capt. Bandura, who will be retiring on April 30, 2009, not only for his 30 years of service to the Department, but the work he has done on the budget since he has been a captain in the Support Services Division. Chief Peckerman stated that Capt. Bandura's work ethic is beyond reproach; he deserves public recognition. Council Members concurred.

Ms. Lim noted that the next scheduled Council Meeting is April 14, 2009. She asked if the Council is interested in scheduling a special meeting prior to that date or if the Council intends on introducing the budget on the 14th. The budget introduction was tentatively scheduled for April 14, 2009.

MOTION TO ADJOURN: Mr. Barberio
SECONDED BY: Mr. Fox

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

MEETING ADJOURNED: 7:45 p.m.

Minutes approved: April 28, 2009