

**MINUTES OF THE SPECIAL MEETING
OF THE MAYOR AND COUNCIL**

MARCH 7, 2016

SPECIAL MEETING

A Special Meeting of the Mayor and Council was held in the Municipal Building on March 7, 2015.

Councilperson Lambrix opened the meeting at 8:00 A.M. and Borough Clerk, Sally Bleeker, read the Sunshine Law Statement.

ROLL CALL

The following Council Members and Professional Staff were present: Councilperson Cadicina, Councilperson Kahwaty, Councilperson Kelly, Councilperson Lambrix, Councilperson Ramsey (8:05), and Councilperson Swist, Mayor Bivona, Borough Administrator Hart and Police Chief Pezzuti.

DISCUSSION

Mr. Hart stated that a revised budget workbook is not available at this time because several decisions must still be made. There are eight days remaining before the introduction of the budget, and he is confident that Mr. Lerch will have time to incorporate the changes recommended at this meeting. Mr. Hart said that the funds budgeted for the Alco Test equipment in the amount of \$22,000 has been removed from the budget. Two of the three new hires in the Police Department are taking payment in lieu of medical insurance, which means that \$30,000 will be saved in the medical insurance line item. Mr. Hart said that they will go forward with recommended improvements to security at Borough Hall in the amount of \$2,500. The amended budget will be formulated consistent with decisions made at the previous meetings, as well as presentations this evening by the Police Chief and Fire Department.

Mr. Hart stated that the memo from the Police Chief has been reviewed by the Mayor and Council. They have agreed to an additional hire effective July 1st, 2016. Chief Pezzuti said that he is asking for two promotions, which include one for a captain's position, and the second to promote the sergeant to a lieutenant's position. The current administration position was filled by Lt. Bakelaar. The second operation's lieutenant would assume many of those duties, along with administration duties from the traffic bureau. This will free up the traffic officer, who could then devote more time to the road along with other duties performed by the current patrol sergeant. The Administrative Captain, Operations Lieutenant, as well as Police Chief Pezzuti would handle the administration of the Police Department. This would mean the promotion of an additional sergeant.

Chief Pezzuti explained that these positions are important due to the fact that one quarter of the department will consist of new officers, with no road experience, by the end of this year. It is important for the sergeants to get back to functioning as road supervisors. Chief Pezzuti said he doesn't like the idea of having experienced patrolmen supervising inexperienced patrolmen, and anything that can be done to free up the administrative tasks of the sergeants which will help them spend more time on the road is beneficial to the department. This is the reason for the second lieutenant position, who would handle the majority of the operations aspect of the administration scheduling and training. This individual would be in charge of the traffic officers, and take on many of the duties handled by the current sergeant.

Chief Pezzuti indicated that the Captain's position is the proper rank for the executive officer within the department, and this position would allow restructuring of the salaries for the lieutenant's position. He doesn't know what the current salary of the lieutenant will be for 2016, but thinks that the difference between the lieutenant's salary and the sergeant's salary is approximately \$20,000. If a captain were to be promoted with a small salary increase over what the lieutenant's pay would be, and restructured or

decreased, the new lieutenant's salary would help from a fiscal standpoint. The greatest jump will be with the sergeant coming up because the sergeant will come from the lower salary structure.

Councilperson Lambrix asked for clarification of what duties would be different from what is happening presently, if the Captain's position were re-introduced. Chief Pezzuti said that essentially there would be no difference; however, most municipal police departments have this rank. The ability to restructure the lieutenant's salary may make this easier going forward, and would save the Borough some money. Chief Pezzuti felt that the raise necessary for a captain's spot would be minimal.

Councilperson Cadicina asked if a captain and lieutenant would both work the day shift. Chief Pezzuti replied that he would do it that way initially. He would consider staggering the hours between 7:00 A.M. to 3:00 P.M., and 12:00 P.M. to 8:00 P.M. depending on shift coverage. He noted that the majority of shifts are running at minimum staffing due to staff shortages. Upon questioning by Mayor Bivona, Chief Pezzuti confirmed that the current lieutenant runs the day to day operations in his absence, and if he cannot be reached this lieutenant has full operating authority.

Councilperson Cadicina asked about the salaries. Mr. Hart stated that under current contract the lieutenant's salary is \$150,000. Moving a patrolman to sergeant would be an increase of \$6,500; and moving a sergeant to lieutenant currently would be an increase of \$15,000. He pointed out that Chief Pezzuti is suggesting that this gap be decreased to approximately half this amount if the recommendation for an additional captain is approved.

Chief Pezzuti stated that the next academy begins on July 29th and he is conducting interviews in the next few weeks. If no candidates can be found from this group, he would consider running a test to develop a list of candidates. There are agencies that provide testing. He would look at the top 50 scores, and then consider interviewing the remaining 20 to 25 candidates. He anticipates that this process would take approximately three months. He hopes to find one candidate immediately in order to begin training since he expects to lose two patrolmen this year.

Chief Pezzuti estimated that it would take a year for the force to get back to full strength. He explained that successful candidates do in-house training, which includes learning the dispatch desk, as well as departmental policies and procedures. They need to know how to handle the road and domestic situations, and Chief Pezzuti stated that this training takes between 8 and 12 weeks.

Chief Pezzuti was asked how long it had been since the department had a captain, and he said it was about four years. Mayor Bivona said that what drives this decision is the promotion to the lieutenant position, and the reason to do this is because there is a vacuum of seniority and structure to this department. There have been a lot of rather abrupt turnovers in the department, and it is a good idea to reward people who have a certain level of achievement over the years, and have performed well. It hurts morale if there is no opportunity for advancement. Chief Pezzuti added that the department has to prepare for the future, which involves bringing people forward, and this is not something that will happen overnight.

Councilperson Cadicina referred to regular overtime for 2015, which totaled at approximately \$190,000. He asked if the addition of two new officers and the reassignment of another officer would reduce overtime payments. Chief Pezzuti said that it may not have much effect this year because new hires won't have an impact until later in the year. When the department is fully staffed, he anticipates overtime to decrease, and no one will be taken off the road until the department is fully staffed.

Chief Pezzuti was questioned regarding the detective bureau. He said that another detective will be appointed when the department is fully staffed. This detective will be added from patrol as soon as possible. Upon further questioning, Chief Pezzuti said that there are approximately a dozen active investigations going on at the moment primarily for fraud.

Chief Pezzuti stated that he wants to schedule an appointment with Dr. Furnari, Superintendent of Schools. Detective Jost was the “go-to” person relative to the schools before he left, and at this time there is no officer specifically assigned to the schools. He said that if there is a call from one of the schools a patrolman is sent over since there is no dedicated juvenile officer.

Chief Pezzuti said that an opportunity has come up to purchase a refurbished 911 counsel for \$36,000, with a maintenance contract, and a one year warranty. This equipment could also be leased for \$700 per month, including maintenance. Chief Pezzuti indicated that this is a good price, with new units costing between \$50,000 and \$75,000.

Chief Pezzuti left the meeting at 8:45 A.M.

Mr. Hart stated that the 911 unit could be paid through capital expense. Mayor Bivona suggested a motion to approve the establishment of a captain’s position; promotion from sergeant to lieutenant; and promotion from patrolman to patrol sergeant. Mr. Hart said that promotion from patrolman to sergeant will cost the Borough approximately \$6,500, depending on the person. He said that the lieutenant position is a collective bargaining position, meaning that collective bargaining unit would be required to establish this salary. Using increases similar to the PBA, the increase in salary for sergeant to lieutenant is expected to be \$15,000. Mr. Hart indicated that the individual would be promoted first, with the salary negotiated next; however, Mayor Bivona said that the position must be offered at a specific salary. Mr. Hart said that the difference in salary between the sergeant and the lieutenant is \$18,000. Councilperson Cadicina recommended increments of \$10,000 separating the positions.

Councilperson Cadicina said that he is not convinced that the position of captain is necessary. He thought that the department could be run with two lieutenants. Mayor Bivona stated that hierarchy is more important than money, and the department needs a clear second and third in command. The Franklin Lakes Police Department may not appear to be the best place for career advancement to a young police officer due to turn over at the lower level, and the lack of opportunity for promotion. Mayor Bivona added that there is no incentive to stay if people are not promoted.

Councilperson Kahwaty agreed with Mayor Bivona, and stated that it is important for younger officers to know that there is a captain’s position they can work towards. Councilperson Kelly said he was troubled by the fact that they are considering the position of captain for morale purposes. Mayor Bivona reiterated that hierarchies are important both for management, and the opportunity for advancement. Officers at the lower level look up to those at the highest levels. Councilperson Lambrix said that this decision is not being driven from an organizational standpoint, and, in his opinion, this it is motivated by personnel reasons.

Mayor Bivona stated that if the numbers aren’t very different why not do this as a show of support for the Police Chief. Chief Pezzuti has been dealing with the departure of one quarter of the department and should be supported. Councilman Lambrix pointed out that the Council has already agreed to two promotions and a new hire, which are three of the Chief Pezzuti’s four requests. Councilperson Kahwaty said that he takes the Chief at face value, and believes him when he says he needs a captain to run the organization more efficiently.

After a long discussion, Councilperson Kahwaty made a motion for the promotion from patrolman to sergeant as per contract. Councilperson Ramsey seconded the motion. Discussion – none.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain: None
Absent: None

Motion Approved

Mr. Hart said that the top sergeant position salary is \$136,351, and the salary for lieutenant is projected to be \$154,083, or a difference of \$17,500. Councilperson Cadicina made a motion for a salary of \$146,000 for the position of lieutenant. Councilperson Kelly seconded the motion. Discussion – none.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain: None
Absent: None
Motion Approved

Mr. Hart indicated that Councilperson Cadicina had noted a gap of approximately \$10,000 between Lieutenant and Police Chief at the moment. He suggested a \$3,000 salary increase from the current lieutenant’s salary or \$146,351. After a brief discussion, Councilmembers settled on a \$2,000 increase. Councilperson Kahwaty made a motion to establish a salary for the position of captain of \$156,000, which is non-contractual. Councilperson Kelly seconded the motion. Discussion – none.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain: None
Absent: None
Motion Approved

Mr. Hart referred to the Fire Chief’s requests contained in his memo of March 1, 2016. The memo states that an additional \$27,200 is needed to equip the new fire trucks. A budget of \$34,650 had initially been established, however, this request would result in a total amount of \$61,850. Mr. Hart said that parts of this request could come from the capital budget, but he wouldn’t recommend it. Councilperson Lambrix commented that he wasn’t happy about being blindsided with this increased costs

There was a lengthy discussion. At the conclusion, Mayor Bivona indicated that he thought the Borough should provide an additional \$22,500 contingent upon an agreement by the Fire Department to contribute the balance of \$5,000.

Councilperson Kahwaty made a motion to increase the Fire Department budget by an additional \$22,200, contingent upon the department contributing the additional \$5,000 they requested. Councilperson Swist seconded the motion.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain: None
Absent: None
Motion Approved

PUBLIC’S OPPORTUNITY TO SPEAK

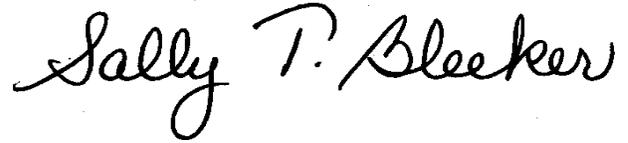
Motion to open the time for public comment was made by Councilperson Cadicina. Councilperson Kahwaty seconded the motion.

No one from the public came forward. Motion to close the time for public comment was made by Councilperson Cadicina, seconded by Councilperson Kahwaty.

ADJOURNMENT

Motion by Councilperson Cadicina to adjourn the meeting at 9:30 A.M. Councilperson Kahwaty seconded the motion, all ayes.

Respectfully submitted,

A handwritten signature in black ink that reads "Sally T. Bleeker". The signature is written in a cursive style with a large, looping 'S' and a distinct 'T'.

Sally T. Bleeker, Borough Clerk