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Jeffery Jones

May 31, 2011

Mayor

Ms. Jane Williams-Warren
City Clerk
155 Market Street
Paterson, N.J. 07505

Re: Mayoral Veto Message for an
**ORDINANCE TO REVERT SALARIES
FOR CITY EMPLOYEES NOT COVERED
BY COLLECTIVE BARGAINING AGREEMENTS
IN THE CITY OF PATERSON**

RECEIVED
CITY OF PATERSON, NJ
2011 MAY 31 P 4: 01
JANE E. WILLIAMS-WARREN
CITY CLERK

Dear Ms. Williams-Warren:

Pursuant to the authority granted to me by the Faulkner Act, referenced in TCOP 5-20, I am hereby issuing my Veto Message for the Ordinance listed above. I am advised that your Office has indicated that the Ordinance was transmitted to my Office on May 19, 2011. Due to the Holiday Weekend, a Veto Message is due on Tuesday, May 31, 2011, the first business day not later than ten days after my Office received the certified Ordinance.

The City of Paterson has been working under the close fiscal supervision of the Department of Community Affairs of the State of New Jersey since at least 2006 when the City was compelled to execute and approve a detailed Memorandum of Understanding with the State in order to receive State Aid. This Administration and its Directors have been in office for eleven months.

The fiscal distress of the third-largest City in New Jersey was not created in these last eleven months. It has been years in the making. The Directors now serving do not deserve to be made to be the scapegoats for these economic problems.

Over the years, Arbitration Decisions that escalated employee contracts, benefits, and pension costs have increased the City Budget. That cannot be attributed to the Directors of this Administration who have served for eleven months. Any reductions in State aid cannot be attributed to these Directors.

The Ordinance in question is estimated to save the City approximately \$100,000 per year for all eight Department Heads. In many cases, it will result in the Directors of the Departments being paid far less than their staff workers. I do not think that is fair and equitable. I can cite more than one case where our Directors have saved more than \$100,000 per year in individual departments by taking on additional responsibilities and leaving positions open. This was done before any layoffs or furloughs were imposed. In addition, all the Directors have taken the salary reductions that came with the furloughs.

The City's hard-working Directors accept important professional responsibilities when they assume their leadership roles. It is very common for these Directors to give us fifty-five hours or more per week when they are required to give us thirty-five hours. That is uncompensated overtime since this Administration issued an Executive Order early in the term that eliminated overtime except in emergency circumstances.

This City is not overpaying any Director based on the salary guides published by the New Jersey League of Municipalities. In fact, our Directors have not been paid commensurate with their responsibilities in New Jersey's third-largest City.

To reduce the Directors' salaries to the 2004 levels is not so much about saving money as it is about interfering with the decisions that the Directors have to make. In several circumstances, Council Members who have been unable to control certain Directors have chosen the Salary Ordinance as a way to intimidate the independent judgment of the Directors. This is improper and I cannot condone such actions. In certain cases, Council decisions have been made despite impermissible conflicts of interest.

In other circumstances, Council Members have sought to interfere in the appointments of the Executive Branch of Government. That is equally improper.

The City Council has the power to appropriate funding for the Executive Branch. We are in agreement on that issue. If the Mayor chooses to spend the Council's authorized appropriations for four secretaries and one Chief of Staff or for six secretaries and no Chief of Staff, that is the Mayor's choice. The Chief of Staff is merely the chief member of the Mayor's staff. Every office in the City has a director and a chief staff member. I have staffed my Office within Council appropriations and my staff and I have all accepted the furlough days to save City funds.

Saving money for the City is a proper goal provided that the vote to do so is not tainted by an improper motive. In the coming days, it will be clear as to how certain decisions have been made to punish a Director for decisions not favored by one or more vocal Council Members.

I am very proud of the Directors I have appointed. They were appointed because of the education levels they attained, their work experiences and the skills that they presented. They are entitled to compensation that will make them the leaders of their

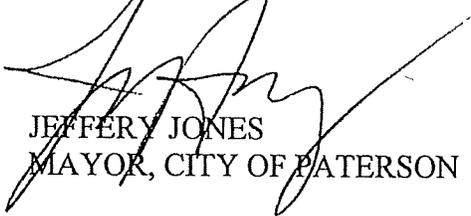
individual Departments. To pay them less than their employees is wrong. To use their pay to intimidate them in their decision making is outrageous.

I hope that all fair Members of the City Council will agree with me that we need to establish salary ranges for the Executive Branch and that we need to eliminate conflicts of interest in setting salaries. The future of successful government in the City of Paterson depends on it. The Business Administrator has already submitted a proposed Ordinance Establishing Salary Ranges for the positions in question and I urge the City Council to take up that discussion as soon as they review this Veto Message.

Kindly transmit a copy of this letter to all Members of Council. An original and one copy of this letter are being delivered to your office today. Kindly return a date-stamped copy to my Office and retain the original in your permanent records.

Thank you for your kind cooperation.

Respectfully yours,



JEFFERY JONES
MAYOR, CITY OF PATERSON

CC: Hon. Council President Aslon Goow, Sr.
All Honorable Council Members
Chief of Staff Charles Pettiford
BA Charles Thomas, Esq.
All Department Directors

MAYOR-VETO MESSAGE-SALARY ORDINANCE--MAY 31-2011-R1