



Town of Edgewood

Agenda

Special Meeting

Friday, December 29, 2023 @ 10:00 AM

**TOWN HALL OF EDGEWOOD COMMISSION
CHAMBERS - 171A State Rd. 344**

This meeting will be in person; however, we welcome members of the public to listen in and participate by joining online at: [Welcome to Edgewood, NM \(edgewood-nm.gov\)](https://www.facebook.com/TownOfEdgewoodNM). The meeting will also be live streamed on the Town of Edgewood Facebook Page at: <https://www.facebook.com/TownOfEdgewoodNM>.

If you are an individual with a disability who needs a reader; amplifier; qualified sign language interpreter; or any other form of auxiliary aid or service to attend or participate in the hearing or meeting; please contact the Clerk at the Town Offices located at 171 A State Rd. 344 at least three (3) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Town Clerk at (505) 286-4518 or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. The complete Commission packet may be viewed on the web, visit <https://www.edgewood-nm.gov/index.php> and click on Government, then Agendas and Minutes.

Page

I. WELCOME, INTRODUCTION, & ROLL CALL

- A. Pledge of Allegiance
- B. Invocation
- C. NM Flag Salute
"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."

II. AGENDA APPROVAL

III. MATTERS FROM THE COMMISSIONERS

- i. Filandro Anaya
- ii. Sterling Donner
- iii. Audrey Jaramillo
- iv. Jerry Powers
- v. Kenneth Brennan

IV. DISCUSSION AND ACTION ITEMS

- i. Public Hearing: Ordinance 2023 -010 An Ordinance Setting Compensation of the Town of Edgewood's Governing Body Members, Planning & Zoning Commissioners, and Municipal Judge; Repealing and Replacing Ordinances 2004 -1 [Mayor Pay] and 2012 - 02 [Councilor and Judge Pay]. (Commissioner Jaramillo and Manager McCracken).

[ORD 2023-010-CommissionComp_Redline](#)

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[Ordinance 2023-____ Compensation](#)

V. FUTURE MEETINGS

- i. Regular Commission Meeting January 16th, 2024 @ 6pm in the Town of Edgewood Commission Chambers
- ii. Regular Commission Meeting January 30th, 2024 @ 6pm in the Town of Edgewood Commission Chambers

VI. ADJOURN

ORDINANCE 2023-010

AN ORDINANCE AMENDING THE 2004-1 ORDINANCE; ~~COMPENSATION OF THE MAYOR OF THE TOWN OF EDGEWOOD, NEW MEXICO~~, PROVIDING FOR A SALARY FOR ~~COUNCILORS COMMISSIONERS~~ AND THAT ~~THE MAYOR OR A COUNCILOR COMMISSIONERS~~ MAY, BY WRITTEN WAIVER, DECLINE TO ACCEPT HIS OR HER SALARY, IN WHOLE OR IN PART.

WHEREAS, Section 1 of the 2004-1 Ordinance adopted January 2004 provides a compensation rate for the salary of the Mayor; and

WHEREAS, to reduce Town expenses incurred for salary payments during times of economic distress or uncertainty and for other good and sufficient reasons, which need not be publicly disclosed, ~~the Mayor or a Councilor~~ the Commissioners may from time to time wish to waive the payment of and not receive the salary or other compensation that might otherwise be due to him or; and

WHEREAS, the Town ~~Council~~ Commission, the governing body of the Town, finds that the 20~~1204-21~~ Ordinance should be amended to accommodate the salary or other compensation; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Edgewood, New Mexico, that:

Section 1. Ordinance 2004-1 shall be, and hereby is, amended to read in its entirety:

a. The following compensation rates shall apply in the Town:

- 1) Mayor: Salary of \$1000.00 per month
- 2) ~~Commissioners Councilors:~~ Commissioners: Salary of ~~\$1000.00~~ \$400.00 per month
- 3) Municipal Judge: Salary of ~~\$1000.00~~ \$2000.00 per month
- 4) The ~~Mayor, or Councilor~~ may Commissioners, in his or her absolute discretion, waive payment of and decline to receive the compensation provided in the foregoing section. Any such waiver of compensation shall be in accordance with a written waiver executed by ~~the Mayor or Councilor~~ the Commissioner stating the term during which the waiver shall be in effect and the amount or portion of the compensation waived. Such waiver may be revoked in writing at any time, as to payments of compensation yet to be made, but such revocation shall not in any event revive or reinstate the right to receive payment of compensation that would have been due during the period of waiver prior to such revocation, the waiver of compensation being absolute and irrevocable during the time that the waiver is in effect.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Town of ~~Edgewood~~ Edgewood hereby declares that it would have ~~pe~~ passed this Ordinance and each section.

subsection, sentence, clause, word or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words or phrases being declared unconstitutional or otherwise invalid.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Town of Edgewood, New Mexico, this ~~29th day of December 2023~~ ^{17TH day of October, 2012} as amended.

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~~Honorable Brad Hill~~ Mayor

ATTEST:

Clerk ~~Treasurer~~

ORDINANCE 2023 - ____

**AN ORDINANCE SETTING COMPENSATION OF THE TOWN OF EDGEWOOD'S
GOVERNING BODY MEMBERS, PLANNING & ZONING COMMISSIONERS, AND
MUNICIPAL JUDGE**

REPEALING AND REPLACING ORDINANCES 2004 -1 [MAYOR PAY] AND 2012 - 02
[COUNCILOR AND JUDGE PAY]

WHEREAS, the Town of Edgewood, as a noncharter municipality “may provide by ordinance the compensation of the mayor and other individual members of the governing body”, NMSA 1978 Section 3-10-3; and

WHEREAS, the Public has expressed concerned with governing body compensation and has requested taxpayer funds spent on roads; and

WHEREAS, the Commission’s priority is also to provide raises to retain and attract experienced employees; and

WHEREAS, as of January 1, 2022, the Town changed its form of government to Commission Manager and the Mayor and Mayor Pro Tem are no longer allowed to perform executive functions or day-to-day activities unless delegated by the Commission; and

WHEREAS, the Commission may enact an ordinance to increase the compensation of its members, but members serving during the term in which such an ordinance is enacted cannot benefit from the increase during that term, 1981 Att’y Gen. No. 81-17, but decreases may take place immediately; and

WHEREAS, public service is a civic duty, a foundational concept in democratic societies, which does not include financial incentives as serving without pay demonstrates a commitment to the betterment of the Town; and

WHEREAS, public servants ought to serve without self-interest or personal gain motivations through salaries, benefits, or other compensation; and

WHEREAS, working without compensation encourages a spirit of volunteerism and community engagement; and

WHEREAS, many other governments throughout New Mexico do not pay elected and appointed officials, including the hundreds of school districts and charter schools; and

WHEREAS, these individuals may still participate in Town benefits such as health insurance and retirement benefits and pay the Town for the premiums; and

WHEREAS, other than the Town of Edgewood Judge, who must have regular court hours and is the executive of the court, the Commissioners are in a legislative role with two regular public meetings approximately seven hours a month and are not to be involved in daily operations of the Town; and

WHEREAS, to reduce Town expenses incurred for salary payments during times of economic distress or uncertainty and for other good and sufficient reasons, which need not be publicly disclosed, the Judges may from time to time wish to waive the payment of and not receive the salary or other compensation that might otherwise be due to them or; and

WHEREAS, the Town Commission, the governing body of the Town, finds that the 2004-1 and 2012-02 Ordinances should be repealed and replaced to reflect current circumstances;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Town of Edgewood, New Mexico, that:

Section 1. The following compensation rates shall apply in the Town:

- 1) Mayor: Salary of \$0.00 per month
- 2) Mayor Pro Tem: Salary of \$0.00 per month
- 3) Other Governing Body Commissioners: Salary of \$0.00 per month
- 4) Planning & Zoning Commissioners: Salary of \$0.00 per month
- 5) Municipal Judge: Salary of \$2,500.00 per month
- 6) Alternate Judge: Salary of \$500.00 per month
- 7) These individuals may, in his or her absolute discretion, waive payment of and decline to receive the compensation provided in the foregoing section. Any such waiver of compensation shall be in accordance with a written waiver executed by the individual stating the term during which the waiver shall be in effect and the amount or portion of the compensation waived. Such waiver may be revoked in writing at any time, as to payments of compensation yet to be made, but such revocation shall not in any event revive or reinstate the right to receive payment of compensation that would have been due during the period of waiver prior to such revocation, the waiver of compensation being absolute and irrevocable during the time that the waiver is in effect.

SEVERABILITY CLAUSE: Should any section, paragraph, clause, or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Town of Edgewood hereby declares that it would have passed this Ordinance and each section subsection, sentence, clause, word, or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words, or phrases being

declared unconstitutional or otherwise invalid.

EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Town of Edgewood, New Mexico, this 24th day of October, 2023 as amended.

APPROVED:

Mayor

ATTEST:

Clerk-Treasurer