

A special meeting of the East Amwell Township Committee was called to order at 7:00 p.m. Present were Mayor Dart Sageser, Deputy Mayor David Wang-Iverson, and Committee members Tim Mathews and Peter Miller. Committee member Charles Van Horn was present via the telephone. Township Administrator Timothy Matheny was also in attendance.

In compliance with the Open Public Meetings Act, a copy of notice of this meeting was filed in the Clerk's Office, posted on the bulletin board, and sent to the Hunterdon County Democrat, Times of Trenton, and Start Ledger on September 26, 2014. The purpose of this meeting is to approve a resolution to enter executive session to discuss the finance office and personnel. The public is invited to attend and comment during the open portion of the meeting. Action may or may not be taken in public after the executive session.

Mr. Mathews asked about publication of the meeting notice, stating that he looked in many newspapers and did not see it. The Clerk announced that it was adequately noticed to the newspapers but not published.

Mr. Mathews continued by stating, "As elected representatives, we have a responsibility to comply with both the spirit and letter of the law. I move that that we adjourn this meeting until a new meeting date and time can be scheduled that provides the residents of East Amwell Township adequate advance notice as required and intended by the Open Public Meetings Act of the State of New Jersey."

Mr. Miller seconded the motion, while Mayor Sageser and Deputy Mayor Wang-Iverson said no.

Mr. Van Horn was reached by phone, and Mr. Mathews read his motion again for the record, again with Mr. Miller seconding to adjourn the meeting and set a new meeting date. There were two aye votes (Mr. Mathews and Mr. Miller) and three no votes (Mr. Sageser, Mr. Wang-Iverson, and Mr. Van Horn).

Deputy Mayor Wang-Iverson and Mr. Van Horn wished to continue the meeting.

Mr. Mathews said that while he respected the Township Attorney's advice, he researched the Open Public Meetings Act, and some see it differently. Mr. Mathews referenced the Sunshine Law with information he obtained from the American Civil Liberties Union of NJ, specifically with respect to advanced notice to the public, reading into the record a portion concerning public notices, as follows: "If a public body wishes to reschedule a meeting or convene a meeting not listed on the annual notice, it must provide 48 hours notice... containing time, date, location and, to the extent know, the agenda.... All notices must be posted in at least one public place reserved for public announcements; published in two newspapers; filed with the appropriate municipal or county clerk or the secretary of state if the public has statewide authority, and mailed to any person upon request." He was concerned about the risk of litigation.

Mr. Van Horn said that he reviewed the attorney's opinion and wished to continue the meeting to discuss office coverage and employment. Further comments were exchanged, and it was noted that both (former) CFO Chris Hart and the Assistant Treasurer, Christine Rosikiewicz, received Rice Notices. (For the record, both wished discussions to take place in executive session.) Deputy Mayor Wang-Iverson said that the discussions were regarding personnel since the CFO resigned on Thursday, adding that it was not unexpected. Other comments included that Mr. Matheny and the Deputy Mayor (as liaison to Finance) have met prior to the resignation to discuss the CFO issues; the turnover in this office is "fast enough" that there are still relevant applications on file, and they were looking for a sense of the committee.

Mr. Miller spoke about strategy versus personnel being discussed. Deputy Mayor Wang-Iverson spoke about strategy long term and a whole evaluation of the department, noting the resignation of the Assistant Treasurer also. He mentioned a short term solution, adding that the Assistant Treasurer was willing to stay on for two weeks, and they were looking for a temporary assignment, noting the need for banking and check reconciliations, which the CFO was not doing. The issue is to deal efficiently and effectively with turnover.

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, East Amwell Township Committee is of the opinion that circumstances presently exist; and

WHEREAS, the governing body of the Township of East Amwell wishes to discuss the CFO/Treasurer Position and contracts; and

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried with three affirmative votes and two nays, Mr. Mathews and Mr. Miller.

Executive session was held in the Township Administrator’s Office in order to use the telecom system. Session began at 7:11 p.m., with Mr. Van Horn joining the meeting at 7:14 p.m., ending at 8:07 p.m.

The regular meeting resumed at 8:10 p.m. after Mr. Van Horn was reconnected to the phone in the small meeting room.

There was one member of the public in attendance.

Mayor Sageser said that the discussion in executive session was regarding finances, with the resignation of the CFO, Chris Hart, as of last week and a letter of resignation from the Assistant Treasurer, Christine Rosikiewicz, giving two week notice. Options and possibilities were discussed, along with the circumstances that led to the resignation; the intent of the meeting was to expedite an immediate temporary solution while looking for a permanent one. He noted that it was urgent at this time, particularly with the need to make year-end transfers and to proceed with business.

Deputy Mayor Wang-Iverson moved to accept, with thanks, the resignation of CFO Chris Hart; it was seconded by Mr. Van Horn, and carried unanimously. (For the record, Mr. Hart provided an email to the Township Administrator, dated September 25, 2014, resigning immediately and offering to assist in transition.)

Deputy Mayor Wang-Iverson moved to accept the resignation of Christine Rosikiewicz with many thanks for 18 months of keeping the department in operation; Mr. Van Horn seconded the motion, which was carried unanimously. (For the record, Ms. Rosikiewicz provided an email dated September 26, 2014, to the Township Administrator, offering to provide two weeks through October 10.)

Deputy Mayor Wang-Iverson offered a proposal to hire Margaret Pasqua as Acting CFO at a rate of \$30.00 per hour. She would be able to start tomorrow, if the governing body approves and will be hired through the end of the year, depending on her performance. The Township would also post the positions of CFO and Assistant Treasurer immediately and interview as soon as possible. Ms. Pasqua can apply, if she wishes. The intent is to have her in the office three or four days a week during regular business hours of 9 a.m. – 3 p.m. with her performance being evaluated on an on-going basis. Mr. Van Horn seconded this proposal.

Mr. Mathews said that he was uncomfortable with the candidate and did not support the move. Mayor Sageser asked about three or four days, with \$30.00 an hour being less than Mr. Hart received in salary. Deputy Mayor Wang-Iverson said that he was making the equivalent of

\$37.00 per hour, and he suggested that four days a week would be the same annual salary as the previous employee.

Deputy Mayor Wang-Iverson appreciated Mr. Mathews concerns, but he stated that the Township needed somebody in the role as a CFO as soon as possible, adding that this person deserves a chance and commenting on newspaper articles being interpretative. Mr. Matheny also did reference checks, and one from the Hunterdon County Purchasing Department was strong. He continued by saying that this was a temporary assignment; her performance will be monitored; the employee would be here during the day; it would be a small risk, adding that the CFOs previously employed “were not professional, come in and don’t do their job, they do what they want to do, not what was asked of them, leave, get other jobs or have other issues.” He continued by saying that this person is available immediately in the day, can put in the hours, and the risk is low. He saw this as a benefit for the Township, adding his frustration over the last 18 months seeing things fall behind in the department with (former CFO) Al Steinberg being able to catch up in record keeping through 2013. There is nothing done for 2014, and it is now October. He agreed that the ideal would be to post and do the process, but he did not believe the Township could have the two month gap, i.e., a new candidate would probably not be hired until December. He stated that “this person is qualified and has experience and will be monitored.”

Mr. Mathews spoke of a “debacle” since (former CFO) Jane Luhrs left, suggesting that having an interim person is no solution and that it was important to look at positions differently and perhaps giving this position more responsibility. Deputy Mayor Wang-Iverson said that this discussion could take place in 2015, but there needed to be an interim solution with a need to catch up on remedial work and “get us to square one.” He did not believe it was possible to have discussions, reorganize the office and rearrange strategy by the end of the year.

Mr. Mathews spoke about previous information he received about hiring a firm and paying a CFO one dollar for a dollar to sign off on the work. He suggested that the Township hire a professional firm to “clean up.”

Mr. Van Horn agreed that a discussion would be relevant. Mayor Sageser agreed that it would be reasonably relevant, adding that Mr. Matheny did contact a firm for information. Mr. Matheny said that he called Professional Management of NJ but did not get a call back; he noted that the cost to the Township would “be quite a bit.” Mayor Sageser commented on the temporary solution with Ms. Pasqua having years of experience in county work, adding his opinion on the county situation, stating that she was being hired here for a specific task. Deputy Mayor Wang-Iverson said that her expected role is not just doing transactions but doing remedial work by the end of the year with the intent of being all caught up by 2015 with a “clean slate”; he added that Ms. Pasqua had the time and expertise.

Mr. Mathews commented on hearing this before and did not have the same expectations since the Township’s records are out of date. Mayor Sageser spoke about hiring a firm costing about \$600 a day. Mr. Van Horn believed that there were no other alternatives and that looking at an interim solution was the best the Township has at this point; he called for the vote on the proposal.

Mr. Miller added that control is a concern and asked how to make sure that the individual hired is doing the work. He recommended milestones to hold the CFO to the work, adding he was concerned with some things he heard in executive session. He heard the salary and hours mentioned in the resolution but he asked about adding controls in the motion. Mayor Sageser said that he meets with the Township Administrator weekly, and Deputy Mayor Wang-Iverson also meets weekly. Ms. Pasqua could be asked to also attend the meeting with the Deputy Mayor. Mr. Miller again stated that he would like to have some assurances as part of the motion, although the position is slightly different from past appointments. Mr. Van Horn said this could be done at the next meeting and felt that Ms. Pasqua could be hired without controls tonight, adding that there would be some oversight by the Clerk and others looking at the bills and payroll, etc. Mr. Miller suggested that controls could be brought up at the next meeting as a component of the hiring. Mr. Van Horn seconded the motion with this amendment.

Mayor Sageser mentioned regular in-house meetings with this employee and input from others, including the Clerk on payroll, etc. Mr. Mathews spoke about the controls, adding the need for attendance at Township Committee meetings, which was not done by the previous CFO. Mr.

Van Horn agreed, adding that others thought it was too burdensome when he suggested it for the previous CFO; he wanted this employee to attend the regular Township Committee meetings for updates. There was a consensus to make this as a requirement.

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RESOLUTION #114-14

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby appoint Margaret Pasqua as a temporary Acting CFO for the Township, effective immediately, to perform the duties of the office, including Pension Certifying Officer, through the end of the calendar year 2014, depending on performance; and

BE IT RESOLVED that Resolution 16-14 once again be amended to remove the CFO reference to Chris Hart and replace it with Margaret Pasqua as CFO/Treasurer Signature on all accounts; and

BE IT FURTHER RESOLVED that Ms. Pasqua will be required to attend all Township Committee meetings, including the next Township Committee meeting wherein office controls will be further discussed; and

BE IT FURTHER RESOLVED that the positions of CFO and Assistant Treasurer will be advertised immediately; and

BE IT FINALLY RESOLVED that Ms. Pasqua’s office hours will be from 9 a.m. – 3 p.m. four weekdays a week, and that the Salary and Wage Resolution will be changed accordingly:

Remove	CFO Hart	\$35,000
Add	Temporary Acting CFO Pasqua	\$30.00/hour

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and thereafter amended by Mr. Miller. The motion was carried by unanimous roll call vote: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

Mr. Mathews reserved his right to review the motion in the minutes.

The Assistant Treasurer position would be posted immediately.

Mr. Van Horn left the meeting, by telecommunication, at 8:33 p.m.

OPEN TO THE PUBLIC

Andy Reid, 62 Linvale Road, spoke about the “unfortunate” view from the outside of the fact that the auditor had been here and thereafter, the entire department quit. Mayor Sageser commented that there was no indication that there was a relationship, adding that the previous CFO was not around to speak with the auditors. Mr. Reid commented on books being done and a complete audit. A question was raised as to who attests to the audit. The Clerk said that the governing body must certify that they reviewed it. A suggestion was made that the CFO did not want to take responsibility for the audit; Deputy Mayor Wang-Iverson said that the CFO was not present the year before, and the audit was for 2013. Mr. Reid spoke about having faith in a temporary appointment. Mr. Miller spoke about money being spent “to get it right,” adding that the further the Township went with an interim appointment, there were “more footprints in it,” i.e., getting in too deep after six people in the position, heading into number seven. Mr. Mathews felt that there was lack of over-sight. Deputy Mayor Wang-Iverson said most CFOs left because of better positions elsewhere (CFOs Monzo, Trasente, Steinberg), CFO Baldino for

personal reasons, and CFO Hart being over-extended. Mr. Mathews commented on each leaving “a pile of dirt and causing disservice.” Mr. Reid called it “going from the frying pan to the fire.” Deputy Mayor Wang-Iverson said that he agreed and faulted the certified, professionals that were hired, and this was a temporary solution only. Mr. Reid commented on being in business for 43 years and “hiring and firing employees.”

Mr. Miller felt that there should be a general statement about the changes being made at the next regular meeting to address perceptions, including the fact that the auditors were here. Mr. Mathews wanted to wait until the audit was received before a statement was made. Some comments were exchanged about the last audit, and this one based on the books former CFO Steinberg completed, with Mr. Reid suggesting that the current CFO left because he did not want to work with what was left. Further comments were exchanged between some of the governing body members and Mr. Reid on business practices, firing practices, etc.

Mayor Sageser concluded by stating that each of the CFOs were different individuals, adding that face time in the office is very important and that the other CFOs were unable to provide that. Mr. Reid added that “I hope it doesn’t get worse, but it can.”

Motion by Mr. Miller, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to close to the public.

Motion by Mr. Mathews, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to adjourn the meeting at 8:45 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk