

A special meeting of the East Amwell Township Committee came to order at 7:00 PM. Present were Mayor Dart Sageser, Deputy Mayor David Wang-Iverson, and Committee members Tim Mathews, Charles Van Horn, and Peter Miller. Township Administrator Timothy Matheny and Attorney Richard Cushing were 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 Star Ledger on October 7, 2014. The purpose of this meeting is to approve a resolution to enter executive session to discuss personnel in the finance office.

The public is invited to attend and comment at the public portion only. Action may or may not be taken.

The meeting opened with the Pledge of Allegiance.

**RESOLUTION TO ENTER EXECUTIVE SESSION**

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**RESOLUTION #115 -14**

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 personnel, and to receive advice from the Township Attorney; 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,

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Dart Sageser, Mayor

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Motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to approve the resolution.

Executive session began at 7:01 p.m.

The special meeting resumed at 7:40 p.m.

**OPEN TO THE PUBLIC**

Mr. Cushing suggested that the open to the public portion of both the special and regular meetings could be consolidated at this time. Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried to open to the public for comments.

Ilona English, 9 Runyon Mill Road, spoke about her educational/business background and her embarrassment about the overturn in personnel. She spoke about the governing body's fiduciary responsibility for oversight and money management, and she believed that something was wrong. She did not believe that it was complicated, that the Township should have an accurate basis to move forward, and she did not trust the basis. She spoke about personnel problems with people coming and going, asking if exit interviews were done from an outside entity.

Mayor Sageser stated that the Township is governed by NJ State CFO requirements, which includes courses from Rutgers. He mentioned difficulties since CFO Jane Luhrs left, stating that

the majority of the CFOs could not do day hours (no face time) and were all part time, sharing this position with other municipalities and doing this work off hours. All left for better paying jobs, including Kathy Monzo for a job in Princeton. Mayor Sageser said that the governing body shared the frustration, noting that they hired the best candidates for the position, but some misled the Township about their availability and left the position. He further mentioned waiting for the 2013 audit and having the previous CFO leaving a couple of weeks ago. He commented on being "very glad" to have the new CFO and her ability to work during the day.

Ms. English commented on someone being the position for over 20 years and now the amount of personnel turnover. Mayor Sageser commented on being "lucky to have Jane" in the past and the need for another process now.

Ms. English spoke about her involvement as a farmer/career woman raising horses and living in East Amwell for 27 years. She spoke about the governing body proclaiming their love of agriculture and protecting the township. She commented on their micro-managing when they knew nothing about farms, e.g., they don't visit farms, farmers work cooperatively (such as buying hay locally), dealing with deer eat everything, etc. She further commented on a Board of Health ordinance to require metering water and livestock calculations, stating that legally, the Township could not meter agriculture. Ms. English further commented on her inability to locate the ordinance until this week, adding that "it galls me to live near The Ridge ... and allowing them to pump as much as they want as a golf course."

Ms. English also commented on the Board of Health meetings when the ordinance was discussed and not finding the minutes of the website when she wanted them. She recommended that the Township talk to the agricultural community regarding animals and other issues. She stated that they don't use pesticides in deference to small lot residences with no weeds; her day begins at 5 a.m., and she invited the governing body to spend a day with her; her farm includes concrete wells for water collection; she implored that the Township Committee not say that they care about agriculture "when they don't walk the walk." She suggested that the Committee get to know agriculture in East Amwell, adding that the Board of Health made her uneasy, particularly with subcommittee meetings addressing livestock.

Mayor Sageser commented on the totalization meters on non-residential wells, not farms with residences, i.e., for new commercial or non-residential farms. Ms. English suggested that the township refer to geology maps with fracture traces for water location and to detect interference. The maps were purchased years ago when she served on the Planning Board. Mayor Sageser commented again on the non-residential wells; Ms. English again commented on the water usage at the golf course, stating that when they pumped full capacity, power lines burned up. Deputy Mayor Wang-Iverson explained that wells pumping 100,000 gpd come under the State's jurisdiction, adding this included the golf course and Rutgers Nursery.

Ms. English spoke about the memorial trees at Clawson Park and her involvement with planting trees at the NJ Horse Park 15 years ago. She mentioned the best thing to do would be to use stone markers since the brass ones disappear. She also recommended not planning all of the same type of tree in one location in case a blight came through. She mentioned using gator bags for watering in the past, adding that she has some and Rutgers lent some to the Township.

Mr. Van Horn commented on having a couple of members of the ad hoc committee looking at the proper type of marker for the mulch bed and setting up guidelines for tree donations. Guidelines include having the tree professionally planted, having a guarantee on the tree, donor is responsible to replace, etc. He commented on the Hawthorne tree planted for Mrs. Cregar.

Ms. English concluded by saying that any personnel who attend conferences on behalf of the Township should have to provide a presentation about the conference and how it benefits the Township.

Frances Gavigan, 123 Wertsville Road, spoke about the following: her discussion with the Township Attorney at the last Township Committee meeting and obtaining results of an OPRA request; her frustration with self-auditing of the Township Administrator; she provided a handout to the governing body members entitled "Taxpayer Review of Performance of Township Administrator Matheney (sic) Reference Ordinance 05-33" which included reviewing performance evaluation sheets for employees for the past ten years, CFO statistics and financial

issues citing lack of controls and audit comments regarding reconciliation of accounts; comments on her work in industry; comments on length of time to receive OPRA information; her request to the governing body at their last meeting to ask people about how things are going; she believed that there were gaps in management and control with the financial operations of the township, adding that the contract allows delegation to others, but not accountability; she suggested no action be taken on the Administrator's contract, that the governing body do due diligence, look at practices, review the auditor reports, etc.; she asked about accounting for funds in the finance office, citing bill and pension issues on past bill lists; she believed that "without systems and controls, there is chaos, and with turnover in personnel, not holding the CFOS accountable because they might leave is not justifiable."

Ms. Gavigan continued with the following: the number of hires under Mr. Matheny's process, which she believed was wrong; she acquired contracts and policy manuals from other municipalities, speaking with them about having their CFOs consider working in East Amwell without interest. Mayor Sageser commented on trying to have a shared service agreement between towns, adding that many towns have similar problems, and this was not feasible. Ms. Gavigan continued, as follows: a suggestion to combine a CFO and Administrator position; she does not support the Administrator; she believed that there were problems with morale and difficulties in getting information with a need for more transparency. The Clerk commented on the OPRA request and getting direct information from NJ GRC with differing information than the Township Attorney provided to Ms. Gavigan.

Ms. Gavigan commented about the well ordinance and attending Board of Health meetings when they "were tweaking the language." She spoke about the Board's reservation of rights to make the property owner test a well, their assertion that there have not been any problems to date, and the possibility of having this regulation "situationally applied." She added that she comes to meetings "to fight for the little guy and wants her life back." She spoke about accountability for financial integrity and credibility, adding that the governing body must do due diligence and look at financial activities with a responsibility for accuracy and completeness, which is not the case. She stated that "this is the tip of the iceberg" and suggested no action on the contract tonight with the possibility of combining the position with another one.

Mr. Van Horn said that he was in the audience at the Township Committee meeting last year when Mr. Case was asked about the books being in order; it was explained that there would be differences in the way some books were kept, but there were no improprieties in the books. He mentioned that a CFO left for a better position and during an exit interview, he agreed that many CFOs would do things differently. Ms. Gavigan concluded that the Township Committee was on notice.

Carol McGee, 11 Rosemont-Ringoes Road, said that she and her daughter were in a serious accident at the end of February with a squad member who was rushing to a call. She eventually found out through the squad that the member should not have been using his vehicle and he was not trained. She said that the matter is in the courts, adding that the member had some violations.

Mrs. McGee provided a handout regarding state requirements for squad training, noting that the squads must notify the governing body about the training. She added that the member asserted that they had a blue light permit, but there wasn't one on file at the municipal building. She concluded that the driver was traveling at a fast rate, and she wanted to bring this to the Township Committee's attention; she did not want to see anything like this happen again. Mr. Cushing will look at the legislation for the governing body.

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

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and carried unanimously to adjourn the special meeting at 8:21 p.m.

