

CINNAMINSON TOWNSHIP COMMITTEE
March 6, 2017

The Work Session Meeting of the Township Committee is being held at 6:30 p.m. in the Municipal Building, 1621 Riverton Road, Cinnaminson, NJ 08077. This meeting is being held in accordance with the "Open Public Meetings Act," P.L. 1975 c.231, having been noticed to the Burlington County Times and the Courier Post on January 6, 2017.

Members present: Mr. Brauckmann, Mr. Evans, Mr. McCarthy, Mr. Young, Mayor Minniti. Also present: Michael P. King, Administrator, Julia Edmondson, CFO, Kim Horsley, Deputy Municipal Clerk, John Gillispie, Solicitor

Mayor Minniti opens the meeting with the Pledge of Allegiance.

New Business

Job Advertisements – Director King comments that job advertisements were posted on social media after the deadline which was unfortunate. This needs to stay coordinated through the Administrator and Township Clerk's offices so that this does not happen again. Mr. Young motions that all job postings should emanate from Administrator's office or HR, seconded by Mayor Minniti. Voice vote. All aye, no opposed. Motion passes.

Creation of Sports Commissioner Advisory Group – Mayor Minniti states this was intended to be part of the Parks ordinance. Mr. Evans comments on whether or not this is needed. The RSO's (Recognized Sports Organizations) already attend the Parks and Rec meetings. This may be another burden to them, adding another step. He feels that it works very well the way it is now. Mayor Minniti states that it would be to ensure that every organization is represented. This would be purely advisory. Mr. Young comments that the Parks and Rec's committee sometimes struggle to have a quorum. Mr. Young asks Parks and Rec Chairman Debbie Wojcik for her input. Mrs. Wojcik comments that instead of a whole new entity, there needs to be more representation from the sports organizations, but on the Parks and Rec committee and not a separate committee. Having two boards doing the scheduling could create a real problem. Mr. Brauckmann thanks everyone from the sports organizations for their attendance this evening. He would like to see changes be made to the ordinance that at least three members of the Parks and Rec Advisory Committee shall be appointed from officers of Cinnaminson recognized sports organizations. His opinion is that an additional group is not needed. Committee decides to make no changes at this time and send back to the subcommittee.

Old Business

Affordable Housing report from Chuck McGroarty – Committee has reviewed Mr. McGroarty's report. Mr. Gillespie recommends that the report remain a deliberative report, not a public record. Committee concurs that it reflects what was discussed at the last closed session. Motion for consultant to move forward with a submission of a summary plan for our affordable housing proposal to the court consistent with what was submitted made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Motion passes.

Retirement of former Cinnaminson Township Facebook page – Director King advises that this is due to a resident's complaint. The resident believes that this is a Township page. Mr. Brauckmann gives background of the Facebook page. He launched the page in 2011 on his own. In 2012 we redesigned the Township website and added a link to the Facebook page and started acting as this was the official Township Facebook page although at this point it had still never been acted on by Committee. Mayor Minniti and I were administrators of this Facebook page from 2011 to March 7, 2016. There was not one single complaint. At the March 7, 2016 meeting Township Committee had a discussion about social media and rules governing social media and OPRA concerns. At the time

there was a recommendation for the Administrator or someone from the Township to preapprove all content. There was a discussion and it was decided with no objections that we would change the name of the Facebook page to Cinnaminson New Jersey Community Connection. With that I would change the About Us so that there was no mention of it being an official Township page. I also wrote a very lengthen message on Facebook, telling everyone who I was, that I was the originator, that we had changed the name and the purpose. At that time, we had 3,185 likes. On April 4, 2016 I told everyone that we had changed the name. Everyone seemed fine with that. On Feb 13th of this year we had a resident complaint. This was the first written complaint. The original complaint was about KKK material and what this committee should do. The easy answer would have been to explain to him that it is not a Township page. Every time I post something for at least the last month but going back further I put a disclaimer that this is run by a private citizen, it is not an official page. He went on to say that there had been "regularly posted shameful partisan material". I think there are a lot of people here that can attest that this is not true. In seven years there have been less than 5 complaints, only 1 written. I try to keep things out of there that are political. I do put community information out there and things like that. Around election time did I let my colors go a little bit? A little but I don't think that it was overreaching and again there were things on there stating that it was not an official page. We are currently up to 3,700 followers that like this page, that think it's a good page. I think the content is good. There are disclaimers posted regularly. There had been a link left on the Township website to this page but when I brought it up to the Clerk it was quickly removed. I have no intention of not running this page. I think it's a good source of information. I think it's positive. I have multiple administrators from our community that have been added. I'll keep posting disclaimer's. I don't want to give up this page.

Mr. Young asks when multiple administrators became involved. Mr. Brauckmann states that they have had multiple administrators throughout the life of the page, but within the last month o I've added several additional administrators. Mr. Young asks who had administrative rights to the Township website. Mr. Brauckmann states that it is Networks Plus and the municipal clerk. Mayor Minniti comments that the problem was that from 2009 to 2016 people signed up for the page under the assumption that it was a Township Facebook page which it was. Hence the fact that we had a link that led people to that page. That's why people think it's a Township Facebook page. The former editor of Patch is willing to come in and testify to this committee to the number and the level of anger that she's been contacted from people in this community that want her to do an expose on that site and the partisan nature of that site. During the recent unfortunate discovery of that flyer this committee was blamed for being complicit and fanning the flames because of partisan posts during an election season. So for a year as Don said we did say we were going to try with the name change. Here we are a year later and people still believe that this is the Township page because regardless of the disclaimer that's on there they signed up for the Township Facebook page. That's why they're following it. And it still is deceptive in the fact that it has pictures of the Township building, it still says Cinnaminson Community Connection New Jersey. It doesn't say Cinnaminson Township; it still doesn't post as any one person. It is viewed as the Township Facebook page. I think it's a pretty simple thing to solve. You simply deactivate the site and you give the people who are on it the option to click to follow the new Don Brauckmann Community Connection page or a new Cinnaminson Township Facebook page if we decide that we want to post only one like the police department does. It should have to give people the option. You can't sell them a Volkswagen and then after they've had it for ten years send them a sticker and tell them it's a Mercedes now and that's what you've got and this is going to continue to happen. I can tell you that this was a divisive election. I made a point of not becoming overly involved for many reasons but because I felt that I had the ability to split this community up and to say I was disappointed with the partisan nature of posts on what was considered to be a Township site, it would be an understatement. And it continues. I don't care. We can all post what we want on our personal Facebook pages and we will reap the benefit or the opposite for whatever it is that we post on our individual pages. People think this is the Township page because that's what they signed up for. You said it was the Township page, I've always said it was the Township page. We administered it as the Township page for years, that's why there was a link to it from the Township website. It was the

Township page. We changed the name. You put a disclaimer on it. It failed. Because the complaints are still continuing. People think it's the Township page. Simple to fix. You just retire the page and advise people of what the new page is. If people choose to follow Community Connection or whatever you want to call it. I would strongly recommend that it be more identified with a person or group. If they choose to continue they'll continue. You'll have 3700 new followers that of a page that is clearly not a Cinnaminson Township page. People signed up for this page believing it was the Township page because that's what we told them. I'm not saying you shouldn't have a page. I'm just saying that a simple name change and about us change has failed. People still continue to believe that it is a Township page. 51:50

Public Comments on Consent Agenda items only – None

Mayor Minniti comments on Memorial Park Parking Lot. There has been a lot of varying information. Director King comments that in 2011 was when committee first used capital funds for the parking lot. In 2012 they used for the multiuse building at that time. \$139,000 was used for installation of sewer to the multiuse building. These funds came out of the monies for the parking lot improvements. We reappropriated monies to cover this project. Mr. Brauckmann asks how the money was moved, was committee it required that committee authorize this? Mr. Young comments that the money just got moved. There was a problem with bonding because we were short, there was a need to add money into the project. There was a restriction put on it that any money over the capital allocation had to come out of working capital, not out of anything else. Everyone agreed to that. The problem occurred when we did the sewer install it was just charged to the parking lot because there was no money left in the concession stand. Director King clarifies that the delay had nothing to do with committee, that it had to do with finances. Mrs. Edmondson comments that we had to do reallocate and do another ordinance. We reappropriated the funds. Mr. Young clarifies that Public Works will be putting the finishing surface on the parking lot. The timing will be as soon as the weather allows. Director King clarifies that for the paver walk project the engineer is stating it will be 30 business days for completion not calendar days. It will be close for it to be completed in time for Memorial Day.

Consent Agenda

Approval of Resolution 2017- 55 Reappointing Lisa Passione as Acting Municipal Clerk

Approval of Resolution 2017-56 Approving change order for Memorial Park Parking Lot and releasing performance bond upon the posting of a maintenance bond.

Approval of Raffle for Burlington County Farm Fair Assoc

End of consent Agenda

Motion to approve consent agenda made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye, no opposed. Consent agenda is approved.

Minutes – Motion to approve minutes for Feb 13, 2017 and Feb 13, 2017 Closed made by Mr. Brauckmann, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Minutes are approved.

Bill List Motion to add PO 17-000114 Vehicle Registration fee \$60 made by Mr. Young, seconded by Mr. Brauckmann. Voice vote. All aye. PO is added to bill list.

Mr. Young questions whether the bill for Think Pavers is the final payment. Mrs. Horsley confirms that it is. Motion to approve bill list made by Mr. Young, seconded by Mr. Evans. Voice vote. All aye, no opposed. Bill list is approved.

Mayor Minniti states that Mr. Minton has requested to add an item for redevelopment of plan for Garden State Inn project. Motion to add item made by Mr. Young, seconded by Mr. McCarthy. Voice vote. All aye, no opposed. Item is added to the agenda.

Mr. Minton explains that we have been working with ERI to develop a redevelopment plan on the Route 130/Highland Ave. site. That plan is done. Mr. Gillespie has seen it in draft form. We have not yet sent it to committee for your review. But we'd like to accept it as draft and refer it to the Planning Board for their March 14th meeting for conformance review with the master plan anticipating that you would then have the same concurrent opportunity to review the plan. We anticipate introduction at your next public meeting in March with adoption in April. That would keep us on schedule with the developer who we are meeting with as early as tomorrow. We will look for them to be in front of the Planning Board, if we meet all of these deadlines, in June or July. Motion to refer the draft redevelopment plan prepared by ERI for the Garden State Inn/Azalea Farm tract to the Planning Board under the New Jersey Local Redevelopment Housing Law made by Mr. Evans, seconded by Mr. Young. Voice vote. All aye, no opposed. Motion passes.

Comments from Public

Christine Turner, Washington Street – Asks if there have been any complaints from any Cinnaminson RSO officers, that they feel like they are not included. Mayor Minniti states no they have not.

Matt Kravil, President, Cinnaminson Baseball – States that he likes the idea of expanding the Parks and Rec. He is interested in all parts of Parks and Rec. Thanks committee for discussing it.

Janice Smith, 109 Purnell Ave – Regarding Facebook page. Suggests the Township starts a new Facebook page but would like to see the Facebook page currently administered by Mr. Brauckmann to be continued.

Seeing no further comment, Mayor Minniti closes the public comment.

Comments from Committee

Mr. Brauckmann thanks the residents in attendance for coming out to the meeting.

Mr. McCarthy asks Mr. Brauckmann if he is actively trying to recruit someone to step up to be Chief of Police. Mr. Brauckmann responds that he is not. Mr. McCarthy reads email into the record an email from a high ranking officer:

Email: High ranking police officer to Mr. King dated February 10, 2017.

“Director, I wanted to bring to your attention of a phone conversation that was initiated by committee person Don Brauckmann on February 6, 2017 at approximately 1130 hours. Mr. Brauckmann started the conversation with asking for assistance with his Cinnaminson Township email about since the township had recently changed IT services. After I explained how to check his email now and what can be done in the future once a few more changes are made he asked me if I was alone. I told Mr. Brauckmann yes I am alone I'm on my way to get my taxes done and had left

work early. Mr. Brauckmann proceeded to ask me if I heard anything about being promoted to Lieutenant yet and I told Mr. Brauckmann all I know is I'm currently number one on the list and that the list is good for two more years. I further indicated that I would assume he would know more than me since he was on Township Committee. Mr. Brauckmann stated that they don't tell me anything but his plan was to get me promoted soon so as to put me and Lt. Young on an equal playing field for a year or two and then appoint a chief of police. Mr. Brauckmann further indicated that he was not insinuating that Director King would be let go but that he would move to being the township manager only and that the department would be better off with a chief of police. Mr. Brauckmann then asked me if the department was hiring any new officers and if the officers were additions or replacements. I told Mr. Brauckmann that we were looking to hire four new officers which I assume would be replacements since we only have 24 sworn officers now. Again I would have assumed he would have known this information before me. Before Mr. Brauckmann ended the call he stated that we would talk later. I found this conversation to be inappropriate in nature and that it should be reported to you immediately."

Mr. McCarthy comments that this is a contradiction to what Mr. Brauckmann stated. Mr. Brauckmann agrees that it is contradictory. Confirms that he called the officer. It was an unsolicited phone call. It was directed to talk to him. I am a fellow police officer. That does cause me conflicts sometimes. Asking if he's heard anything about promotions because contrary to what a lot of the officers think in that department, I don't know. I do keep a very strong separation of myself with the police department. I did ask if he had heard anything about being promoted. He expressed to me that the list will be a year. It was as a matter of fact great phone conversation. I said that I'd like to see us moving in that direction. I don't know if his quotations are exactly recorded or described. I think that some of the things I said were around that. I don't think that I said that I'm running someone out of town. I did stress that I don't know what the plan would be, if it would be one, two, three or four years down the line. It's an organizational thing. It's an unfortunate email.

Mr. McCarthy states that it's not an unfortunate email, that it's fortunate that he received it because you tell the committee one thing and yet I'm hearing something clearly from someone else. It was a concern of mine after you talked in January, and it seems like you're again going behind our backs or not respecting our positions on committee as far as my liaison to the police department and you're going directly to a police officer discussing chief of police positions, promotions and hiring.

Mr. Brauckmann responds that he thinks committee members have been discussing several things. We've been told to talk to foreman at Public Works. If it's inappropriate you'll deem it as inappropriate, but my feelings about the organizational structure of our Township haven't changed. And asking about a promotion, if he's heard anything about being promoted, that hasn't changed either. I do not know that information. Call it inappropriate, call it scuttlebutt, obviously someone felt a need to write an email. I'm sorry the employee felt intimidated but it wasn't my intent.

Mr. Young asks Mr. Brauckmann who directed him to talk to the foreman at Public Works. Mr. Brauckmann states that he had a conversation with Mr. Young about if any of the foreman were interested in the superintendent's position and you advised me to talk to them. He has spoken with one foreman to ask if he was interested. Mr. Young comments that this foreman felt it was inappropriate and that the foremen copied Mr. Young on an email to Mr. Brauckmann. Mr. Brauckmann states that he believes other committee members have spoken to employees about whether or not they would be interested in various positions. Mr. Young states that he's in an

awkward position obviously because he has applied for the job. He finds it fascinating that Mr. Brauckmann was soliciting people to apply against him. Mr. Brauckmann states that it wasn't soliciting. Mr. McCarthy confirms that he encouraged Don to talk to the foreman. Mayor Minniti asks if Mr. Brauckmann just spoke to the foreman or did he solicit for the job. Mr. Brauckmann replies that he spoke to them; he asked if Mr. Young was not a candidate would they be interested in the position. Mayor Minniti comments that then he did solicit them for the job. Mayor Minniti states that we have previously addressed this issue. Mayor Minniti asks for the solicitor's input.

Mr. Gillespie asks for a copy of the email that was read. Based on Mr. Brauckmann's comment that the employee felt intimidated he would like to talk to labor counsel and have him look into it. Mr. McCarthy clarifies that the employee used the term inappropriate, not intimidated. Mr. Brauckmann agrees that he used the wrong term. Mr. Gillespie clarifies that Mr. Brauckmann said intimidated. Mr. Brauckmann states that he misquoted the email.

Mayor Minniti comments that he has never been on a committee where we've had a situation where someone has been proven to give absolutely contradictory statements at a public meeting and on the record so he is not sure how this is to be handled. Mr. Gillespie states that he will get back to him. Mayor Minniti states that we take the separation of professional staff and employees from undue influence of elected officials seriously. He reminds committee to remember the corrective action plan that they were trained in last year. Mayor requests that Director King get this information to Mr. Evans as he may not have this information so that everyone has a full understanding.

Director King states that the most troubling part of the conversation that the foreman had with Mr. Brauckmann was that he had stated that he did not want to give up the union protection. According to the foreman Mr. Brauckmann stated "Who do you fear most, the administrator or committee?" I was offended by that, but the foreman's response was that it's not the administrator.

Mayor Minniti asks solicitor if they need to go into closed session on this matter. Mr. Gillespie says no. If it was employees, they would have to be Rice Noticed. There is no opportunity to give them a Rice notice. It may be appropriate for the next township meeting that they be Rice noticed if necessary. It is a concern. He will talk to labor counsel.

Motion to authorize solicitor to reach out to labor counsel regarding the email read by Mr. McCarthy and the interaction with public works employee. If labor counsel deems it appropriate, to seek further information that they be allowed to do so made by Mr. Young, seconded by Mr. McCarthy. Roll call vote. Mr. Evans – Aye, Mr. Young – Aye, Mr. McCarthy – Aye, Mr. Brauckmann – Aye, Mayor Minniti – Aye. Motion passes. To be determined if closed session needed for next meeting.

Mr. Young comments that there has been a lot of debate about the ongoing issues. He did some research in the recent past he has observed. Don has made three appointments to the Parks and Rec Advisory Board in the last year. One was Rich who was involved in the Labor Day Run. Next was Bud Evans because he was becoming involved in the community. Another one was Tom Lane, suggested by Don and appointed at reorg. Ryan Horner was nominated by Don. There was no mention at the time of him being an officer. I didn't meet Ryan until February. I stood in line with

Dan Eckard. I knew he was active in attending meetings so I nominated him. There were continued discussions on Parks and Rec. Don would remain as liaison. Not one contact from Don after reorg until Lisa made contact on 12/30 which Don has eluded to. His response at the time was Am I still liaison for Parks and Rec? We went through training with the guys so everyone knew what was going on. We had a special meeting. Dan Eckard thought he was going to be appointed but Don declined to allow him on board because there was a question on board membership. Don sited the need for two officers from recognized sports organizations on the board. Don's citation was supported by Beau who wrote the ordinance. It was my understanding rightly or wrongly, that Dan was an officer for lacrosse. Lacrosse is not a recognized Cinnaminson sports organization. The advisory board was polled for sports organization officers. None of them raised their hand except Christine Turner for cheerleading. At the regular meeting this month, Dan was seated so he had been appointed. Don didn't have the oath of office, but Don gave him a form of oath. I have reviewed the code (reads it for committee). Mr. Young states he nominated Don because he is an involved and interested. He feels it is important to get people that are interested and willing to attend the meetings. In the 18 months that he has been attending Parks and Rec meetings the issue of sports officers has never come up.

Motion to adjourn made by Mr. Young, seconded by Mr. McCarthy. All aye, no opposed. Meeting is adjourned.

8:18 pm

Adopted:

Respectfully submitted

Lisa A. Passione