

8/1/2017 - Minutes

1. SALUTE TO THE AMERICAN FLAG

The Chair led all assembled in a Salute to the American flag.

2. STATEMENT

"Pursuant to Section 5, Chapter 231 P.L. 1975 this is to state for the record that adequate notice of this meeting has been provided to the public by posting and maintaining the annual notice of regular meetings on the Bulletin Board of the Municipal Building, by mailing the annual notice of regular meetings for 2017 to the News-Record and Star Ledger in December 2016 and by filing said notice in the office of the Township Clerk.

3. ROLL CALL

Mr. Victor De Luca, Ms. Nancy J. Adams, Mrs. India Larrier, Mr. Frank McGehee.

ALSO PRESENT: Elizabeth J. Fritzen, Township Clerk, Joseph Manning, Township Administrator, Roger J. Desiderio, Township Attorney and Sonia Alves-Viveiros, Assistant Township Administrator.

ABSENT: Mr. Greg Lembrich.

The Township Clerk read the following:

WHEREAS, Chapter 231. P.L. 1975 commonly known as the "Open Public Meeting Act," requires that all meetings of Public Bodies be open to the public; and

WHEREAS, Section 7.a. provides that the Governing Body has the discretion to permit, prohibit or regulate the active participation of the public at any meeting; and

WHEREAS, it is the desire of the Governing Body to comply with the provisions of the act and at the same time conduct its business in an orderly and expeditious manner.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Maplewood that it does hereby prohibit, except as set forth in the formal agenda, active participation in the deliberations of the Governing Body by the public and except as otherwise prescribed by law, does limit the public to observation of the discussions of the Governing Body at all its regular and special meetings.

Ayes: Ms. Adams, Mrs. Larrier, Mr. Lembrich, Mr. McGehee and Mayor De Luca.

Nays: None

4. MAYORS INTRODUCTION

Mayor De Luca gave an overview of the evening's agenda. There will be an appointment of two people to the Maplewood Municipal Alliance. Then we will be introducing representatives from Hillard Heintze and they are the Consultant Firm that the Township Committee has hired to work with the Township on matters of the Maplewood Police Department. Then there will be some comments if they wish by members of the Township Committee and some action and then we will open public comment. After public comment then the monthly Board of Health meeting, and then three ordinances that will be introduced, two (2) deal with vehicles and traffic and one (1) has to do with Oakland Road and the other is East Cedar Lane and South Pierson Road. There is another introduction of an ordinance which deals with zoning requirements for residential properties. There will be a discussion item about support for transgender individuals to serve in any capacity in the U.S. Military. The consent agenda that has seven items and we will be authorizing purchase of software, closing a project at 60 Woodland Road on the kitchen project, approving bills and

claims, awarding contracts for road repairs, a contract to do some site improvements at the Burgdorff Cultural Center for Performing Arts and approving the minutes of July 18, 2017. Then there will be a second public comment, then reports from administrators and reports from elected officials and then we will adjourn.

5. Introduction Of Representatives From Hillard Heintze

Representatives from the Consulting Firm Hillard Heintze.

Robert Davis, Senior Vice-President of the firm named Hillard Heintze which is based in Chicago. Their special consulting is that they reach out to assist departments, law enforcement, and support the Local and State level across the United States. Hillard Heintze specifically looks at either operations of a department or for specific incidences of the operations that people want Hillard Heintze to take a look at and then Hillard Heintze compares and contrasts to what agencies are doing or have done to see how they compare to best practices across the Country. One of the things that the Hillard Heintze Firm does also is work with the US Department of Justice. Hillard Heintze takes a look at agencies that have asked Hillard Heintze to step in and assist them with their operations. Currently Hillard Heintze is working in San Francisco, Milwaukee, Memphis, Commerce City, Colorado, Calexico, California, Fort Worth, Florida, and St. Anthony's in Minnesota amongst other projects around the Country.

Rick Tanksley, Vice-President with Hillard Heintze has 32 years of law enforcement experience with a police department in Illinois. Mr. Tanksley retired last August and joined the firm of Hillard Heintze and has been involved in police assessments with a number of agencies across the Country.

Mayor De Luca asked the representatives of Hillard Heintze to tell the Township Committee what they were brought into Maplewood to do?

Robert Davis, Senior Vice-President Hillard Heintze, stated that Hillard Heintze was brought in to take a look at the incidents that occurred on the evening of July 5, 2016 and to take a look at what occurred in terms of incidents in a couple of different locations in the Maplewood Township. But with a fresh set of eyes and a fresh set of ears, listening and looking at what occurred that night with an eye to see what was considered a best practice or not; a best practice in terms of how the Police Department performed its duties. Hillard Heintze will be looking at Maplewood Police Departments policies and procedures, their operations, their training, the type of leadership training that some of the supervisors had as well. With that as a background, we will speak to members of the department who were involved in that incident that night as well as reaching out to members of the community to here what their perspective is on that incident on that night. Mr. Davis stated that they have already spoken with some of the members of the Maplewood Police Department but would be looking to assistance from both Counsel as well as the leaders within the Township. Mr. Davis would also mention that Hillard Heintze is interested in hearing from anybody who might like to talk to them, and Hillard Heintze will be making themselves available inside or outside the lobby at the Police Department at the end of this meeting tonight. They also will be glad to share their email addresses or telephone numbers so that people can reach out to them if they like to share their perspectives. Then the firm of Hillard Heintze will be delivering their report probably around the end of September to give an assessment of what they learned as well as a set of findings, and then a set of recommendations.

Mayor De Luca stated that if anyone wants to speak with the representatives of Hillard Heintze they will be at the Police Department and available following the meeting. Contact may be made in person or on the phone.

Robert Davis, Senior Vice-President Hillard Heintze added or by email.

Mr. McGehee stated that the events of July 5, 2016 are sickening and unexceptable. That event that evening following the Township's celebration of the 4th of July black children who were gathered on Valley Street were herded like cattle out of Maplewood. A town that many of these children call home. There is no greater message that you are not welcome then being driven out of your home town simply because of the color of your skin. When did being black become a qualifying factor regarding residency in Maplewood.

Leadership matters, the abusive power and poor leadership made in racial bias on display that night is disgusting. Where not the directive of those in the position of leadership this particular act of excessive force would not have occurred. Black children, in particular black males are seen as out of place virtually every where. Researchers have also shown that adolescents is a critical time during which young people come to understand and respect or rescind the law.

Mr. McGehee stated as horrific as the July 5, 2016 event is he does not want to paint our entire Police Department with a broad brush. Over the last several months Mr. McGehee has had the opportunity to work with many of these men and women directly to start the ground work for a mentoring program that will help benefit our young people. Several events have already taken place at Columbia High School but Mr. McGehee is very concerned about the erosion of trust that the July 5, 2016 event has created and the negative lasting affect it has going forward. We like to believe that we live in a safe and nurturing environment for our children. But the acts of July 5, 2016 as well as other events in our town has brought a rash realization to many Maplewoodians that we are not the town that we think we are. The claim that we are both diverse and inclusive is asperational and not a reality. We all have work to do to live up to that claim that we are so proud to voice that Maplewood is a community that represents equality, and a welcoming community. The actions that we take moving forward will define if we really are who we say we are. Changes need to be made at all levels including at the policy level. When just last fall when a five year old black child was playing in one of Maplewood's public parks is told: only for white people you have to pause and ask yourself where does that come from, we have work to do. When we can justify the act of putting pictures on the wall of a public school building portraying slave auction which in Mr. McGehee's opinion is definitely more than human trafficking and call it education there is no justification and is simply unexceptable, we have work to do. When a new resident is told that the town in which they now call home is also known as Maplehood we have work to do. And these are merely the examples that we know about because we read them in the press and on social media. The directive on July 5, 2016 was inexcusable and senseless, these are our children, and I cannot help but to think about my own black daughter and the toll that this event will likely continue to have on the families impacted on that evening. No person regardless of title, rank, or tenure is above the law. The law is designed to serve and safeguard all persons within our township. Being black is not a crime and wrong is wrong.

Mrs. Larrier stated that she appreciates her colleagues words, something strikes Mrs. Larrier with what Mr. McGehee said with erosion of trust and that there has been a definite erosion of trust and as a result of that erosion there are certain actions that the Township will need to take. We certainly as a Township Committee, as a police force, as residents, we absolutely must be vigilant to make sure that we are living out the values that we talk about. We have to make sure that we don't just talk the talk but we must walk the walk as well everyone within our town must walk the walk. Mrs. Larrier welcomes the findings of the towns consultants because she really hopes that they can put us on the road to where we need to be. Until then Mrs. Larrier would like to say that the Township Committee has heard everything that all of you residents have said. The Township Committee has received their emails and have taken to heart your words and the pain that you feel, and please know that the Township Committee is addressing this with the seriousness that it deserves.

Ms. Adams stated that she has no doubt of the feelings and beliefs of her fellow Township Committee members including Mr. Lembrich who is away on vacation this week. No Maplewood resident's should have to experience what many children experienced here on July 5, 2016. While many in the public have rightfully expressed frustration about the length of time for the tapes from July 5, 2016 to be released, Ms. Adams can say that she and her colleagues have experienced the same frustration; waiting for the evidence and the tapes to be released so that we as officials could even come close to hearing or seeing this evidence was incredibly long. Ms. Adams stated that those of us on the Governing Body only saw the tapes that were just released a week ago, just a few weeks ago. And just as most of the public or anyone who has taken the time to see them has felt we were appauled and disgusted by what we saw. The Maplewood Police being directed to do or what they were acting in doing in those tapes. This is not the town that Ms. Adams lives in, this is not the town that Ms. Adams believes in, this is not the town that Ms. Adams has lived in since 1989, this is not the town that Ms. Adams has raised five children in going through the public school system. So this isn't the town that Ms. Adams loves right now although she thinks most of us on the Township Committee are in agreement now on this matter.

Ms. Adams stated that there is a lot of mutual respect and a lot of care and Ms. Adams knows her

colleagues on the Township Committee have independently talked and have all gotten the comments from the community and have taken those to heart because the Township Committee very much feels the same way. The culture and environment of the Maplewood Police Department needs to reflect all of you and all of us and not be something completely different that the Township Committee does not adhere to and that the Township Committee doesn't support. Ms. Adams stated that we need to make major changes and tonight finally is the Township Committee's first change to act on some of that and she looks forward to the Township Committee's discussions and the public's comments.

Mayor De Luca stated as follows: Tonight the excuses stop, tonight the delays stop, we now have the authority to start making decisions. For a very long time the Township Committee had to defer action to the Essex County Prosecutor that took more than six (6) months to issue their ruling. Then the Township had an Internal Affairs officer that didn't seem to prioritize what had to get done. So tonight the Township Committee is going to be making some decisions based on comments that the community has made, emails that you have sent the Township Committee, things that the Township Committee has read and positions of various organizations. Mayor De Luca goes on to read the mission statement from the Maplewood Police Department: It is to serve and safeguard all persons within the Township in a fair, safe, professional, and considerate manner consistent with the law, the established goals of the community. On July 5, 2016 our Police Department failed to do that, we are appalled by the excessive force used by Police Officers against a group of young people. We are appalled by decisions that were made by our leadership of the Police Department and we want to set the record straight; that type of behavior is not going to be accepted in Maplewood and that the Police Department is going to right themselves and we are going to work together with you and we are going to rely on our consultants to help us to right this ship and get it working again for all of us. Mr. Lembrich had a family vacation a long time ago scheduled for now but Mr. Lembrich has been participating by phone, by email, and I have spoken to Mr. Lembrich a couple of times today and the last few days and he is very much involved in this decision. This is a decision that the five (5) Township Committee members have put together.

Mayor De Luca stated in light of the events of July 5, 2016 Mayor De Luca is calling for a motion on a Vote of No Confidence in Maplewood Police Chief Robert J. Cimino.

RESOLUTION NUMBER 150-17

VOTE OF NO CONFIDENCE IN MAPLEWOOD POLICE CHIEF ROBERT J. CIMINO

Mr. McGehee, seconded by Ms. Adams, motion to move Resolution Number 150-17 (memorialized).

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

Mayor De Luca stated in light of the vote of No Confidence he now will call for a motion requesting the immediate resignation of Police Chief Robert J. Cimino.

RESOLUTION NUMBER 151-17

DEMANDING THE IMMEDIATE RESIGNATION OF POLICE CHIEF ROBERT J. CIMINO (memorialized)

Ms. Adams, seconded by Mr. McGehee, motion for immediate resignation of Chief Robert J Cimino by Resolution Number 151-17.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

Mayor De Luca stated in light of the two previous votes Mayor De Luca calls for a motion to instruct the Township Business Administrator who is the Appropriate Authority for the Maplewood Police Department to immediately place Police Chief Robert J. Cimino on Administrative Leave with pay for sixty (60) calendar days.

RESOLUTION NUMBER 152-17

POLICE CHIEF ROBERT J. CIMINO TO BE PLACED ON 60 DAY ADMINISTRATIVE LEAVE WITH PAY (memorialized)

Mr. McGehee, seconded by Ms. Adams, motion that the Maplewood Township Administrator put Chief Robert J. Cimino on administrative leave for sixty (60) days with pay.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

Mayor De Luca then called for a motion to place Police Captain Joshua Cummis on Administrative leave with pay through August 31, 2017.

RESOLUTION NUMBER 153-17 (memorialized)

PLACING CAPTAIN JOSHUA CUMMIS ON ADMINISTRATIVE LEAVE WITH PAY THRU AUGUST 31, 2017.

Ms. Adams, seconded by Mr. McGehee, move that Captain Joshua Cummis be put on administrative leave with pay through August 31, 2017.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

Mayor De Luca stated that those are the actions that the Township Committee intended to share with you, the public, this evening. Mayor De Luca just wanted you, the public to know that your voices were heard but also that the Township Committee was appalled by what the Township Committee saw in those tapes and heard on those recordings and feels that this is the proper course of action going forward.

6. BOARDS AND COMMITTEES

Boards and Committees - Municipal Alliance for Carline Dixon and Ellen Donker.

Carline Dixon indicated that she has been a Maplewood resident since 2011 and learned about the Municipal Alliance through Bob Roe, Maplewood Health Officer, and has been in several meetings in Essex County with Bob Roe, Maplewood Health Officer. That is where Bob Roe, Maplewood Health Officer, told Ms Dixon more about the Maplewood Municipal Alliance Committee and it could be a committee that Ms. Dixon would very much like to be a part of. Ms. Dixon would certainly like to be more involved in the community and thinks that this would be a good opportunity to do that.

Ms. Donker introduced herself and indicated that she is the publisher, editor in chief of Matters Magazine

and she has lived in Maplewood since 1997. Mr. Bob Roe, Maplewood Health Officer, also asked Ms. Donker to be a part of the Maplewood Municipal Alliance Committee. When she heard about what the Municipal Alliance Committee does Ms. Donker was very interested in the work and cares a lot about the youth in our town. She would like very much to be a part of the Municipal Alliance.

Mrs. Larrier, seconded by Mr. McGehee, motion that the Township Committee appoint Carline Dixon and Ellen Donker to the Maplewood Municipal Alliance.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

7. PUBLIC COMMENT - AGENDA ITEMS ONLY

Michael Morrison, Retired Sergeant, Maplewood Police Department, stated he was not representing any organization or group but representing his 22 years of police work in this town. And within those 22 years he would compare his record with working with the disenfranchised youth to anyone here protesting. Mr. Morrison is compelled to speak tonight because the youth that he represents wouldn't even come to the Police Department for this event. Mr. Morrison stated that he heard the language of erosion of trust and has been in this town since 1990 and there has been trust in the community that Mr. Morrison has been working along with. Mr. Morrison, enjoys the relationship in the community and all officer's do not represent what we have seen on that video tape. Mr. Morrison enjoyed the privilege of working with the Councilmen, at the school, and with the youth.

Joe Strupp, 7 Yale Street, Maplewood, asked the Township Committee who is going to be acting Chief of Police or running the department while Chief Cimino is on leave?

Mayor De Luca stated to Mr. Strupp that the decision will be made later on tonight after the meeting. The Township Committee is going to have to go back into Closed Session and have a personnel discussion.

Gus Henningburg stated that he has lived in Maplewood since 1965 and this is deja vu. What Mr. Henningburg wants to say to the folks up top if you have affected a change. What Mr. Henningburg wants to say to everybody in this community is that we are all in a position to do something to affect the change. Every little thing these young folks see has an impact on who they are going to be and we as the elders are the adults in the room. At no point in time should there be any adult with any kid preying on that child. Does not matter if its physically, emotionally, intellectually it doesn't matter, that is not what we do, that is not how we were taught, that is not the golden rule. We do in to others as we would have others do to you. Straight up we forget that and what we need to understand as a community is very simple when a road militant guy like Mr. Henningburg becomes a voice of reason from the community that we have a serious problem. This is a communication to say that we have an opportunity to communicate with one another in such a way where we are not looking to take somebodies head and put it on a stick, because that is not the message I want to send to children. Mr. Henningburg does not want to punish anybody today. What Mr. Henningburg wants to do today is say to folks lets realize that being present, mindful of self and humble is what teaches us to be successful within the confines of a community. Then when you reach humility you can then define who you are and put that out into the community. Folks, we need to be the author of our own humanity not the bureauracy and not the elected officials, not anybody else, not a gun and that we are all human beings. These are our children; the folks that will be taking care of us later on in life. We have an opportunity to send a message to all of our children, not just the Police Department, but also the Board of Education. Mr. Henningburg meant lets teach history, lets show value in who we are as a culture and the contributions that everyone has made to this Country to this community and to who we are as people. Folks we are better than this.

Elijah Navlin stated that he has lived in Maplewood his entire life which is 18 years and this is a big moment for me because about a year and a half ago I was entirely under the false impression that we were actually in a correct functioning town when it comes to diversity. Mr. Navlin, stated after driving in a car with a friend

and putting on Usher music the friend stated can we not listen to this because its too urban for me and that's when it all started to pile up through to Mr. Navlin brain that we need a lot of work here, we need to educate our children about diversity and the change needs to come from somewhere because young people are educated by older people and outstanding members of the community like Mr. Whitaker who really changed Mr. Navlin life and the way Mr. Navlin thinks about things and about the town.

Jordan Fields stated that she is a 2016 graduate of Columbia High School and has lived in Maplewood her entire life and is a current student at the University of Pittsburgh. After listening to the audio tapes that were released Ms. Fields was disgusted by the manner in which the Maplewood Police Officers treated Ms. Fields fellow township residents. From orders from Chief Cimino, Maplewood Police officers herded numerous men and women of color through the streets of Maplewood like animals. The Maplewood Police forced them towards a predominantly black community; Irvington even though they told the police that they were from Maplewood and South Orange. Then when watching the video's it became obvious that officer's used excessive force against our youth, kicking, pepper spraying them, and inciting violence. If the crowd was relatively calm why did the Maplewood Police lay their hands on anyone? What continues to disgust Ms. Field's about this incident is the fact that despite one officer seeing that the group of youth seemed pretty calm the Chief of Police insisted on getting them out of the neighborhood. Jordan Fields, stated in addition the Township of Irvington has a set curfew of 10 pm for youth under the age of 16. Why did Maplewood Police push our residents into a town where they would be subject to arrest. And to top it all off Chief Cimino gave the officer's the order to maintain the border. That's not just Trump rhetoric that racist rhetoric. Not only was Chief Cimino's actions reprehensible with the decision to show only a handful of the community members the tapes while people have been trying to acquire them for an entire year through an OPRA request, and in an effort to save himself was inexcusable. What happen last year on July 5, 2016 was definitely horrid.

Justice Williams, stated that she is a resident of South Orange and moved to South Orange from Brooklyn. And like many parents of color and family friends in this neighborhood there is a unspoken yet extremely expressed idea that her parents have worked hard to leave Brooklyn to come to South Orange and have their children treated as if they do not live in this community as if they do not pay taxes. If this place is welcoming to all people why is it that anyone whether they live here or not in our town should be carted away. Ms. Williams wanted to speak about the accountability of us as members of this community and the unspoken policing that happens aside from our police officer's and their uniforms. And under the delusion that Maplewood /South Orange is any better than the realities of this Country is facing is ridiculous. Ms. Williams appeals to us all to see the entitlement that we have to be free of it and to have the courage to look ourselves in the face honestly to look at ourselves and who we are and what we are doing and the things that we are saying. Not the sugar coating but the silence that is not being said those words that are missing.

Gail Greenstein, Maplewood, stated this is what real accountability could look like if the Maplewood Police were writing it. Dear South Orange/Maplewood Community Members in this letter we want to take accountability for the racists assaults and the attacks we made on our community youths on July 5, 2016. This is the first step of the process of repairing the harm that we have done to the entire community but more importantly to you our youth. We felt justified and burdened as our position as police officers to dehumanize you, physically assault and intimidate you and ultimately terrorize you. We used unjustified and brutal violence by throwing some of you to the ground, kicking you, handcuffing you, surrounding you and using pepper spray against you. This is not an isolated incident but the community outcry and public nature of wrongs has forced us to be accountable for the harm we caused you. We misused our position and authority on power in the worst possible way. When we call freedom the border of Irvington as we needed to protect ourselves and inferiorate you. We exhibited racial profiling and abusive behavior and we called in additional officers and further dehumanized you when Chief Cimino gave the command to send them down to Elmwood. While the majority of you are from our Two towns some of you might not have been SOMA and just enjoying your night out with friends after the fireworks. We now know that you feel unwelcomed in our town privileged enough to hold such an event. To you we also take accountability for the additional assaults created by the border in our town. Clearly our unchecked racist actions contributed to the climate that encourages violence against and continue attempts toward communities of color thereby inciting further violence. As you know Chief Cimino will be stepping down as police chief due to the reprehensible actions of the Maplewood Police Department that night. We will revise the departments accountability policies and set up a structure for community oversight. These policies will dismantle the

racial profiling and violence against people of color in our community. We have failed miserably to live up to the spirit of the Stigma Free Towns signs that are on the roads and dream SOMA and instead have terrorized and assaulted the youth of color in our community. As the next step we are committed to meeting with citizen groups who held us accountable as we move forward to protect the rights, dignity and safety of our community, sincerely the Maplewood Police Department.

James Davis, South Orange resident, stated that he wanted to recognize your leadership in this area and also to acknowledge some other leadership that was lacking in this area. The Township Committee not being able to communicate because of a brutal investigation going on and that does not prevent our school board of communicating about our children in this town and frankly is appalled by that lack of leadership. Mr. Davis wanted to thank TJ Whitaker publicly and acknowledge him publicly that everyone knows why this decision tonight was made because of TJ Whitaker's efforts. Mr. Davis', second point is about the details and as an attorney you have to agree upon a collective party agreement for your decision which the public did not have access to. Mr. Davis' suggestion is that you publicly list what those transactions have to be so that the public is aware of what you have to do. Mr. Davis suggests that the Township Committee make Chief Cimino's resignation and departure as transparent as possible.

Jerry Ryan, 431 Lenox Place, Maplewood, stated thanks to the Township Committee's service especially on a difficult night like this when really difficult decisions have to be made to keep and the community needs and appreciates your leadership. Mr. Ryan sent the Township Committee an email today and wanted to stand up today and employ the Township Committee to take decisive action today. Instead Mr. Ryan is going to stand up and thank the Township Committee for taking the first important step in regaining the entire communities trust and leadership of the Police Department and the entire community. Mr. Ryan really does appreciate what the Township Committee has done and appreciates the Township Committee's leadership on this but you know and Mr. Ryan knows it too, and we all know that we are not done yet; a lot more work to be done. Mr. Ryan asks the Township Committee and I implore you and beg you to keep taking all the steps needed to be taken and if you think that you are done take one more and lets make us be the community that we profess to be and that we know we are.

Carla Caraballo, stated that she moved to Maplewood seven (7) years ago from New York City and has mixed emotions that what happened today. Ms. Caraballo is not condoning the violence, not condoning this extreme; that it has done. Ms. Caraballo's message is to the kids, the children here, the millenials and you know exactly what Ms. Caraballo is taking about. You also have to show respect to authority, and just because this happened does not mean that you can go on disrespecting adults and people in uniform. Ms. Caraballo has been in the Air Force for 21 years and knows what it is to respect a uniform. What Ms. Caraballo doesn't want is the message that oh this happened and I'm going to cry to Mom and Dad and get this policeman fired and she does not want that message going on because that is not what happened. Two sides are at fault here.

Walter Fields, 135 Oakview Avenue, Maplewood, stated that he is a 20 year resident of Maplewood and Chairmen of the Black Parent Workshop. Tonight Mr. Fields comes before the Township Committee with the need to demand and not a request for the resignation but the dismissal of Chief Robert Ciminio and those officer's who inflicted the bodily harm on upon our youth on that evening. They do not deserve to wear the uniforms of the Maplewood Police Department and our community should not pay the salaries of any officer's that cannot uphold and respect the law and cannot respect our children. Tomorrow Mr. Fields is transmitting a letter to the State Attorney General requesting that his office conduct an investigation of the event on July 5, 2016 and while doing so of the Maplewood Police Department. The behavior of the Maplewood Police Department on that evening was reprehensible and abusive power. It represented a callus disregard for the lives of children and youth and was a textbook case of racial profiling and police brutality; if it was not we should have video tapes of Maplewood Police Officers marching white children down Ridgewood Road towards Millburn and using excessive force against them. By directing the youth to Irvington our Maplewood Police Department what else putting the lives of these young people at risks by pushing them into a community that has a standing curfew. That didn't matter to Chief Cimino when he barked his command to send them east. There are more questions right now than answers at this point. Why did the Township delay the release of the audio and video tapes when it was clear that after the Essex County Prosecutor's Office finished its criminal investigation in April the recordings could have been released. And the recent unanimous New Jersey Supreme Court decision in NJNG vs. Lynhurst vindicated those of us who had been demanding the release of the reports. Why did you sign off on disciplinary

measures against the officer's involved in the use of excessive force before the completion of your own investigation and the release of these recordings. What was the bases of disciplinary measures taken, were the reports from other officers on the scene, eyewitness accounts of citizens or was it the video tape. If it was the video then the punishment does not fit the offense. Who are the officers who have been disciplined and why are their identities being consealed? The public had the right to know the identities of public servants that have betrayed our trust. Our challenges at this moment also extend within the community and not just in our Local Government. Mr. Fields wanted to address that Coalition on Race since they receive funding from our two local governments. One year ago you sponsored a community forum of our two towns and it was nothing more than cover for our Police Department. Young people who voice general outrage over the abuse of July 5, 2016 were denied the opportunity to speak the truth instead of a meaningless pledge was signed and turned out to be nothing more than a "blue lives matter" pep rally when our children were demanding justice. Lastly, Mr. Fields wanted to commend Columbia High School, Teacher Thomas Whitaker for his enduring commitment to our youth while the School District remained silent. Mr. Whitaker showed us that the role of an excellent teacher extends beyond the walls of a school building. Mr. Fields is grateful for Mr. Whitaker's presence in our community as Mr. Field's is for the Village Green; Folks refusing to stop asking questions and fulfilling the honorable role of journalist, and that the Township does right by our black children and youths in Maplewood.

Anselm Laborne, former Vice-President of the Coalition on Race, stated that he would like to give Mr. TJ Whitaker a round of applause for his actions. And coming here tonight to apologize to the black youth of Maplewood with respect to the incident on July 5, 2016 with the Maplewood Police. And for all those individuals who saw the video's and were a bystander and didn't say anything you need to apologize to those black kids of Maplewood. For those groups who say that they are truly about race do not pick which incident you are going to take a stand for one incident you have to stand for something or than to fall for nothing.

Avery Julian stated that Ms. Carla Carravello's words infuriated him and Mr. Julian just graduated from Columbia High School and that he wanted to talk about respect and does believe that the Police are to save and protect and not watch blood run down the street, not kick, not mass, not beat and Ms. Carravello wants to talk about respect and what happen to children being children.

TJ Whitaker, Teacher at Columbia High School and Co-Founder of Map on Freedom School, stated that when he came to the Township Committee meeting almost a year ago he was by himself and this room was practically empty and Mr. Whitaker stated that night and gave the Township Committee the allegations of what he had heard and promised that he would be back with the community..... well "Here We Are". The perseverance has paid off to date but again there is still more to do, the vote is one thing but until Chief Cimino is officially out we still have work to do and the Township Committee will continue to hear from us. Mr. Whitaker wants to thank a few people publically, Ms. Johanna Wright who is a member of the Maplewood/South Orange Board of Education, Paula Bethaya who is the Outgoing President of the Maplewood Teacher's Union, and Walter Fields Founder of Black Parents Workshop. Mr Whitaker mentioned those three people because from day one they were the ones who publically supported our youth and publically supported Mr. Whitaker. They put themselves on the line in many incidents and because of their support is why we are here today. Mr. Whitaker wanted to thank everybody in this community who have written emails, made phone calls and put pressure on the Township Counsel. This is the kind of work that we need to do of, more moving forward in order to have the kind of community that we claim to be and looks forward to it. Finally, Mr. Whitaker wants all of the young people VSU Math that represent the University of Raw Power please give yourself a round of applause. Mr. Whitaker looks forward to the months ahead when they let go of Chief Cimino.

Audrey Rowe, Director of the South Orange/Maplewood Community Coalition on Race, stated that the Coalition on Race owes the community the respect of being visable given that the Coalition on Race organization and work has been questioned many times tonight. Ms. Rowe would also like to informTJ Whitaker and those who have come forward that the Coalition on Race were not actively involved because they were not informed and not being informed is no excuse. The Coalition on Race did not take the action to learn the details early on but once the Coalition on Race found out what the situation was the Coalition on Race tried to be a ally. If we are all headed in the same direction than justice and equality for all thinks that there is enough work to go around. The Community Coalition has its role and the other organizations in the community have their role. Ms. Rowe, stated that the Coalition on Race thanks the Township

Committee and the community who has supported the Coalition on Race in the past and commits to do their absolute best to be worthy of your support and support our youths as well as the citizens in town.

Paul Williams, Richmond Avenue, Maplewood, stated that he has lived in Maplewood for about 4 years. Mr. Williams thanked the Township Committee for making a fast and decisive decision in response to the voice of the community and thank those who have come out and continue to push this forward. And those who came out in support today to make their voices heard. Mr. Williams really appreciates and is hardened by the diversity of the folks that are out here today and thinks that it is fantastic. The idea that many of us move to Maplewood because it is known as a progressive town and the reason why Mr. Williams and a lot of people moved to Maplewood was because it was safe enough for our children to be able to just walk around the town. The idea that many of us are willing to endure \$15, \$16 or \$20,000 property taxes in order to have safety and to support this town and yet have the Police force that are funded by those taxes be the ones who would assault our children is ironic. And last but not least the irony that this would happen following a 4th of July Independence Day celebration is just beyond belief. Mr. Williams thinks that folks have started to make those first steps by coming here and by making that change but there is still much much more to be done.

Barbara Valasquez, Trustee of the Community Coalition on Race, A Member of SOMA Justice/SOMA Action, stated that she needed to make it clear that we are all members of Maplewood and South Orange it does us absolutely no good to fight one another when we have a major goal in front of us. We have to work together as a community and put aside individuals or put aside any differences and work to achieve the common goal that we had before us.

Casandra Dock, not from Maplewood, stated that she is a activist throughout the State of New Jersey on most issues particularly dealing with our youth. Ms. Dock stated to the residents of Maplewood that this is not the first time that the Maplewood Police have harassed the youth particularly the black youth in this community. Ms. Dock's nephews two years ago under the same Chief lived on Jacoby Street and came into Ms. Dock's sister's house and arrested Ms. Dock's nephew, and the way they handled Ms. Dock's nephew was horrible. Then they arrested his mother because she was asking why they were arresting her son. And guess what Mayor you know why the Chief of Police continues to do it because you did nothing then and guess what the Mayor is not going to do nothing now. He will continue to be the Chief tomorrow and twenty more years. Mayor De Luca, you cannot allow the Chief of Police to keep getting away with this. Obviously the Chief of Police does not like black people and we need to put a stop to him.

Mayor De Luca stated that Mr. Davis came up to the Township Committee and asked about the process and is absolutely right. There is a fairly large volume of State Law and regulations that we have to work through. By putting the Chief of Police on administrative leave the Township Committee is taking his badge and his gun tomorrow and he will not be coming back to this building to be the Chief of Police and the same thing with Captain Cummis. The Township Committee will later after this, will be meeting in closed session to talk about personnel, who the Township Committee will appoint as acting Chief and that person will have the responsibility to run the department and that Chief Cimino will not have the responsibility.

Mayor De Luca, stated that he did not want to lose the fact that the two gentlemen who spoke in the beginning of the meeting, from Hillard Heintze, they were doing their work and providing that independent investigation. When Mr. TJ Whitaker did come to speak with the Township Committee back in September 9, 2016 he did ask for that independent investigation and the Township Committee had to wait for the Prosecutor's Office and the Township's own investigation. We now have that independent investigation a fresh pair of eyes and ears taking a look at what happened and recommending to the Township Committee what we can do to make sure this never happens again. Mayor De Luca stated that is where the Township Committee is and that is how we will move forward. The Township Committee is not backing off and will continue on this and that is the Township Committee's report to the you.

Mayor De Luca takes a five minute break.

8. BOARD OF HEALTH MEETING
Held and adjourned.

9. INTRODUCTION OF NEW ORDINANCE68

NA/VD INTRODUCTION OF NEW ORDINANCE

ORDINANCE NUMBER 2868-17

AN ORDINANCE TO AMEND CHAPTER 257 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED "VEHICLES AND TRAFFIC"

"Interpretive Statement"

(This ordinance will add a yield sign on Plymouth Avenue at its intersection with Oakland Road; a yield sign on Courter Avenue with its intersection with Oakview Avenue; a yield sign for the eastbound lane of Oakland Road at its intersection with Oakland Terrace and a yeild sign Oakview at its intersection with Oakland Road.)

Ms. Adams, seconded by Mayor De Luca, moved the passage of this ordinance on first reading its publication according to law in the Maplewood/South Orange News-Record and a hearing to be held on September 5, 2017.

Mayor De Luca, asked were there any discussion? None.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

10. INTRODUCTION OF NEW ORDINANCE69

NA/VD INTRODUCTION OF NEW ORDINANCE

ORDINANCE NUMBER 2869-17

AN ORDINANCE TO AMEND CHAPTER 257 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED "VEHICLES AND TRAFFIC"

"Interpretive Statement"

(This ordinance will add East Cedar Lane and South Pierson Road as streets on which there shall be no vehicles parking within five (5') feet of a public or private driveway.)

Ms. Adams, seconded by Mayor De Luca, moved the passage of this ordinance on first reading its publication according to law in the Maplewood/South Orange News-Record and a hearing to be held on September 5, 2017.

Mayor De Luca, asked were there any discussion? None.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

11. INTRODUCTION OF NEW ORDINANCE70

NA/VD INTRODUCTION OF NEW

AN ORDINANCE TO AMEND CHAPTER 271 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED "ZONING AND DEVELOPMENT REGULATIONS"

"Interpretive Statement"

(This ordinance will implement certain zoning bulk requirements for residential properties located within R-1-7, R-1-5, R-1-4 and R-2-4 Districts within the Township of Maplewood.)

Ms. Adams, seconded by Mayor De Luca, moved the passage of this ordinance on first reading its publication according to law in the Maplewood/South Orange News-Record and a hearing to be held on September 5, 2017.

Mayor De Luca, asked Mr. Desiderio, Township Attorney if he sent the ordinance to the Planning Board?

Mr. Desiderio, Township Attorney, stated that he has communicated to the Planning Board and that she is already aware of it and that it will be on for their meeting August 8, 2017.

Mayor De Luca, asked were there any discussion? None.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None.

Motion carries.

12. DISCUSSION ITEMS

1. Support for transgender individuals to serve in any capacity in the U.S. Military/VD

Mayor De Luca, stated that he put this on for discussion item after the President of United States tweeted and also wanted to let everyone know that at the urging of one of the members of the LGBT community here in town Mayor De Luca did sign up and joined Mayor's against LGBT discrimination. So Maplewood is officially listed with that group and will be basically fighting against any group or organization against the LGBT in the Military.

13. CONSENT AGENDA

Ms. Adams, seconded by Mrs. Larrier, move to adopt the consent agenda.

Mayor De Luca, asked were there any discussion? None.

Ayes: Ms. Adams, Mrs. Larrier, Mr. McGehee and Mayor De Luca.

Nays: None

Motion carries.

14. PUBLIC COMMENT - ANY SUBJECT MATTER

Malcolm Steele, 17 Osbourne Terrace, Maplewood, stated that he wanted to remind the Township Committee about the whole police business that is going to be an ongoing issue and that we have only started. The idea that it is the responsibility of black children to know how to act or how to behave when around police. Mr. Steele must ask for the resignation of all the officer's who were indicated in that video

from July 5, 2016. It is absolutely ridiculous that Mr. Steele's parents pay the tax dollars that they do and he cannot feel with absolute certainty that our children are safe.

Carla Caraballo, 120 Jacoby Street, Maplewood, stated that the walls are crumbling on the overpass at the train station and it is destroying the art that is there and that there are rusted pipes and stuff and that there is always a puddle underneath.

Mayor De Luca stated to Ms. Caraballo that there is no asbestos there. The Township Committee has been in communication with New Jersey Transit to fix it and that it is the responsibility of Transit. Transit has sent people out to stabilize it but the Township needs to keep pestering New Jersey Transit to do it and find out what is the schedule for the fixing the ceiling and leaks on that overpass.

Mayor De Luca, stated seeing no one further has closed the second public comment period.

15. REPORTS FROM DEPARTMENTS

No report.

16. ADMINISTRATIVE REPORTS

Mr. Manning, Township Administrator, stated that the Farmer's Market is every Monday from 2 pm until 7 pm on Springfield Avenue, at 1848-52 Springfield Avenue just east of the corner of Yale Street. The Farmer's Market is doing really well and are getting large crowds and that they are really enjoying the parking situation. Come on down, it is the height of the summer produce season and really good vegetables, fruits and everything you can think of including some premade frozen things that you can take home and make in a jiffy.

Mr. Manning, Township Administrator, stated that we have hired a new Assistant Township Engineer and her name is Catherine Outlaw and she will be coming on board next Monday.

Mr. Desiderio, Township Attorney, no report.

Ms. Fritzen, Township Clerk, no report.

17. REPORTS FROM ELECTED OFFICIALS

Ms. Adams, no report.

Mrs. Larrier, no report.

Mr. McGehee, no report.

Mayor De Luca stated that he was contacted by family members of a business owner in town in Maplewood Village that is closing in Maplewood after 50 years and they asked if the Township Committee would do something. Mayor De Luca suggested to Mr. McGehee that the Township Committee invite them to the next meeting here and present a proclamation to that business.

Mayor De Luca, stated that the Township Committee got from the League of Municipalities a request to pass a resolution urging the State Legislature to extend the 2 percent cap on Police and Fire Arbitration Contracts. And will be putting this on for discussion at the September 5th meeting.

Mayor De Luca, stated that he was happy to announce that the State Department of Transportation has approved our project on traffic calming. Maplewood is getting roughly \$100,000.00 worth of engineering services which is going to be provided to the Township. The streets that Mayor De Luca is talking about include Prospect Street, Ridgewood Road, Wyoming Avenue, Valley Street, and Burnett Avenue. The Township will be working with a Firm called MB5 and they get funding from the State Department of Transportation and provide the Township with that service.

Mayor De Luca, stated that the Township recieved a request for taking a position against the Pilgrim Pipeline which is a 178 mile oil pipeline from Albany to Linden, 200,000 barrels a day are going to come through the Highlands and several towns nearby like Livingston, Chatham and Madison. A number of environmental groups in towns have taken position including South Orange. Mayor De Luca, wants to know if the Township Committee want to put this on for consideration at the next meeting? Agreed.

Mayor De Luca, stated that the Finance Committee met last week and the Maplewood Community Pool is doing very well. We have met our membership metrics and right now working on the guest passes trying to build the revenue from guest passes. The Finance Committee went over the general revenues and are on target. Also reviewed some of the added assessments and will be coming on before the end of the year, some of the new projects that are the Burnett Avenue and Tuscan Road Apartment Buildings that will be coming onto Maplewood's tax rolls and will be getting a full benefit of that next year as will get benefits of Clarus and Avalon Bay. Mayor De Luca, stated that the Finance Committee talked about procurement cards, Pcards and it is a similar card to the credit card that municipal employees use and talking about getting three for different departments. The most beneficial use when they do ordering online because now people will have to use their personal credit cards. But a Pcard is a regulated process that the municipality can make a order online.

Mayor De Luca reported about the property tax rebate program and did talk about the new Merchant Discount Program that the seniors are doing but thought that there was still some possibilty that this would help. Essentially what this card is used for is local business the card discounts a certain percentage that gets put into an account for you and then that account goes to the tax collector and reduces your propert tax bill. They would like to invite this company to come in September or October to give the Township Committee a presentation and hear from them directly and then decide.

Mayor De Luca stated that on September 3, 2017 which is the Sunday of Labor Day Weekend, the first annual Maplewood Porch Fest in the Hilton neighborhood will be held. Right now they have 20 homes where there will be bands, music on their porches and in Mayor De Luca's case on his steps. This will be a whole range of music offerings all playing from 12 pm until 5 pm. People will be just walking around the neighborhood and listening to music.

18. ADJOURNMENT

Meeting ended at 10:55 p.m. To meet again on Tuesday, September 5, 2017 at 7:30 PM at the Maplewood Police and Court Building, 1618 Springfield Avenue, Maplewood, N.J.

The Township Committee then went into Closed Session at 10:55 PM by Resolution for the purpose of Personnel and Legal matters.

The Township Committee then reconvened in Regular Session at 11:05 PM.

The following Resolution was adopted by the Governing Body.

RESOLUTION NUMBER 154-17

TEMPORARY CAPTAIN JIMMY DEVAUL IS HEREBY DESIGNATED AS THE INTERIM MAPLEWOOD POLICE CHIEF UNTIL FURTHER NOTICE (memorialized)

Ayes: Messrs. McGehee and De Luca, Ms. Adams, and Mrs. Larrier.

Nays: none

Resolution is adopted.

The following Resolution was adopted by the Governing Body.

RESOLUTION NUMBER 155-17

LIEUTENANT ALBERT SALLEY IS HEREBY DESIGNATED AS THE TEMPORARY CAPTAIN UNTIL FURTHER NOTICE (memorialized)

Ayes: Messrs. McGehee and De Luca, Ms. Adams, and Mrs. Larrier.

Nays: none

Resolution was adopted by the Governing Body.

There being no further business, the Regular Session meeting was adjourned at 11:15 PM.