

**SPECIAL MEETING
AUGUST 26, 2009**

The Committee of the Township of Oxford held a Special Meeting on August 26, 2009 in the Oxford Township Municipal Building, 11 Green Street, Oxford, New Jersey.

In attendance were Alex Lazorisak, Bonnie Riley, William Bray (arrived 5:23 PM), Howard Vex, and Sheila L. Oberly.

Deputy Mayor Bonnie Riley announced that the meeting had been properly advertised in compliance with the OPMA of 1975 and called the meeting to order at 5:07 PM.

ORDINANCE NO. 2009-05

TO AMEND ORDINANCE 2008-07 ORDINANCE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 53, "EXCAVATIONS," SECTION 14, "EXCEPTIONS" OF THE CODE OF THE TOWNSHIP OF OXFORD TO EXTEND AN EXCEPTION FOR WATER TAP CONSTRUCTION RELATED TO ARSENIC CONTAMINATION.

WHEREAS, the Committee of the Township of Oxford, County of Warren, State of New Jersey, has determined that Chapter 53, "Excavations," Section 14 of the Code of the Township of Oxford shall be amended, revised and supplemented to add an exception for water tap construction related to arsenic contamination.

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of Oxford, County of Warren, State of New Jersey that Chapter 53, "Excavations," Section 14, "Exceptions," of the Code of the Township of Oxford shall be amended, revised and supplemented as followings:

Section 1:

§53-14. Exceptions.

- a. The Township Engineer shall have the power to grant such exceptions from the requirements of this chapter as may be reasonable if the literal enforcement of one (1) or more provisions of this chapter is impracticable, unnecessary given the scope and nature of the proposed activity or will extract undue hardship.

- b. *All fees and escrow requirements may be waived by the Township Committee for water tap construction for any property whose arsenic levels exceed the State-approved standard. This section of the Ordinance shall expire on December 31, 2009 unless otherwise extended by Resolution of the Township Committee.*

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Oxford held on August 26, 2009, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on September 16, 2009 at 6 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 11 Green Street, Oxford, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Ordinance 2009-05 To Amend Ordinance 2008-07 To Extend an Exception for Water Tap Construction Related to Arsenic Contamination was adopted on first reading, on motion by Mrs. Riley and seconded by Mr. Lazorisak.

Mr. Vex and the Committee discussed the personnel letter that the Committee on August 19th authorized Lt. Charles Lilly to hand deliver to Officer Christopher Malcolm on August 20, 2009. Mr. Lazorisak stated that Lt. Lilly called Officer Malcolm on the morning of August 20th and informed him he was suspended without pay. However Lt. Lilly refused to deliver the letter stating the prosecutor office told him not to have any contact with Officer Malcolm. Mr. Lazorisak said he does not understand the difference

with verbally talking to Officer Malcolm on the phone versus hand delivering the letter. Mr. Vex stated there was no difference.

On motion by Mrs. Riley and seconded by Mr. Lazorisak to authorize Sandra Suker to have a permit for an ice cream truck based on a background check from the Oxford Police Department and their authorization.

Mrs. Riley said that today she met with Daniel Lett from USDA on the problem with the geese population at the Oxford Furnace Lake. There are several programs available. The one program would round up the geese on the beach, a net is thrown over them and they are euthanized and disposed of. Another program is called addling the eggs: poke holes in the eggs, shake the eggs or putting oil on the eggs. This program is not free and must be done in March or April. Mr. Lett suggested budgeting at least \$10,000.00 in next year's budget if the Township decides to join either program. He stated that there is also a permit available which allows the Township to manage the goose problem, with a goose hunt. This program is called the Migratory Depredation Permit. This permit would allow a goose hunt seven days a week, three hundred sixty-five days a year or any timetable agreed upon by the Township Committee. The Township would name the hunters and the time; hunters would be allowed to hunt. There is no fee to obtain this permit.

On motion by Mr. Lazorisak and seconded by Mrs. Riley to apply for the Migratory Depredation Permit.

EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

1. The public shall be excluded from the discussion of any action upon the hereinafter-specific subject matter.
2. The general nature of the subject matter to be discussed is a personnel matter related to the Oxford police Department.
3. It is anticipated at this time that the above stated subject matter will be made public at the conclusion of the litigation. The motion carried with the following roll call vote.

On motion by Mr. Lazorisak and seconded by Mrs. Riley and passed unanimously on roll call vote to enter into Executive Session at 5:30 PM.

The Committee entered into open session at 6:33 PM.

Mayor Lazorisak opened the meeting to Public Comment. There being no public present, he closed the public comment.

RESOLUTION 2009-73

**RESOLUTION OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN,
STATE OF NEW JERSEY, CONFIRMING THAT OFFICER CHRISTOPHER
MALCOLM SHALL REMAIN ON UNPAID SUSPENSION PENDING THE
RESOLUTION OF THE PENDING CRIMINAL CHARGES AND ANY
TOWNSHIP ADMINISTRATIVE INVESTIGATIONS AND CHARGES WHICH
MAY FOLLOW**

WHEREAS, the Township Committee of the Township of Oxford has been informed by the Warren County Prosecutor's Office that Township Police Officer Christopher Malcolm cannot serve as a Township Police Officer until final disposition of the pending criminal charges against him; and

WHEREAS, the above prohibition precludes Officer Malcolm from performing his duties as an Township of Oxford Police Officer; and

WHEREAS, the pending criminal charges involve issues of dishonesty and/or moral turpitude.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, Township of Oxford, County of Warren, State of New Jersey, that Township Police Officer Christopher Malcolm remain on unpaid suspension from duty pending the resolution of the criminal charges against him, as well as any Township administrative investigations and charges which may follow.

On motion by Mr. Bray, seconded by Mrs. Riley and passed unanimously on roll call vote to approve **Resolution 2009-73**.

On motion by Mr. Lazorisak, seconded by Mrs. Riley and passed unanimously on roll call vote to adjourn the meeting at 6:35 PM.

Sheila L. Oberly, RMC