

Minutes of an open executive session held by the Township Committee of the Township of Commercial with Lauren Van Embden, Commercial Township Municipal Court Judge. Meeting held on Thursday, April 4, 2019 at 4:30 P.M. Meeting was held in Clerk's Office because Court Room and Conference Room were being utilized for court proceedings.

Those present:

Mike Vizzard	Mayor
Fletcher Jamison	Committeeman
Ryan Broughton	Committeeman
Hannah E. Nichols	Township Clerk
Heather Sparks	Deputy Clerk
Laurel Van Embden	Municipal Court

Mayor Vizzard called the meeting to order and stated that meeting was being held in Clerk's Office due to court. Meeting was not being recorded but notes were being taken by Municipal Clerk. Meeting was being held in full compliance of the Open Public Meeting Act.

Mayor said this meeting was called to clarify some issues with the hiring of a new Municipal Court Judge upon the death of Edward Duffy whose term expired December 31, 2019. He said Judge Van Embden was recommended by Judge Duffy to sit in for him during the months of last half of October, November and December at his salary.

Clerk stated that Mr. Duffy passed in the middle of November and at that time the Current Mayor suggested that the township advertise the position at \$20,000 and that amount was listed in the resolution designating salary for the Municipal Judge.

Committeeman Broughton asked did the township advertise the position.

Clerk said township received resumes from Municipal Judges and Attorneys for the court vacancy. The township committee, at that time, said that Judge Duffy had highly recommended Judge Van Embden to fill in for him and they took that into consideration and hired her when she submitted her resume. A meeting was supposed to take place with Judge Van Embden and Committeeman Jamison, Department Head of Municipal Court and due to unforeseen circumstances the meeting did not take place and chief financial officer set salary as stated in Resolution to advertise at \$20,000.

Judge Van Embden said that she was receiving a salary of \$21,632.00 for 2018 and didn't think she should be paid less than Judge Duffy for the same amount of work, the same number of courts per month and being on call 24/7 for warrants and TRO issuances.

Committeeman Jamison said the committee had talked about meeting with the Judge in December and he will take the blame for the meeting not taking place and he apologizes. He said he recommends that Judge Van Embden be paid the same salary as Judge Duffy was receiving and for 2019 the amount would be \$22,517.28.

Clerk asked for form of motion.

Mayor Vizzard said he makes motion to set the salary of Municipal Judge Laurel Van Embden at \$22,517.28 in accordance to 2019 salary schedule.

Committeeman Broughton seconded the motion, roll call vote unanimous

RESOLUTION 2019-51
Salary Of Municipal Court Judge Laurel Van Embden

BE IT RESOLVED by the Township Committee of the Township of Commercial

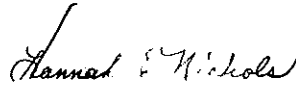
that due to misunderstanding and lack of communications that an executive session was held with Commercial Township's Municipal Court Judge, Lauren Van Embden, regarding her 2019 Salary; and

THEREFORE BE IT RESOLVED by the Township Committee that since Judge Van Embden was earning \$21,632.00 prorated for last three months sitting on the bench for Judge Edward Duffy that she should earn the equivalent to Mr. Duffy's salary for 2019 since she was hired January 1, 2019 as Commercial Township's Municipal Court Judge and salary of \$22,497.28 will be paid retroactive to January 1, 2019.

A motion was made and seconded, roll call vote unanimous.

Judge Van Embden gave the committee a synopsis of how Upper Deerfield handles Nine municipality's courts and she said it is managed and controlled very well without a hitch. She said her court clerk Patty is amazing and sets everything up. Each municipality has a representative that sits on a board and each has a say on how the this joint municipal court operates. She said the costs to the townships are based on their size, it is broken down into percentages with the biggest court, say Upper Deerfield paying the highest percentage, say 40% Deerfield next in line with 30 percent, Commercial possibly 20 percent. She provided Scenarios of some of the happenings at her court and invited the committee to come and sit In and watch how smooth nine participating municipal joint courts are maintained.

Committee agreed they would like to attend a court session in Upper Deerfield and thanked Judge Van Embden for her insight.



Hannah E. Nichols, Township Clerk