

**TOWNSHIP OF BLAIRSTOWN  
EMERGENCY COMMITTEE MEETING  
MUNICIPAL BUILDING  
Monday, June 28, 2010, 4:30 PM**

**MINUTES**

**OPENING; ROLL CALL**

The meeting was called to order by Mayor Mach. Those present were Mayor Mach, Mr. Anderson, Mr. Lance, Mr. Lascari and Mr. Seal. Also present were Clerk Pizzaia and Township Attorney Robert Benbrook.

**FLAG SALUTE**

The flag salute was conducted.

**SUNSHINE STATEMENT**

Mayor Mach read the following statement: An Emergency Meeting of the Blairstown Township Committee is being held in compliance with the Open Public Meetings Act. Adequate notice has not been provided due to the emergency situation and potential detriment to public safety. Notice of this Emergency Meeting has been transmitted by fax and/or email to the three official township newspapers. Notice of this meeting has also been advertised on the township website. This meeting will be limited to the discussion of the emergency situation regarding police personnel and police matters.

**RESOLUTION EMERGENCY MEETING**

Mr. Lance made a motion to approve the following resolution, which was seconded by Mr. Anderson.

**WHEREAS**, this emergency meeting has been called for the purpose of discussing police personnel and police matters; and

**WHEREAS**, the situation encountered could potentially affect the safety of the public; and

**WHEREAS**, the normal requirements of the law regarding 48 hours notice have not been met due to lack of time; however, notices of this Emergency Meeting were faxed and/or emailed to the township's three official newspapers giving the date, time, place and subject matter of said emergency; and

**WHEREAS**, the need for adequate notice could not reasonably have been foreseen at the time when adequate notice could have been provided.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Blairstown, County of Warren, State of New Jersey, that by an affirmative vote of 3/4ths of the members of this governing body, an Emergency Meeting is authorized to be held.

**BE IT FURTHER RESOLVED** that this meeting shall be limited to discussion of and acting upon said urgent matter.

Roll call vote: AYE – Anderson, Lance, Lascari, Seal, Mach

Mayor Mach explained that the purpose of this meeting is to inform the entire Committee on the current state of events regarding the pending change in hours of our Police Department to 7am to 6pm and the Committee's request to have the State Police cover from 6pm to 7am. This change will require an additional four (4) hours of coverage from the NJSP from the coverage in place at this time between the hours of 6pm and 10pm. This change is to take place on Thursday, July 1, 2010.

Mayor Mach distributed all communications regarding this matter. The Committee is in receipt of a communication from the State Police stating that they will not be covering Blairstown Township during these additional four (4) hours. Mr. Benbrook said that this decision has been made by the Attorney General's office, with no reason given for declining Blairstown's request.

Mr. Benbrook suggested sending a letter to the Assistant Attorney General stating that, in response to his suggestion to contact our neighboring communities for assistance in police protection, that the NJ Hope Barracks is our nearest and only police within a five mile radius. The Committee was in agreement that Mr. Benbrook would send this letter.

Mr. Benbrook explained that Blairstown's course of action will be to file an injunction with the Appellate Division of the NJ Court in order to get a temporary injunction mandating the NJSP to afford us the requested coverage until there is a final adjudication on this matter.

Mr. Benbrook said that his brief will detail the history of the NJSP coverage in Blairstown Township and our history of having the greatest amount of local coverage which could be afforded. However, budgetary constraints make it necessary for the NJSP to cover the township more hours, which they have done in the past. Mr. Benbrook also summarized the statutory duty of the State Police to police rural communities, as well as the constitutional arguments in our favor.

The Committee was in agreement that a back-up plan needs to be in place if, in fact, the State Police refuse to cover Blairstown during the hours of 6pm to 10pm on July 1<sup>st</sup>. Mr. Anderson said that he has been in contact with David Gallant, Director of the Warren County Public Safety, with regard to procedures to follow. The Communications Center will forward 9-1-1 calls to the State Police, Hope Barracks. If they refuse the call, Officer Losey will be contacted and will respond.

There was a discussion on whether there could be a challenge of Blairstown's characterization as a "rural" community. Mr. Benbrook said that he was confident that he could support Blairstown's status as a rural municipality.

Mr. Lance said that if Blairstown is forced to go to 15 hour shifts, there will be a tremendous affect on the budget. Mr. Benbrook's legal fees will also be a factor.

Mr. Lance made a motion to authorize Mr. Benbrook to send the appropriate correspondence with regard to assuring State Police coverage as required by the township.

Roll call vote:            AYE – Anderson, Lance, Lascari, Seal, Mach

Mayor Mach made a motion to authorize Mr. Benbrook to file suit, if necessary, to assure State Police coverage as requested by the township. The motion was seconded by Mr. Lance.

Roll call vote:            AYE – Anderson, Lance, Lascari, Seal, Mach

**NOTE: Power outage at 5:37 which accounts for break in tape recording of meeting.**

**FROM THE PUBLIC**

There was no one from the public present at the meeting.

**ADJOURNMENT**

As there were no further comments from the Committee, Mr. Lascari made a motion to adjourn the meeting, which was seconded by Mr. Lance, with all members in favor. The meeting was adjourned at 5:45 pm.

Submitted by:

Phyllis E. Pizzaia, RMC  
Municipal Clerk