



TOWNSHIP OF ROCHELLE PARK

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ADMINISTRATOR

Robert H. Davidson

MUNICIPAL CLERK

Elizabeth Kroll

TOWNSHIP COMMITTEE

Nicholas LiBassi - **Mayor**

Gail Artola

Linda Boniface

Michael Kazimir

Marc Vojnich

March 12, 2021

All,

As you all know, Committeeman Kazimir announced that he would be resigning his position on the Township Committee effective March 10, 2021. As a result of this announcement, knowing that a Finance Committee meeting was scheduled earlier the day of the 10th and knowing that Mr. Kazimir was a member of the committee, I called and spoke to the Township Auditor Andrew Parente as I questioned whether Mr. Kazimir could continue to serve on the finance committee. Mayor Artola was in my office when Mr. Parente returned my call. Mr. Parente informed both of us that it would not be a good idea for Mr. Kazimir to attend the meeting as actions would be taken after his resignation and that a new Township Committee member should be appointed.

The March 10th meeting of the Finance Committee had to be rescheduled due to an illness so the issue at hand did not materialize. However, later that evening on March 10, in Mr. Kazimir's final official report to the Township Committee, he requested that he wanted to retain his obligations to the various committees as a volunteer so that he could assist with the transition. I questioned Mr. Kazimir if what he was requesting included the Finance Committee. He indicated if the Township Committee agreed he would like to carry out his obligations to the end of the year when his term would end anyway. I informed the Township Committee that both the Mayor and I had a conversation concerning the vacated seat on the Township Committee and that I would contact the Auditor the next day to confirm our prior discussion on this topic now that the scenario had changed.

On March 11th I had a conference call with both our CFO and Auditor and advised them of the request by Mr. Kazimir being a volunteer/consultant to the Finance Committee. Both officials said that this never came up before and deferred to the Township Attorney Mr. Joseph Rotolo. I had a lengthy discussion concerning my reservations moving forward with this request and again both officials reiterated that they have no recourse and again deferred to the Township Attorney. I then spoke to Mr. Rotolo who agreed that if the Township Committee appointed Mr. Kazimir he could sit on the committee as an adviser. I then spoke to Mayor Artola and informed her of my conversations with all three professionals and I also spoke to her about my concerns moving forward.

At this time I want to make it clear that my concerns are not about Mr. Kazimir as an individual however it is Mr. Kazimir making the request. I would like to go on record with a series of issues that need to be answered prior to appointing anyone in this capacity.

Several issues of concern:

- Mr. Kazimir is officially no longer an elected official of this Township.
- Mr. Kazimir is no longer a resident of the Township.
- Mr. Kazimir has not been appointed and no new position has been created by ordinance.
- Mr. Kazimir would be selected without public input thus preventing others wishing to volunteer with experience, budget or otherwise, from participating.
- Mr. Kazimir is under no obligation whatsoever to keep the discussions of these meetings confidential.
- Mr. Kazimir's decisions can open the township up to liability and he can open himself to personal liability as well.
- Having Mr. Kazimir as an unelected, de facto Township Committee member is in my opinion illegal.
- As for the budget, topics of discussion pertaining to allocation of funds for various Departments and employees may include legal issues and the reduction of services therefor having a direct personnel conversation that no member of the public should be privy to.
- Until these issues are addressed, and Mr. Kazimir is officially appointed he should not be permitted to attend any and all official meetings in the capacity as a representative of the Township and or Township Committee.

In conclusion, at the end of the day, the decision is not mine to make. However, it is a decision that should be made thoughtfully, properly, practically and legally. As I have said many times before I am not a voting member of the governing body however, I believe that in my position I am obligated to address my concerns to protect best interest of the Township of Rochelle Park.

Respectfully



Robert Davidson
Township Administrator