

**MINUTES OF A SPECIAL MEETING
MUNICIPAL COUNCIL - TOWNSHIP OF EDISON
COMMITTEE OF THE WHOLE
July 8, 2019**

A Special Meeting of the Committee of the Whole of the Municipal Council was held in the Council Chambers of the Municipal Complex on Monday, July 8, 2019 at 6:30pm. The meeting was called to order at 6:31 p.m. by Council President Gomez followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Joshi, Lombardi, Patil and Sendelsky.

Councilmember Coyle was absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Special Counsel Christopher Maikschmitt and Andrew Dressel of the Dressel Malikschmitt Law firm.

The Township Clerk advised that adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by a Special Notice published in The Home News Tribune and New India Times on June 15, 2019 and posted in the Main Lobby of the Municipal Complex on the same date.

Council President Gomez turned the meeting over to Councilmember Diehl.

Councilmember Diehl, good evening thank you for coming out tonight. He summarized the last few meeting. We do need to go into a short executive session before we begin tonight.

Councilmember Lombardi, we are holding the 3rd proceedings. We have one witness to testify he explained the procedure of questions and answering to the witness.

The Council retired to Closed Session at 6:36p.m., on a motion made by Councilmember Diehl seconded by Councilmember Lombardi and duly carried. The Township Clerk read the following Resolution into the record:

WHEREAS, Article VI of the Open Public Meetings Act provides that a public body may hold a closed session; and

WHEREAS, the Township Council will during this meeting enter into discussion of the following matters:

- 1) Purpose of Contract

WHEREAS, the matters to be discussed in closed session are to remain in the strictest of confidence by all Council Members in furtherance of their fiduciary duties to the Township of Edison;

NOW, THEREFORE, BE IT RESOLVED, matters discussed at this meeting will be released to the public when the reasons for discussing and acting upon them in closed session no longer exists.

The Council returned from Closed Session at 6:53 p.m., on a motion made by Councilmember Diehl seconded by Councilmember Lombardi and duly carried.

Councilmember Diehl, thank you for your patience we have Mr. Bhagia is here tonight. He asked for a run down on where we are with the people who were asked to come tonight.

Mr. Malikschmitt reported Jerry Shi, Mahesh Bhagia, Cesar Suarez, as well as Shariq Ahmad were asked to attend tonight. We received a response on July 3rd from Jerry Shi he is on vacation, this afternoon Shariq Ahmad will not be here due to his attorney traveling. We were informed that Cesar Suarez is in the process of obtaining an attorney.

Councilmember Diehl said at the second meeting, one of the things that are happening we are having a little trouble getting people to testify since the initial meeting. This is information gathering no one is accusing anyone. What is the next step to compel them to come here? How many times can they give us excuses not to be here? What is our recourse here?

Mr. Malikschmitt explained the next step through the court system.

Councilmember Diehl would like to make a motion to take the next step, Councilmember Sendelsky seconded, all in favor.

Councilmember Diehl, again thanked Mr. Bhagia for being here tonight. Mr. Fresco is an attorney and is here on behalf of Mr. Bhagia.

We have a court stenographer who will be recording the minutes. When the transcripts are ready they will be available in the Clerk's Office.

Councilmember Lombardi feels we should give them one last opportunity to the individuals who were asked to appear. Our attorney should ask in a letter if they have any travel plans scheduled within the next thirty to sixty days.

Councilmember Diehl, we are in new territory here he thinks it's important to continue to be fair to the people and not put them in a position not to show up.

Councilmember Joshi, asked the attorney to clarify what ruling a judge could possibly have just for the public's knowledge.

Mr. Malikschnitt explained the nature of the relief would be up to the juridical discretion it could be fining somebody for contempt of court and set to compel their attendance.

Council President Gomez, we will continue to keep this meeting open until next scheduled meeting.

Having no further testimonies this evening, on a motion made by Councilmember Diehl seconded by Councilmember Lombardi this meeting will continue to be open until we schedule the next meeting. This meeting adjourned at 8:08 pm.

Alvaro Gomez
Council President

Cheryl Russomanno, RMC
Municipal Clerk