

Robert Hermansen

From: Robert Hermansen
Sent: Monday, July 31, 2017 6:32 PM
To: Brian Chewcaskie
Subject: Fwd: FW:
Attachments: image001.jpg

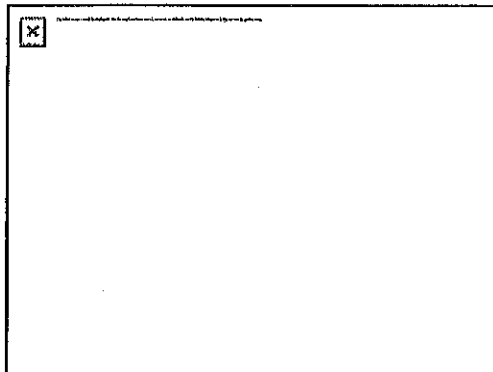
Sent from my iPad

Begin forwarded message:

From: Quentin Wiest <QWiest@mahwahtwp.org>
Date: July 31, 2017 at 9:41:57 AM EDT
To: Robert Hermansen <RHermansen@mahwahtwp.org>
Subject: FW:

FYI

Quentin Wiest
Business Administrator
Township of Mahwah
475 Corporate Drive
Mahwah, NJ 07430
QWiest@MahwahTwp.org
201-529-5757 x 265



From: Chief James N. Batelli
Sent: Sunday, July 30, 2017 12:08 PM
To: Quentin Wiest; William Laforet; Brian Chewcaskie
Subject:

I wish to bring these matters to your attention:

1. **Council President Hermansen is telling residents I approved the ERUV's.** This is not factual and he knows that. I neither have the authority nor is there any documentation nor any individual from Orange and Rockland that has stated that I approved the ERUV's. The fact is the Township was advised in early May via e-mail that ERUV's were going to be installed and on what specific poles and locations.

The Township took no position to oppose the installation or even question their installation.

2. In an article on the Bergen Record on July 28th 2017 **Council President Hermansen "accused Batelli of sitting on the sidelines during the drafting, introduction and adoption of the Ordinance and was blindsided by the Chief's decision to contact the Prosecutor's office...**This is not factual and there are documents to support this yet the Township takes no action to stop my character from being defamed in public arena. The Mayor sent me the Ordinance on July 7th at 9:53 a.m. asking for input on what the sign should look like. At 10:28 a.m the same day I responded with inquiries and those inquiries continued. on July 19th I sent an e-mail again questioning the legality of the Ordinance and that is posed bias based profiling issues. I informed the Township that if I did not receive legal direction from the Township on this I would be left with no choice but to go to the Attorney General. There was no response. On July 20th, 2017 one week before the Ordinance was to become law I sent a four page letter to the Township expressing my concerns and asking for legal guidance. Again absolutely no response. Left with no choice I contacted Prosecutor Gurbir Grewal who ruled the Ordinance unconstitutional and I would have violated the law if I enforced the Ordinance enacted by Council. I believe the Township was setting me up for failure by either directing me to enforce an unconstitutional Ordinance or possibly face insubordination charges by not enforcing the law. Despite the Ordinance being ruled unconstitutional Council President Hermansen is still directing the signs be installed at the park as a "deterrent". Despite knowing the Council President Hermansen's comments about me sitting on the sidelines during the drafting, introduction and adoption of the Ordinance were false the Township took no position to correct them and again allowed my character in the community to be defamed.

3. **Council President Hermansen directed the Mayor to ask me if I gave a group of Hassidic children a tour of police headquarters.** This was done in the presence of another Council member and I believe the Business Administrator. During my tenure of Chief I have never been asked the race, religion, or ethnicity of a group being given a tour and when asked what difference the religion of a tour was I received no answer so I will again ask what was the purpose of that question? Clearly some serious conclusions can be made when we are now questioned about religious background of tour groups.

Lastly as I have written before during the July 27th, 2017 Council meeting, Council member Jim Wysocki stated there were administrative issues within the Police Department and the Council had been discussing them for some time. I have asked for what those administrative issues are so I can correct them. I also question why I wasn't provided a Rice notice if these administrative issues were discussed. They were not listed on any public agenda that I saw nor any closed session agenda summary that I was sent. Is it the intention to claim "for some time" there were issues within the Police Department and not advise the Chief so they can be corrected. The Matrix study at a cost of \$50,000 found no critical negative administrative issues, our agency is CALEA certified, in 14 years I believe there has been only 4 grievances and three of those were the result of Council actions, our agency has seized over 3 million dollars and used it to improve the agency. A six month summary sent to the Business Administrator founds summonses increased, calls for service increased and overtime was down. Council member Wysocki has never talked to me or any other administrative office in the department so where is he getting his information, what is the information, what is he basing it on and what are the issues. Am I not entitled to address these so called administrative issues and provide an explanation if they actually exist? I have never been reprimanded or failed to provide any documentation asked for by the Council or the Mayor. When Council member Wysocki was elected I documented in writing an issue with a Wysocki family member who was previously employed in our agency and expressed my opinion that this may influence Jim Wysocki's decisions on actions involving the Police Department.

This Council does not let facts get in their way when attempting to defame my character in the community. It was only a short time ago that Council made a public statement that overtime was out of control and poorly managed only to have the Matrix Study find it was managed efficiently and we were 5% to 7% below national standards.

In the past I have been told "Council can be advised but they cannot be told what to say." Regardless of that opinion I have a right as an employee of the Township to work in a environment free of harassment

and without blatant mistruths about me told to the public that maligns my character and standing in the community.

James N. Batelli
Chief of Police
Mahwah Police Department
201-831-2002 Administrative Assistant Kathleen Kelly
201-831-2000 Direct Line

A Nationally Accredited Law Enforcement Agency through CALEA - www.calea.org