

**MINUTES OF THE TOWNSHIP COUNCIL
TOWNSHIP OF BERKELEY HEIGHTS
EXECUTIVE SESSION HELD ON SEPTEMBER 24, 2013**

CALL TO ORDER

Mayor Bruno called the Executive Session to order at 7:03 p.m.

ROLL CALL

Present - Mr. Delia, Mr. Hall, Mrs. Kingsley, Mr. Pastore, Mr. Pirone, and Mr. Woodruff.

Absent – Mayor Bruno

Also Present – Township Attorney Joseph Sordillo, Administrator Linda Cavanaugh and Township Clerk Ana Minkoff.

**EXECUTIVE SESSION – Attorney/Client Privilege/Personnel - Police
Attorney/Client Privilege- Department of Public Works**

Attorney/Client Privilege/Personnel – Police

Also present Mr. Michael Bolt, Attorney

Officer Franks had (2) disciplinary notices in May, and the Police Department followed the Attorney General guidelines; Union County Prosecutors office has been notified. Mr. Franks failed a drug test and is currently in drug treatment. The PBA has provided him with counsel; all the proper steps have been taken. At the end of August a resolution was reached, the Township will pay what is due. He will withdraw the request for a hearing and is waving the appeal. He wants the agreement to release him from any claims; we agreed to withdraw the initial charge of “unfit for duty” from May 2013. The other matters are in the prosecutor’s office. His employment will terminate on Friday. He will enroll in COBRA at the end of the month. The money will be paid to the attorney’s trust account.

Mr. Hall wanted a confirmation that nothing financial would be paid after Friday.

Mr. Bolt stated no, and that he will receive approximately \$20,000.00

Mayor Bruno stated that he has no problem with the settlement and that no resolution is required. The ultimate decision is with the Chief of Police.

Attorney/Client Privilege- Department of Public Works

Mrs. Cavanaugh stated that the DPW has filed a grievance against Councilman Delia. It outlines what they consider abusive actions. A grievance is a violation of labor contract, she would like to write a letter and deny this grievance, this reads like harassment and not a legitimate grievance. She would like to bring in Mr. Broderick.

Mayor Bruno stated that this is an issue with them. They are claiming that they are being harassed as a group, and that there are accusations being made against them on a weekly basis. The Administrator should not be investigating criminal activity. He does not want to be charged by EEOC.

Mr. Pastore stated that the Council is asking questions, it is not harassment.

Mayor Bruno stated that last week the feather from the weather vane was missing and there was an accusation that it was stolen.

Mr. Delia stated that it would not have been returned if he did not look for it.

A discussion continued.

Mr. Sordillo stated that the Council cannot go directly to the employees.

Mr. Woodruff stated that there is no doubt that things were going on. He does not think that this is a grievance, but we still have to deal with it. Mrs. Cavanaugh should meet with Mr. Broderick, but this Council will continue to look into matters.

Mrs. Cavanaugh stated that she should be the buffer between employees.

Mr. Hall stated that when a town receives something signed by the entire department, it affects morale. At the end of the day, this is the Administrators issue.

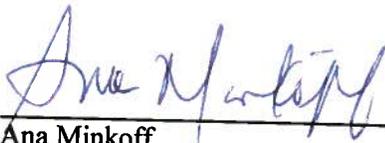
Mr. Woodruff stated that we need to move forward.

Mayor Bruno stated that he did meet with the DPW; he reassured them that there are new procedures coming down, that it is not personal and it is not a witch hunt. He advised them that if he finds out someone is doing something wrong, that he would fire them.

Mr. Delia stated that he stands behind everything that he has done.

Adjourned 7:45 p.m.

Approved: February 9, 2016



Ana Minkoff
Township Clerk