

Clerk Karen Sandorse read a statement into the record in response to Ms. Naccarato's grievance statement. She did not waive her Rice Notice rights.

Attorney Lyons stated that the hearing comports with the Union Contract, this meeting is Step II which then initiates a 30 day time frame for the Committee to respond in writing to the grievants filing of the Step II process.

Resolution No. 24-2022 –Executive Session

Potential action may be taken when the meeting reconvenes.

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee approved Resolution No. 24-2022 and convened in to executive session at 7:16 p.m.

TOWNSHIP OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY
RESOLUTION NO. 24-2022

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Committee find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

WHEREAS, the Mayor and Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lebanon, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

_____A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

_____);

_____A matter where the release of information would impair a right to receive funds from the federal government;

_____A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

_____A collective bargaining agreement, or the terms and conditions thereof (Specify contract: _____);

_____ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

_____Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

_____Investigations of violations or possible violations of the law;

____ Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is): The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

____ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: _____ OR _____ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

X Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: **Personnel: response to grievance pursuant to terms of CWA Local 1040 Collective Bargaining Agreement** And whereas the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists

____ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

BE IT FURTHER RESOLVED that the Mayor and Committee hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

The public meeting reconvened at 8:25 p.m.

Attorney Lyons stated that the Committee has convened this evening relative to a Step II CWA Contract grievance that is being heard. The Township will take the actions set forth in Step II as they are aware the timeframes set forth therein though it will not occur this evening.

PUBLIC COMMENTS – limited to agenda items only.

Motion by Mr. McKee, seconded by Mr. Wilson and carried by unanimous favorable roll call vote, the Township Committee opened the public comment portion of the meeting at 8:25 p.m.

Mr. Adam Duckworth spoke on Ms. Naccarrato's grievance.

Ms. Sandy Watt's stated disappointment with the matter at hand.

Ms. Sharon Pettzinger provided comments on Ms. Naccarrato's grievance.

Mayor Schmidt returned to the meeting at 8:36 p.m.

Mr. Darryl Schmidt provided comments on the agenda posting.

Ms. Sharon Hardy asked for emails received by the Committee to be read in public.

Mr. Wilson and Mr. Laul read emails into the record regarding Ms. Naccarato's grievance from Chris and Leslie W. Hahn, Joyce and Stephen Leftly and Jan Gibas.

Motion by Mr. Wilson, seconded by Ms. Koehler and carried by unanimous favorable roll call vote, the Township Committee closed the public comment portion of the meeting at 9:00 p.m.

ADJOURNMENT

Having no further business to come before the Committee a motion was made by Mr. Wilson seconded by Ms. Koehler and carried by unanimous favorable roll call vote to adjourn the meeting at 9:00 p.m.

Respectfully submitted,

Karen J. Sandorse, RMC/CMC
Municipal Clerk

Approved: February 16, 2022

Mike Schmidt, Mayor