

**READINGTON TOWNSHIP COMMITTEE
SPECIAL MEETING –June 2, 2021**

Mayor Albanese *calls the meeting to order at 12:00 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor J. Albanese, Deputy Mayor J. Heller, Mr. J. Huelsebusch and Mr. B. Smith

ALSO PRESENT: Administrator R. Sheola, Municipal Clerk K. Parker, Attorney S. Dragan, Attorneys David Strand and Heather Steele (Fisher Phillips, LLP)

ABSENT: Mrs. BA Fort

Mayor Albanese explained that at the last virtual meeting held May 27, 2021, the Township was unable to come of out Executive Session; therefore, procedurally, a motion must be made to close Executive Session meeting and then enter into the public portion of the meeting.

A **MOTION** was made by Mr. Heller to end the Executive Session and open the public meeting, seconded by Mr. Smith with a vote of ayes all, nays none recorded.

Mayor Albanese led those present in the *Salute to the Flag*.

NEW BUSINESS

1. **Personnel / Department of Public Works**

Township Attorney Sharon Dragan briefly read a statement explaining the reason for this meeting to address a personnel matter in the Department of Public Works and reviewed the rules and procedures for the public meeting. Attorney Dragan continued that the matter is based on a harassment complaint filed by one of the employees against Scott Hulcher, Road Superintendent. Attorney Dragan further advised that Mr. Hulcher requested to have this matter discussed in a public meeting, and only the terms and conditions of employment or disciplinary issues concerning Mr. Hulcher will be discussed.

Township Labor Attorney David Strand stated that an independent investigation was conducted by Attorney Heather Steele to address complaints lodged against Mr. Hulcher by a number of employees. Attorney Strand maintained that Attorney Steele compiled an extensive report with conclusions and recommendations.

Attorney Steele joined the meeting virtually to provide a brief summary of her investigation, based on her interviews with several employees in the department, and highlighted the main violations that she found support with to ultimately conclude that Mr. Hulcher had violated the Township's anti-discrimination and harassment guidelines and harassment policies by making inappropriate comments in the workplace and unwelcome to various employees. Attorney Steele continued that Mr. Hulcher had been provided with targeted discrimination and harassment training in the past and based on that, did not believe additional training would be beneficial at this point in time; therefore, recommended imposing substantial discipline, from an extended suspension without pay to termination.

Attorney Strand noted that there was a written warning placed in Mr. Hulcher's personnel file in August of 2017 from the previous Administrator addressing similar type of allegations with an investigation having been done, and at that time, he was provided with individualized training sessions, reviewing personnel policies, practices, and procedures. Mr. Hulcher was warned that failure to show an acceptable level of performance improvement with respect to management and supervisory skills would result in further disciplinary action up to and including termination.

Attorney Steven Farsiou joined the meeting virtually, on behalf of Scott Hulcher, to dispute the allegations made against Mr. Hulcher. Attorney Farisou opined that the “bullying” culture within the Department Works is a vendetta against Mr. Hulcher, noting that if substantial disciplinary action is taken with respect to Mr. Hulcher, a lawsuit will be initiated.

Attorney Dragan reminded all employees in attendance that the Township has a personnel manual in the Township which applies to every employee and requested Attorney Strand to highlight the portions of the personnel manual which are applicable with respect to the work environment.

The Committee discussed the documented pattern of behavior by Mr. Hulcher and the disciplinary action to be taken to maintain a safe and appropriate working environment for all employees. The Committee discussed possible termination with an agreement for a release of claims from the Township for any legal action and to make Mr. Hulcher’s 20-year pension whole.

The Committee took a brief recess for counsel deliberation.

Attorney Strand reported that although both parties were unable to make a decision during the short time in deliberation, there is an idea of reaching an agreement for pension purposes, including the release of claims; however, it was left open for further discussion amongst counsel. Attorney Strand advised the Committee to make a determination as to the disciplinary action and solve the ancillary issues later on.

A MOTION was made by Mr. Heller to terminate Scott Hulcher, seconded by Mr. Smith and on Roll Call vote the following was recorded:

Mr. Heller	-Aye
Mr. Huelsebusch	- Aye
Mr. Smith	-Aye
Mayor Albanese	- Aye

COMMENTS FROM THE PUBLIC

Christine Montorio, Union Representative from Local No. 469, thanked the Committee for taking the matter seriously and for their comments and actions.

Scott Jesseman, Director of Public Works, spoke on behalf of Mr. Hulcher and his work performance.

Marie Pagano, County Road, thanked the Committee for taking action and commented on the importance of a safe working environment.

Jamie Reynolds, Department of Public Works Secretary, spoke on behalf of Mr. Hulcher.

COMMENTS FROM THE GOVERNING BODY

Deputy Mayor Heller recommended that additional training should be provided for all employees.

As there was no further business, **A MOTION** was made by Mr. Smith at 1:12 p.m. to adjourn the meeting, seconded by Mr. Heller with vote of ayes all, nays none recorded.

Respectfully Submitted:

Karin M Parker, *RMC*
Municipal Clerk