

TOWNSHIP COMMITTEE MAY 16, 2017 MINUTES

The Tewksbury Township Committee met on the above date at the Police Administration Building located at 169 Old Turnpike Road.

The meeting was called to order at 8:00 AM, roll call held and a quorum established. Mayor Dana Desiderio presided.

Other officials in attendance were Township Committee members Louis DiMare, Peter Melick, Shaun Van Doren and William Voyce.

Roberta Brassard, Municipal Clerk and Michael Selvaggi, Township Attorney were in attendance.

There was one member of the public in attendance.

1. Open Public Meetings Statement

Mayor Desiderio opened the meeting by announcing that adequate notice of the meeting had been provided by posting a copy thereof on the Police/Administration Building bulletin board, transmitting a copy to the Hunterdon Review and the Hunterdon County Democrat, and filing with the Municipal Clerk, all on May 10, 2017.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Public Participation

Nick Corcodilos of Clinton NJ was present to request information related to the memo dated 4/27/17 from Mr. Landon signed by Mr. Melick regarding the "directed" removal of personnel files from the Township building.

Mayor Desiderio stated that Mr. Landon did not want to leave personnel files in the unlocked office after his final day.

Mr. Melick stated that he and Mr. Van Doren met with Mr. Landon prior to his final day to discuss a transition process and the matter of unsecured personnel files arose.

He added that because the Mayor was unavailable, he would be able to remove the files and secure same in his business office.

After he received a call from the Township Attorney advising him to return the files, the two sealed boxes were returned and placed in the Police evidence room the same day.

Mr. Selvaggi stated that he had received a call from Mr. DiMare regarding the removed files shortly after they were removed. He added that he misunderstood what was being removed.

In response to a question from Mr. Cordodilos, Mr. Selvaggi explained that the Clerk is the custodian of government records, but personnel files are not considered OPRA-ble and the only person(s) allowed to view personnel files are the Administrator, the Township Committee in some instances and the individual employee. He added that the general public cannot look at personnel files.

Mr. Corcodilos questioned under what legal authority the files were removed. He further questioned how the files were secure when Mr. Landon served as Township Administrator.

TOWNSHIP COMMITTEE MAY 16, 2017 MINUTES

Mayor Desiderio explained that the files were in the Administrator's office and the room was locked at night. She added that she received a call the day prior (to the date on the memo) regarding the return of the Administrator's keys and cell phone.

Although the office is still currently locked, Mr. Melick explained that there are other files in the Administrator's office that other Township departments may need access to and that is why the personnel files were removed.

Mr. Corcodilos reiterated his question as to who directed the files to be removed per the language of the memo "I have given Peter...as directed...". Mr. DiMare stated that he was given no direction from Mr. Landon.

Mr. Selvaggi stated that perhaps only Mr. Melick knew the intention of the action and he could not explain the language of the memo.

Mr. Van Doren agreed that the full Committee did not authorize the action and, in hindsight, it was not the appropriate action to have taken. He noted the concern that if the office were left open, personnel files would be readily available and accessible.

Mr. Melick stated that the files were removed so they would not be in a place where anyone could look through them.

Mr. Corcodilos questioned why Mr. Landon's resignation was made public on 3/24/17 and action pertaining to personnel files was done almost 5 weeks later. He expressed concern that there was no direction for this action from the Committee and the Administrator of 17 years had no legal authority to remove the sensitive personnel files.

Mr. DiMare stated that the Committee did not know the intent of the Administrator for his actions, but once the files were reported removed, action was taken to return them to the Police Administration Building.

Mr. Selvaggi stated that the files did not leave Mr. Melick's possession and he was under the incorrect impression that only one file was being removed because of a certain record in the file.

Mayor Desiderio stated that she returned the personnel files to a locked cabinet in the Administrator's office under the supervision of two Police officers and the Municipal Clerk, adding that she has the two keys to the cabinet.

In response to a question from Mayor Desiderio, Mr. Corcodilos stated that his concern is not with Tewksbury or the Township Committee, but with Mr. Landon serving as the top level manager in Clinton Township. He added that there was no competitive process linked to his hiring in Clinton.

Mr. Corcodilos thanked the Committee for their time.

4. Executive Session

**TOWNSHIP COMMITTEE
MAY 16, 2017 MINUTES**

At 8:23 AM Mr. Melick moved adoption of the following Resolution, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

**RESOLUTION #65-2017
A RESOLUTION AUTHORIZING AN EXECUTIVE SESSION OF THE TEWKSBURY
TOWNSHIP COMMITTEE**

BE IT RESOLVED, pursuant to N.J.S.A. 10:4-13 and 10:4-12 that the Tewksbury Township Committee hold a closed session to discuss Personnel.

It is expected that the discussion undertaken in closed session can be made public at the time official action is taken.

Dana Desiderio
Mayor

5. Reconvened

The meeting reconvened at 9:13 AM.

Mr. Van Doren made a motion to contact the Canning Group and invite a representative to attend an upcoming special meeting to discuss services related to the position of Township Administrator, seconded by Dr. Voyce. The motion was approved. Ayes: Desiderio, DiMare, Melick, Van Doren, Voyce. Nays: None.

6. Adjournment

There being no further business, the meeting was adjourned at 9:15 AM.

Roberta A. Brassard
Municipal Clerk