

OCEAN COUNTY SOIL CONSERVATION DISTRICT
BOARD OF SUPERVISORS EMERGENCY MEETING
714 LACEY ROAD, FORKED RIVER, NJ 08731
April 21, 2016 – FY 16
MINUTES

I. CALL TO ORDER – The meeting was called to order by Dr. William Pollock at 8:04am Explaining it was an emergency meeting due to a personnel matter. Dr. William Pollock confirmed that announcements for the meeting were made pursuant to the Open Public Meetings Act and forwarded to the Asbury Park Press, The Press of Atlantic City, and the Ocean County Clerk. Present were:

Supervisors: Dr. William Pollock, Tony DiLodovico, Dr. Michael Gross, Charlene Costaris, and Martha Maxwell-Doyle.

Absent: None

Others: Christine Raabe, District Director, Michael Marcella, Resource Conservationist and Jean Baluski, Office Manager from Ocean County Soil Conservation District (OCSCD).

II. FLAG SALUTE – Dr. William Pollock led the salute to the flag of the United States of America.

III. AGENDA – Motion to approve the Agenda for today’s meeting. Motion made by Martha Maxwell-Doyle and seconded by Dr. Michael Gross. Roll call vote: unanimous.

IV. MINUTES – The January 28, 2016 Minutes were approved on a motion by Tony DiLodovico and seconded by Dr. Michael Gross. Roll call vote: unanimous

V. PUBLIC COMMENTS – Pursuant to the requirements of Open Public Meetings Act, N.J.S. A. 10:4-12, that at an emergency meeting of the Board of Supervisors to be held on April 21, 2016 at 8:00 am at the District office, the Board will have a discussion which could affect the terms and conditions of employment. Specifically, the Board will discuss job performance and compliance with the terms of employment, as well as potential disciplinary actions, as per the approved District Personnel/Employee Manual. Of specific concern to the Board is the letter and documentation forwarded by Director Raabe on April 5, 2016. (A copy of which was provided to said employee.) Said employee was also served a “Rice Letter” pursuant to Rice vs. Union Cty. Reg. High School Bd. of Ed., 155 N.J. Super. 64 (App. Div. 1977), cert. den. 76 N.J. 238 (1978) (see attached) and subsequently waived his right for the matter to be discussed in closed session and indicated that he wished such discussion to be held in public session.

Director Raabe distributed copies/documentation to the Board of correspondence (including previously issued letter (s) and photographs) the employee was notified (as per required notice) regarding the continuous and extensive misuse of paid 15 minute breaks and 30 minute (unpaid) lunch break.

Michael Marcella, District Resource Conservationist, joined the meeting.

He proceeded to describe his contention that he is guilty of no wrong doing or disregard for District Policy or Procedures. He distributed copies of a letter (dated March 2 2015) that he “wrote but never sent or gave to anyone” but rather “wrote it for his own record.” In the letter, he defended /argued the “accusations” by the District Director from various dates/times describing his extended lunch periods spent at his residence and indicated that it has been common practice for 10 or more years. (See attached.) He also presented a number of photographs taken by his wife of the District Director taking pictures of his residence. He indicated that he was being “stalked” by the Director. Despite the contradictory evidence, Mr. Marcella insisted that he “at no time” exceeded the allotted break time at his residence. He further described current office conditions that precluded him from being able to concentrate and review plans and indicated that he frequently utilized parking lots of various parks in order to review his plans “in peace and quiet” without disturbance from District “clerical” staff.

When questioned about his apparent avoidance of utilizing the Garden State Parkway (see enclosed EZ pass statements) to travel to and from the District office during the course of his assigned job duties and territory/area (Toms River, Lavallette, Mantoloking, to Point Pleasant), he indicated that it was difficult to review sites doing 65 mph. When the Board pointed out that between Forked River (District office location) and his assigned territories was not his responsibility, he indicated that previous administration encouraged additional technical staff to oversee other areas as a “second set of eyes.”

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V. PUBLIC COMMENTS: (cont')

Mr. Marcella then indicated his need to occasionally use his personal restroom at his residence due to a medical condition. When asked if he ever shared or asked permission to the Director or his Direct Supervisor, he responded "no" and expressed his embarrassment regarding this issue.

Discussion followed, along with questions to Mr. Marcella. Mr. Marcella was informed that, if there was nothing further, the Board would move into Executive Session to further discuss disciplinary action. Mr. Marcella left the meeting at 9:15 am.

VI. EXECUTIVE SESSION – Motion to go into executive session was made by Martha Maxwell-Doyle and seconded by Tony DiLodovico. Roll call vote: unanimous. Ms. Baluski left the meeting. The Board requested that Director Raabe remain and participate in the Executive Session.

VII. NEW BUSINESS –

- A. Motion to Approve Placing GPS Tracking Device on all District Vehicles was made by Martha Maxwell-Doyle and seconded by Charlene Costaris. Roll call vote: unanimous.
- B. Motion to Approve Comcast Internet Service for the District was made by Martha Maxwell-Doyle and seconded by Dr. Michael Gross. Roll call vote, unanimous.

VIII. ANNOUNCEMENT OF NEXT DISTRICT MEETING – May 19, 2016

IX. ADJOURNMENT - The meeting was adjourned at 9:55 A.M. Move for adjournment made by Martha Maxwell-Doyle and seconded by Dr. Michael Gross. Roll call vote, unanimous.

Respectfully submitted,

Christine R. Raabe,
District Director

CRR: jb

Michael Gross, Secretary