

CAUCUS MEETING MINUTES

May 2, 2023

5:00 P.M.

***MEETING WAS HELD VIA "ZOOM" APPLICATION WITH MEETING ID 349 802 0449

Mayor Jakubowski called the meeting to order.

MAYOR'S STATEMENT: "Notice of this meeting has been provided in a legal notice published in the Courier Post and the Retrospect; and posted in accordance with Title 10 of the New Jersey Statutes Annotated, specifying a 5:00 p.m. meeting time; and that formal action may or may not be taken at all Caucus and Commissioners meetings. Please be advised that this meeting is not being videotaped tonight."

Those in attendance were Mayor Jakubowski, Commissioner Lee, Commissioner Whitman, Borough Administrator David Taraschi, Solicitor Sal Siciliano, Borough Engineers Steve Bach & Craig Reilly, Danielle Ingves, Municipal Clerk, Rec Center Director & Library Trustee, Fire Chief Pat Slemmer, John Dymond, Tax Assessor.

Mayor Jakubowski led the audience in the Flag Salute followed by a moment of silence for Bob Phillips, Sr. (Robert Phillips). Mr. Phillips was a Korean Conflict U.S. Army Veteran, a 62-year member and past commander of Murray-Trout Post #262 American Legion, Audubon NJ, and pillar of our community. He passed on April 25, 2023, and will be missed very much.

Commissioner Lee made a motion to approve meeting minutes of April 18, 2023, seconded by Commissioner Whitman. All in favor-motion carried.

RESOLUTION 2023-74 RESOLUTION TO AFFIRM THE BOROUGH OF AUDUBON'S CIVIL RIGHTS POLICY

The foregoing resolution was approved by motion of Commissioner Whitman, seconded by Commissioner Lee. All in favor-motion carried.

RESOLUTION 2023-75 AUTHORIZING THE APPROVAL OF RAFFLE LICENSE 01-2023 FOR MURRAY TROUTT AMERICAN LEGION AUXILLIARY UNIT 262.

The foregoing resolution was approved by motion of Commissioner Lee, seconded by Commissioner Whitman. All in favor-motion carried.

RESOLUTION 2023-76 AUTHORIZING THE APPROVAL OF BINGO LICENSE 02-2023 FOR MURRAY TROUTT AMERICAN LEGION AUXILLIARY UNIT 262.

The foregoing resolution was approved by motion of Commissioner Whitman, seconded by Commissioner Lee. All in favor-motion carried.

RESOLUTION 2023-77 ADOPTING THE 3-YEAR COOPERATION AGREEMENT WITH THE COUNTY OF CAMDEN TO ESTABLISH A COOPERATIVE MEANS OF CONDUCTION CERTAIN ELIGIBLE COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSE ACTIVITES

The foregoing resolution was approved by motion of Commissioner Lee, seconded by Commissioner Whitman. All in favor motion carried.

Department Reports:

Borough Administrator /DPW Superintendent – Met the April 30 annual tonnage grant deadline and the May 1 storm water annual due date.

was contacted by Mr. Taraschi in a retaliatory fashion for the Chief. The timeline was discussed in depth. Ms. D'Ambrosio the third party unequivocally indicated that the contact was not initiated by Mr. Taraschi. She initiated the contact and he responded to her. It was initially an email, and she may have responded with a telephone call.

At this point, Commissioner Lee expressed concerns about discussing Mr. Tassi in public. Mr. Siciliano responded that we are only discussing his complaint with the Borough and nothing beyond that. Commissioner Lee questioned our ability to do that.

Solicitor's office concluded the investigation and submitted a report dated January 27, 2023, and it was sent to the elected officials. The recommendation at that time was that Dave Taraschi in his role as Borough Administrator handled all worker compensation claims. He has had this role for years and has performed the role routinely. The recommendation was that in regard to the Chief's complaints in regard to timing, as an outside observer, may have been questionable. However, upon investigation, looking at the timing and the sequence of events although that looked questionable, it wasn't validated in anyway that Dave initiated contact in a retaliatory way because we have an outside third-party witness indicating that she initiated the contact.

Per Mr. Siciliano, after communication with the Mayor and Commissioners, Dave Taraschi, and Chief Tassi, he then let them know the findings in regard to the investigation. We are here now on May 2 and the Rice Notice was given rightfully due to the contemplation of disciplinary action. My office's recommendation is that no action should be taken against Dave, but it is up to the elected officials to make this decision at this time.

Commissioner Lee had concerns about the investigation and his conversation with Ms. D'Ambrosio and that she felt very intimidated by Mr. Taraschi. Per Commissioner Lee, the questions were probing and inappropriate given the circumstance and that the doctor being questioned in this case was well above anything that she has seen before. The treatment of the doctor had been questioned on this as well. After further conversation, she agreed that the letter to the doctor should be rescinded immediately, which she did. Conflicting concerns that if everything is appropriate why such an immediate knee jerk reaction to rescind the letter to the doctor? Questioning the purpose of some of the questions and the timing at best is horrible. The Solicitor responded that those were not the conversations that he had with the adjuster. Questions then arose by the Mayor as to if the adjuster is being called a liar as two different stories are being given.

Per Mr. Siciliano, ordinarily, this would not rise to the attorney level. In a typical setting, these investigations would not be done by Borough Solicitor but since they are two department heads and their positions. A note of caution, Com Lee cannot be an investigator and a decision maker. Based on attorney report, no independent facts and no outside additional information to prove the woman lied to him, he will conduct a further investigation if need be, but absent that, these are the findings in writing which were previously provided.

Dave Taraschi then spoke. He explained that his actions have been consistent with every case with Public Works, Police and Fire over the years. The pointed questions were the result of a lot of training and that he is on the executive committee for the Camden County Joint Insurance Fund and the subcommittee for claims and knows that you need to get in on the ground floor of these claims because they can be very expensive. We encourage open communication with the attorney, the insurance company and the medical provider and the goal is to receive maximum medical improvement as quickly as possible.

Commissioner Lee and the Solicitor agreed the questions were problematic as well as timing. However, he stands by his written report.

Commissioner Whitman stated that he would go off Solicitor's recommendations. Mayor asked if the Commissioners would like to take action. Commissioner Lee would like to place the letter from the attorney into Mr. Taraschi's personnel file. Solicitor agreed that would be sufficient to place the letter in Dave's personnel file.

Sustainable Audubon- Nothing new to report, but they always have something going on. Next meeting is Wednesday, May 2, 2023, at 7:00 pm.

Open Session: Commissioner Lee made a motion to open the meeting to the public; seconded by Commissioner Whitman. All in favor; motion carried.

Being there was no discussion, Commissioner Whitman made a motion to close the meeting to the public; seconded by Commissioner Lee -All in favor; motion carried.

Board of Commissioners Reports:

Commissioner Whitman- Audubon Day was great. Thank you to the volunteers. Infrastructure is happening at the rec center, which is great to see.

Commissioner Lee- Congrats to all those involved with Audubon Day!

Mayor Jakubowski- The Audubon Celebration Committee did a phenomenal job with Audubon Day! It was a great day, and we cannot thank the volunteers enough for all their hard work. They will continue to plan for July 4th activities. Thanked Dani Ingves for all her hard work as the point person at the Borough and for volunteering her time as well.

DISCUSSION: Employee Complaint

Sal Siciliano, Attorney, opened the discussion. A Borough employee's complaint is the reason for this discussion. A Rice Notice was served to the Borough Administrator, Dave Taraschi, by my office. Danielle Ingves in her function as the Borough Clerk actually served the Rice Notice prepared by my office. He reviewed the form and returned it to my office via email. Upon receipt, it was forwarded to the Borough Clerk, Mayor, and Commissioners. Mr. Taraschi asked that his grievance be held in open session, which is his right. The reason for a Rice Notice is when there is contemplation of employee discipline. The employee has the right to be made aware of that.

Mr. Siciliano explained the nature of the allegation was that another Borough employee, Chief Tassi, made a complaint against Mr. Taraschi's handling of a workers' compensation claim. The date of the complaint was filed at the end of September 29, 2022. Solicitor's office investigated the complaint and conducted interviews with the appropriate parties, Mr. Tassi being one and Mr. Taraschi being the other. It also involved an adjuster with AmeriHealth Casualty. The Solicitor expressed the need to be guarded due to HIPPA regulations regarding the treatment that was sought. But for the purposes of this record, the Chief submitted a claim which was a workers' compensation claim and in the handling of that claim, there was questions as to the timing with regard to certain discussions and inquiries that were made by the adjuster. Her name is Maryann D'Ambrosio. Telephone calls and conversations were had with Ms. D'Ambrosio, the Borough's workers' compensation claim adjuster. In-person interviews were conducted with Chief Tassi several times and several in-depth interviews with Mr. Taraschi via telephone.

Mr. Siciliano commented that he had several conversations with Mr. Taraschi in his capacity as Borough Administrator when this issue first came to light a couple of months prior to the handling of the complaint. The nature of those conversations was should this be handled through a workers compensation claim or some other method or means such as the Employee Assistance Program and then he stated he will not say anymore publicly out of concern for Chief Tassi and HIPPA concerns.

Per Solicitor, the specific inquiry/complaint was that Mr. Taraschi had contacted Ms. D'Ambrosio about the complaint and by his contact he had created a hostile work environment for Chief Tassi. It led to deprive him or at least had a chilling affect with regarding medical treatment that was sought or received by the Chief. We conducted the investigation. Two of the three people are here. Ms. D'Ambrosio is the third person. The nature of the allegation is that Ms. D'Ambrosio

Chief Finance Officer -No Report.

Borough Clerk- Financial Disclosure Statements are due by May 15. Fines will be issued in June. Please complete it as soon as possible. Primary Election is Tuesday, June 6th. Our next Caucus will be Wednesday, June 7.

Important primary election dates: Voter registration May 16, Mail in Ballot request by mail, May 30 and early voting will be from June 2 – June 4. There will be new machines this year and all municipal clerks are required to attend the training, or they cannot work the election. Danielle will be attending on Thursday, May 4.

Tax Collector – Per email prior to the meeting, report not ready yet. Will send over as soon as possible.

Tax Assessor – John Dymond and our attorney briefly discussed the tax appeal that they were working on together has been successfully addressed.

Construction Code/Zoning Report-Report attached.

Library – One year anniversary of our new director, Akiema Buchanan. Program numbers continue to grow monthly and currently working on Summer Program as well as outreach to the community.

The Recreation Center- April – Four (4) Private Parties and Audubon Day.
May – Five (5) private parties and one non-profit private party scheduled.

Police Chief- Report attached.

Fire Chief – Report attached. Fifty-five (55) alarms in April for Audubon. Alarms answered to date: 145.

OEM- Report attached.

EMS Report- Per email prior to meeting, MEPRI system was down so no report could be generated. It will be sent over as soon as possible.

Municipal Court- Report attached.

Engineer- Report attached. The NJDCA announced the grant award recipients. Unfortunately, the Borough of Audubon was unsuccessful, but the Audubon Public School district will be receiving a NJDCA Local Recreation Improvement Grant in the amount of \$87,000.

Resurfacing East Merchant - & East Pine Street – Construction is substantially complete. Our office is generating a punch list for any outstanding items and will coordinate with the contractor for completion and project closeout.

The Borough of Bellmawr has indicated that onsite paving will commence the week of May 8th. The Borough of Bellmawr will coordinate with Audubon DPW the week of May 1 regarding the required fence removal around the hockey rink.

Construction is substantially complete on the Senior Center Improvements. Our office is processing closeout documents.

Solicitor – Will be adding one more item for closed session for litigation purposes.

Dave Taraschi then spoke again. Expressed concerns that he has an exemplary record at the Borough, and nothing has been placed in his file prior to this. He has been completely consistent with his handling of these claims over the years. He then questioned the timing that continues to be discussed.

Solicitor responded that there was a Borough Commissioners Meeting on September 20 and matters discussed in closed session. Immediately after on Sept 21, 22 or 23 was when contact was made by Dave and Ms. D'Ambrosio and the allegation was that Dave initiated the contact those days, but after discussing with Ms. D'Ambrosio it was confirmed that she contacted Dave not the other way around. With that the open discussion ended.

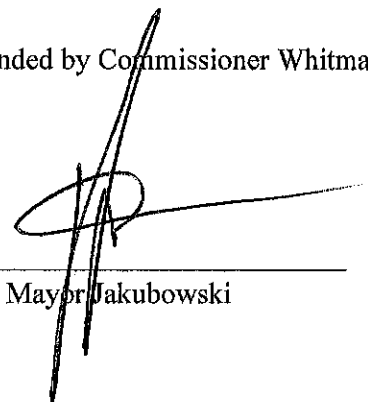
RESOLUTION 2023-78 CLOSED SESSION FOR PERSONNEL MATTERS AND LITIGATION

The foregoing resolution was approved by motion of Commissioner Whitman, seconded by Commissioner Lee. All in-favor motion carried.

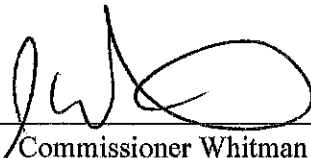
Commissioner Lee made a motion to come out of closed session, seconded by Commissioner Whitman. All in-favor motion carried.

Commissioner Lee made a motion to adjourn, seconded by Commissioner Whitman. All in favor; motion carried.

Meeting Adjourned at 6:51 P.M.



Mayor Jakubowski

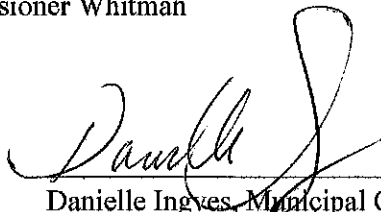


Commissioner Whitman



Commissioner Lee

ATTEST:



Danielle Ingves, Municipal Clerk

DATE APPROVED :

6/20/2023