

Orange Township Trustees
June 16, 2010
Special Meeting

Chairman Nelson Katz called the meeting to order at 8:02 p.m.

This meeting was held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio 43035.

ROLL CALL: Nelson Katz, John M. Cassady, Robert W. Quigley.

TOWNSHIP OFFICIALS ALSO PRESENT

Bob Barbosky Parks Facilities and Grounds Manager
Michael McCarthy Township Attorney
Gail Messmer Township Administrator

The minutes were taken and prepared by Office Assistant Mary Ann Ross.

The purpose of this meeting is:

⊙ Regular Session:

- A pre-disciplinary meeting, in accordance with the *Personnel Policies and Procedures Manual* and board action, including possible discipline, both regarding a full-time non-bargaining unit employee.

⊙ Executive Session for the following reasons:

- To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.
- Conference with township legal counsel concerning a dispute involving the Township that is the subject of pending or imminent court action.

REGULAR SESSION

A PRE-DISCIPLINARY MEETING, IN ACCORDANCE WITH THE PERSONNEL POLICIES AND PROCEDURES MANUAL

Mr. Katz asked to state for the record; The Regular Session portion of today's special meeting involves a pre-disciplinary hearing and subsequent report with recommendations that the Trustees shall deliberate in Executive Session. The hearing was based on a recommendation of termination of employment of Robert Barbosky, Parks Facilities and Grounds Manager by his direct supervisor, Maintenance and Parks Director, Beth Hugh. The pre-disciplinary hearing took place on Friday, May 7, 2010, at 9:00 a.m. at Township Hall. Presiding at the hearing was Douglas Plunkett, from the Circuit Rider Management Group. Mr. Plunkett was appointed the Township Administrator's Designee as provided in Section 3.3.3 of the *Personnel Policies and Procedures Manual*. At that time, statements were presented by both Ms. Hugh and Mr. Barbosky, regarding the grounds for the proposed disciplinary action. This is in part what the Trustees will be dealing with at this meeting.

Mr. Katz asked Mr. Barbosky if there was anything he would like to say to the Board specifically regarding the hearing or the report; before the Board would go into Executive Session to discuss the report and take possible action.

Mr. Barbosky had a statement he asked to read.

Since I started in 2003 I have thoroughly enjoyed my employment with Orange Township, I really have. When the Maintenance and Parks Director position was formed, I was concerned that my authority and responsibilities as department head would be diminished. In the process, and as they were, I admit I resisted at first, but after a few meetings with Ms. Hugh and Nelson, Trustee Katz, and Ms. Messmer I was determined to make the relationship between Ms. Hugh and myself work. I sat down with Ms. Hugh on my own accord and apologized for any inappropriate way that I had acted; I wanted to move forward; and I don't like being in conflict and I made that clear. The transitions were very stress for me, but I have come to the point of accepting this working relationship; this working arrangement. I believe most of the work issues that have been raised can be remedied by recommended procedures that facilitate better communication and help me to focus. I just want to be able to do my job and do it efficiently. As I stated before, I have worked for this department for seven years, and was completely dedicated to the department. I feel like I was an integral part of the development of a lot of the facilities and the department itself; and it is my goal to see the Parks Department continue to grow and improve. I would really like to be here for the continued improvement. I work with my supervisors to meet this goal, and given the chance, I think I can do an excellent job in the future without any further disruptions. I just ask that you adopt the recommendations made in my report. Thank you

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Mr. Katz commented that he was breaking the Executive Session up into two separate Executive Sessions; the Board will go into Executive Session on this matter; come back with the Board's decision and then go back into Executive Session for other matters.

EXECUTIVE SESSION

Mr. Katz moved that they go into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official and invited to attend was Township Counsel, Michael McCarthy and additional Legal Counsel Robert Weisman.

Seconded by Mr. Cassady.

VOTE: Katz – yes, Cassady – yes, Quigley – yes.

Mr. Katz moved to return to Regular Session.

Seconded by Mr. Cassady.

VOTE: Katz – yes, Cassady – yes, Quigley – yes.

After careful deliberation, the Board has decided the following:

RES.10-244 TERMINATION OF ROBERT BARBOSKY

Mr. Katz moved the adoption of the following resolution:

BE IT RESOLVED that Robert Barbosky is terminated from his employment by Orange Township effective immediately.

Seconded by Mr. Cassady.

VOTE: Katz – yes, Cassady – yes, Quigley – yes.

Motion by Mr. Katz to go back into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of public employee or official, and have conference with Township Legal Counsel and additional Legal Counsel concerning a dispute involving the Township that is the subject of a pending or imminent court action. The following were invited to attend: Township Legal Counsel, Michael McCarthy, additional Legal Counsel Robert Weisman, and Township Administrator Gail Messmer.

Seconded by Mr. Cassady.

VOTE: Katz – yes, Cassady – yes, Quigley – yes.

Motion by Mr. Katz to return to Regular Session.

Seconded by Mr. Cassady.

VOTE: Katz – yes, Cassady – yes, Quigley – yes.

There was no further business, meeting adjourned at 9:32 a.m.

Nelson Katz, Chairman

John M. Cassady, Vice Chairman

Robert W. Quigley, Trustee

Attest: Joel M. Spitzer, Fiscal Officer