AUGUST 13, 2015
PAULSBORO, N.J.
6:00 P.M.

SPECIAL MEETING

Council Chamber:

Mayor Hamilton presided at the Special Meeting of Council held on the above date and place.

Mayor Hamilton called the Special Meeting to order.

Borough Clerk VanScoy read the opening statement regarding the Open Public Meetings Act.

Mayor Hamilton stated this matter going on will have no outburst because if there is an outburst, let it be the first and let it be the last as the individual will be escorted out or just leave as simple as that. There will be no outburst at this time.

Members present were: Council President Kidd, Councilman Gatewood, Councilman Giovannitti, Councilman Holloway, Councilman Stevenson, Councilwoman Turner.

This Special Meeting was called to discuss personnel and pending litigation.

Solicitor Angelini stated Mayor and Council are at this Special Meeting which was advertised to discuss personnel and pending litigation. The pending litigation will be discussed after the regular business herein. Mayor and Council are here because there may be or may be not some action taken with respect to the Administrator, LeeAnn Ruggeri, who also holds a couple of other positions with respect to the JIF. Miss Ruggeri was “riced” pursuant to the statute and her lawyer is sitting beside her at the Council table and has indicated in a letter that he wanted to have this meeting in public which is Miss Ruggeri’s right, under the statute and under “rice” to have this matter in public. He has no idea what action is going to be taken but as a prelude to any consideration, under 40A:9-138, the Municipal Administrator may be removed by 2/3 vote of the Governing Body, the Resolution of removal shall become effective immediately and if so, Miss Ruggeri has to be paid three (3) month’s severance. If Miss Ruggeri is not dismissed immediately it would become three (3) month’s after the adoption by the Governing Body and she wouldn’t get a severance. That is also in conformance with the Borough Ordinance. The statute provides that any Municipal Administrator serves
at the pleasure of the Governing Body and as long as there is a 2/3 vote can be removed without stating any reasons or any cause. He wanted all to be aware of that statute and the Borough Code. The rest is up to the Mayor and Council.

Mayor Hamilton stated he is switching items No. 4 & 5 and the privilege of the floor will be held after the personnel matter.


Solicitor Angelini explained the above Resolution will be to discuss the pending litigation filed by LeeAnn Ruggeri.

Solicitor Angelini advised Mayor and Council that they are in order to get to the main issue regarding the personnel matter. Council is in order to consider a motion to either terminate or not to terminate if they so choose.

Mr. Matthew Wolf, Attorney for Miss Ruggeri, called for a point of order as he raises the issue of conflict as Mr. Gatewood was the subject of an enforcement action by the Administrator and therefore he would be in conflict and should recuse himself.

Solicitor Angelini questioned what kind of enforcement action Mr. Wolf was talking about.

Administrator Ruggeri stated Mr. Gatewood is a landlord and there was an issue for something that he did which the Borough signed complaints against him.

Solicitor Angelini questioned who signed the complaints against Mr. Gatewood.

Administrator Ruggeri stated she did as the Borough Administrator.

Solicitor Angelini questioned if it was based upon the investigation by the Code people.

Administrator Ruggeri stated by the Code people and the Police Department.
Solicitor Angelini gave his opinion that he didn’t believe that it was a conflict but it was up to Mr. Gatewood and he felt Mr. Gatewood could participate in the proceedings.

Councilman Gatewood stated he would participate.

Mr. Wolf objected to Mr. Gatewood’s participation. He stated a second point of order is as to the lawsuit. There are a number of members of Council who are defendants in the lawsuit and are now being asked to consider her employment status which would be a potential issue for recusal.

Solicitor Angelini stated he thinks the lawsuit was filed recently and it would not have any bearing on whether the Councilmembers could discharge their duties as an elected official. The position of the Administrator has been if not openly discussed its specifics in generally talked about well predating the filing of the lawsuit. Council has to have the ability to do their job and the fact that Mr. Wolf filed a lawsuit on behalf of his client against these people, he doesn’t think that precludes them from doing their job whatever that job may be. Obviously, if Mrs. Ruggeri is terminated, he is sure Mr. Wolf will amend the complaint to include wrongful discharge; retaliatory firing and he guessed it would be all sorted out in the courts.

Mr. Wolf stated he thought each member of Council can make their own decision and he has not thought or planned past this evening.

Solicitor Angelini stated Mr. Wolf was right and he did not mean to make their minds up for them but as their lawyer, his opinion is he doesn’t think it prevents them from acting but certainly each and every member of the Governing Body needs to defend the lawsuit and make up their own mind as to whether or not they feel they should recuse themselves.

Solicitor Angelini asked the members of the Governing Body if anyone wanted to recuse themselves.

Mayor Hamilton stated there isn’t anyone who wanted to recuse themselves.

Mayor Hamilton called for a motion that after reviewing the audit reports and stuff like that, the performance of the Administrator and CFO at the time, the Borough no longer needs her services here and set for termination.

Council President Kidd moved and Councilman Holloway seconded to move the above motion.
Councilman Giovannitti questioned the Solicitor if he spoke with the JIF MEL Insurance attorney.

Solicitor Angelini stated he spoke with him yesterday on the phone at Councilmen Giovannitti and Stevenson’s direction. He spoke with the MEL Attorney and the Borough’s Labor Attorney, Mr. Gelfand.

Councilman Giovannitti asked if they were recommending that this action take place.

Solicitor Angelini stated he is not recommending anything. The attorney is okay with the matter proceeding forward because whether Council does it now or whether Council does it six (6) weeks from now, most likely Ms. Ruggeri’s attorney is going to amend the complaint to include a retaliatory discharge/firing, wrongful discharge. If the Governing Body wants to take that action, and he discussed with him any possible, potential ethical problem because Council is being sued and they both agreed and Mr. Gelfand agreed that they didn’t have a problem with that. That is where the Borough is. He can’t guarantee that there won’t be further problems against the additional counts. Like anything else, it will go through the courts and work its way through discovery and the facts will come out up or down the facts will come out.

Councilman Giovannitti stated he wanted to make sure the Borough was protected because of the law.

Solicitor Angelini stated they are in the process of getting names from the Risk Manager as to who is going to defend the lawsuit that Ms. Ruggeri has filed against the Borough.

Councilman Stevenson stated the first thing Mayor Hamilton said was “we are going to go with this motion here” which meant he has already talked with other Council people on this motion prior to getting rid of LeeAnn because that is how he said it and he said “we are going to go with this motion right here”.

Mayor Hamilton stated he always says “we” as a group.

Councilman Stevenson stated to please don’t include him in his group there because he never spoke to him and he will let other people speak for themselves. He asked Borough Clerk VanScoy to have the motion read back, please.

Borough Clerk VanScoy stated the motion was to terminate Administrator Ruggeri.
Councilman Stevenson stated that wasn’t all that Mayor Hamilton said. Something was said about her job. He wanted the whole motion.

Borough Clerk VanScoy stated she could stop the recorder and replay the motion.

Solicitor Angelini stated to let him be clear the statute says an Administrator serves at the pleasure of the Governing Body.

Councilman Stevenson said to Solicitor Angelini, “Mr. Solicitor, please, please stop being the seventh Councilmember”. He heard what they said. He just wanted it read back. He heard what he said earlier about they can do anything. He just wanted what the motion was and that is all that he asked for.

Solicitor Angelini stated “my apologies”.

Councilman Stevenson stated thank you and the thing he is getting to here is that she has been out of the CFO job for a long time, now if Council had fired her back then, maybe it would be a different story. But now it is the Administrator job that Council is firing her from which to his knowledge, nothing has ever crossed his paperwork or desk that she has done a horrible job as the Administrator. He has had nothing but great reports and things. Since she has already been stripped of CFO, he would like to know that because has the Borough ever fired and he has sat in Council meetings for twenty years and there has always been CFO audit things coming up about four (4), five (5), six (6) things that need to be done and he has never seen the CFO fired or the Administrator for that matter fired. All of a sudden Council is firing somebody. He thought this needed a lot more discussion and he thinks this firing is wrong and he just had to question the motion because he wanted it right out there exactly what the motion said she is being fired for.

Mayor Hamilton stated there is a motion on the floor and that is Resolution No. 154.15.

**R. #154.15: RESOLUTION OF THE BOROUGH OF PAULSBORO TERMINATING AND OTHERWISE DISCHARGING LEEANN RUGGERI FROM THE POSITION OF BOROUGH ADMINISTRATOR, JIF FUND COMMISSIONER AND JIF CLAIMS COORDINATOR.** (The motion is stated above.) Roll call: Ayes: Council President Kidd, Councilman Gatewood, Councilman Holloway, Councilwoman Turner. Nays: Councilman Giovannitti, Councilman Stevenson (“this is a travesty”). **Motion carried.**

Mr. Wolf asked for a point of order and questioned “no public discussion, no debate among Council or no opportunity for Ms. Ruggeri to respond? Is that how this is going down?
Solicitor Angelini stated there will be a public portion thereafter. The statute provides upon a 2/3 vote of the Governing Body, the Administrator can be terminated without cause. He heard the vote. So, there was no discussion because 2/3 vote was achieved. If 2/3 vote was not achieved, and if there was going to be a desire to terminate Ms. Ruggeri for cause, then obviously there would have had to have been facts put on the record to support the termination.

Mr. Wolf stated his point is that she serves at the pleasure and that displeasure should be manifested itself in the discussion unless there was discussion prior to Council coming up here and voting.

Mayor Hamilton stated Council wants to appoint at this time Acting Administrator and would be Lorraine Boyer who is also the CMFO at this time. She will assume the duties of LeeAnn Ruggeri at this time.

Solicitor Angelini stated pursuant to the Borough Code, the Administrator is appointed by the Mayor with the advice and consent of the Borough Council. There needs to be advice and consent meaning to appoint, Council has to approve it.

R. #155.15: RESOLUTION OF THE BOROUGH OF PAULSBORO APPOINTING LORRAINE BOYER AS ACTING BOROUGH ADMINISTRATOR.

Mayor Hamilton stated Lorraine would also assume the duties of JIF Coordinator for the Borough of Paulsboro at this time.

Solicitor Angelini stated there is two (2) positions that Ms. Ruggeri had which were JIF Fund Commissioner and JIF Claims Coordinator. If Council wants to appoint Lorraine then it should be added to the motion.

Solicitor Angelini further stated Ms. Ruggeri is entitled to immediate 90 day compensation, so a check is going to have to be cut to Mrs. Ruggeri for three (3) month’s salary.

Mayor Hamilton stated and with that said he also would like Ms. Ruggeri to turn over her keys and stuff immediately before she leaves today and if she does come back to the Borough Hall at any time to please have an escort by the police department as she is not permitted in the Offices.

Solicitor Angelini stated it is a public building and if she wanted to stop in and say hi to Kathy....

Mayor Hamilton stated he meant not to go behind the glass in the main office. Ms. Ruggeri can’t be in there and if she wants to go in there she would be violating
what he has asked her not to do. She can come and visit as it is a public building but she is not allowed to go inside the main office and stand behind that glass.

Mr. Wolf questioned if Council was going to pass a Resolution to that effect.

Mayor Hamilton questioned if he had to have a Resolution passed.

Solicitor Angelini stated he would think…. It is a public building.

Mayor Hamilton further stated they have done it before with everyone else who came through even the former Chief of Police.

Solicitor Angelini stated he thinks Council would have to pass a Resolution if he really wants to take that... With all due respect, he felt a Resolution would have to be passed.

R. #156.15: RESOLUTION OF THE BOROUGH OF PAULSBORO
RESTRICTING ACCESS OF LEEANN RUGGERI IN THE MUNICIPAL BUILDING OF THE BOROUGH OF PAULSBORO.

Councilman Holloway moved and Council President Kidd seconded to adopt R. #156.15.

Councilwoman Turner questioned the motion. Is this for any employee that has worked at the Borough or are we talking about one (1) person.

Mayor Hamilton stated it would be all the employees in the past.

Council President Kidd clarified in other words what the Mayor is saying is the front office where the fees are collected, the money, etc. that Mrs. Ruggeri would not be allowed behind there.

Solicitor Angelini stated he understood but he didn’t know if the Borough had a policy on that or not but unless the person is here on Borough business or if an employee or an official of the Borough, why would a person be back there. On the other hand it is a public building and he didn’t know if there was a policy on that and that is why he agrees with the Attorney that the Borough ought to have a policy on that and Council would have to pass a Resolution.

Roll call: Ayes: Council President Kidd, Councilman Holloway, Councilwoman Turner. Nays: Councilman Gatewood, Councilman Giovannitti, Councilman Stevenson. The vote was a tie vote and Mayor Hamilton voted yes in favor of the Resolution. Motion carried.

Mayor Hamilton informed of no outbursts and he asked the public at the beginning of the meeting to not have any outbursts.

Solicitor Angelini advised the Governing Body; and he certainly can’t duct tape their mouths or put his hand over their mouths but he advised every one of Council
to make no comments. The Borough has been sued and Mrs. Ruggeri’s Attorney is present. The people want to come and speak their minds, that is perfectly permissible but Council is not going to get into a question and answer session particularly since there is pending litigation against four (4) defendants and the Borough of Paulsboro. With that if Mayor Hamilton wants to open the meeting to the floor.

Councilman Giovannitti questioned if Mrs. Boyer has agreed to take the position.

Mayor Hamilton stated yes she agreed but as she is not here, she stated she would do the job.

Mayor Hamilton opened the floor to the public at 6:26 p.m., asked anyone speaking to give their name and address, reminded everyone there was a five (5) minute time limit and to silence all electronic devices.

Robert Parks, 451 Mantua Avenue, presented a petition to Mayor and Council which respectfully requests from Council to cease and desist all efforts to terminate LeeAnn Ruggeri from her position in the Borough of Paulsboro and to end the personal vendetta and witch hunt. Ms. Ruggeri only has the town’s best interest at heart. She has done many great things for this town without any personal agendas or being politically motivated. To remove Ms. Ruggeri would be doing this town a great disservice. He has the signatures of 98 registered voters in this town who are highly upset right now with what’s going on. In his opinion, those members are a disgrace to their seat and to this town. As President of the Paulsboro Little League, he takes it personally and it is a slap in the face to decide to schedule this meeting while the Little League Girls Team is participating in the New Jersey State Tournament right now. What Council is doing to this lady is a disservice.

Nate’ Woodards, 30 Roosevelt Street, on behalf of the family of Jerome Beverly to request that Council commemorate Mr. Beverly’s hard work and passion for the Paulsboro Midget Football program, the baseball program and the community by naming the football field the Jerome Beverly, Sr. Memorial Football Field as part of the Louis J. Damminger, Jr. Memorial Sports Complex. The community is about pride and excellence and Jerome Beverly has shown both pride and excellence through his several years of service to the Paulsboro Recreation Committee, dedication to the Baseball program and over 25+ years of commitment to the Paulsboro Midget Football program. They are asking for Council’s approval that as of Tuesday, September 1, 2015 this name change takes into effect and to officially (ceremoniously) dedicate the field at Paulsboro Midget Football’s first home game of the season on September 19, 2015. They are also requesting permission to hang a 6 x 6 to 8 x 8 sign of Jerome created and donated by the Paulsboro High School Art and Workshop students to hang on the press box at the field. She presented a petition with 200 names.

Solicitor Angelini stated the meeting has already been advertised as a Special Meeting to discuss personnel and pending litigation. This item is not part of the meeting to be discussed. This should be discussed at the next meeting.

Mayor Hamilton stated Council will discuss the request at the next meeting on September 1, 2015.
Larry Haynes, 401 DuPont Avenue, expressed some of his concerns, as Council knows when Ms. Ruggeri was hired and the recommendation was brought to Council by the Finance Committee. The Auditor at that time made a point to let Council know that even though Ms. Ruggeri did financial stuff with the Improvement Authority that municipal finances were a little different. Knowing that there were differences in the two different jobs between the Improvement Authority and the Municipal appointment, there is going to be differences. Council knew there was going to be shortfalls and that was one of the reasons why Council agreed to send her to school so that she could get certified as a Municipal Finance Officer. Once the Audit Report came back, there was nothing that in his 27 years on Council, that he hadn’t seen before. The thing of it is, before Council took that vote, Council should have read Clementon’s Audit Report for 2014. There is pages upon pages upon pages of inconsistencies and remedies that need to be taken and some of them are pretty serious such as paying bonds, not doing this or that similar to what he thought some of what Ms. Ruggeri’s were. The other thing is he is surprised Councilman Gatewood could sit here and vote when he hasn’t been to a Council meeting forever. He only took office last week so anything that he voted on tonight, he would have heard from other members of the Council.

Councilman Gatewood informed Mr. Haynes that they will discuss it.

Larry Sheffield, 1658 Swedesboro Avenue, stated sometimes decisions have to be made that are prudent and from what he read in the newspaper and understood, it needed to be addressed and the Borough needs to move forward in the most efficient, effective and in a positive direction.

Barry Corradetti, 1820 Overbrook Avenue, stated in response to Mr. Sheffield’s remarks that Ms. Ruggeri was not fired tonight as the CMFO but was fired as the Borough Administrator. He thought that needed to be out there. As the CMFO she has been demoted and she is not in that position at this point. She lost a $70,000 salary that went along with that position and as the Borough Administrator she was making $20,000 per year annually and also making $3,000 as the JIF Administrator but her total salary was $23,000 per year as Borough Administrator. As Borough Administrator, Ms. Ruggeri has been praised publically on several occasions by Councilwoman Jennifer Turner right here at these meetings, who is the Recreation and Community Betterment Chairperson, for her dedication to the community and getting things done as Borough Administrator. Also, Ms. Ruggeri has been publically praised by the Senior Citizens Club President, Mary Harris for securing available grant money, grant money that was due to expire for much needed repairs on the Senior Citizen’s Building. She has also been publically praised by Mr. Parks, President of the Paulsboro Little League for acquiring needed funding to upgrade the fields, concession stand, bleachers, scoreboards and more and also her personal time at the fields to see that these jobs are getting done. Also, he has publically praised her as President of the Neighborhood Watch. He doesn’t know what is going on behind the scenes but his personal dealing with Ms. Ruggeri have been nothing but positive, when he reached out if he had a question, she has always gotten back to him in a timely manner and if she didn’t know the question she would still get back to him. There is a lot of praise that she has gotten. He questioned why Mayor Hamilton would make contact with the local newspapers and bring to their attention the Borough’s 2014 Audit and make statements concerning Ms. Ruggeri’s job performance. This being a personnel matter, is it not highly inappropriate of a Mayor? Also, why was this meeting rescheduled for tonight? The same night the Girls’ Softball Team is hosting a State Tournament and at the same
time the girls take the field at 6:00 p.m. tonight? He further questioned if this is where Council needs to be right now? This team has come so far in the past two (2) years and this is the time for pride and celebration instead here we are. One word that comes to mind to describe this meeting and Councilman Stevenson used a better word than he did and that is travesty but he is using another word which is shameful.

Keenan Williams, 1699 Dayton Avenue, stated he remembered back when Council was reading the reasons to be or not to be and he thinks it was said that someone can be fired without reason.

Mary Harris, 265 Vanneman Boulevard, stated she wanted to take this opportunity to thank LeeAnn for what she has done for the Paulsboro Senior Citizens. She wanted to take this opportunity once again and she has been here many times and she has said the same thing. She thanked Ms. Ruggeri for what she has done and accomplished at the Paulsboro Senior Citizen Building. She had come to the Borough many, many times asking about the $45,000 grant that they had gotten. Each time she came she was told it was being looked into or no one knew what she was talking about. LeeAnn found out what she was talking about and she got the money. The Senior Citizen’s got a beautiful building, a new shed, sprinkler system in the building, etc. She again thanked Ms. Ruggeri. She further stated her heart is heavy tonight because of this. She is a God fearing person and she does not like to see people humiliated as it breaks her heart when she sees people hurt anybody. She told LeeAnn God bless in whatever she does or wherever she may go. She prays God will give LeeAnn many, many blessings.

Tom Ridinger, 529 North Delaware Street, stated in the years he has been on the school board, LeeAnn’s been here and she is “Johnny on the spot” to help them out. Several grants that they had to do and grants that have been in conjunction with the Library, she is again “Johnny on the spot”. This is a real travesty and to Council President Kidd in January he became Council President and talked about all the good he was going to do, this is horrible. To Mayor Hamilton he is talking about personnel issues to the Inquirer and that is horrible. To Mr. Gatewood he had legislation against him in this Borough and voted. He doesn’t care what someone told him but this is wrong. It is a real travesty and Council ought to be ashamed of themselves.

There wasn’t any further public participation.

Council President Kidd moved and Councilman Giovannitti seconded to close the floor to the public at 6:45 p.m. All were in favor of the motion.

Mayor and Council recessed at 6:45 p.m.

Mayor and Council went into Executive Session at 6:55 p.m. to discuss the pending litigation filed by LeeAnn Ruggeri.

Mayor and Council reconvened the Special Meeting at 7:00 p.m.
R. #157.15: RESOLUTION OF THE BOROUGH OF PAULSBORO
APPOINTING LORRAINE BOYER AS JIF FUND COMMISSIONER AND JIF
CLAIMS COORDINATOR. Council President Kidd moved and Councilman
Giovannitti seconded to adopt R. #157.15. Roll call: Ayes: Council President Kidd,
Councilman Gatewood, Councilman Giovannitti, Councilman Holloway,
Councilman Stevenson, Councilwoman Turner. Nays: None. Motion carried.

There wasn’t any further Borough business for the Special Meeting.

Council President Kidd moved and Councilman Giovannitti seconded to adjourn
the Special Meeting at 7:03 p.m. All were in favor of the motion.

This is a brief summary of the Special Meeting of the Mayor and Council of the
Borough of Paulsboro held on August 13, 2015 and should not be considered a
verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

W. Jeffery Hamilton, Mayor