

**TOWNSHIP OF FRANKLIN
GLOUCESTER COUNTY**

RESOLUTION R-149-22

**IMPOSING EMPLOYEE DISCIPLINE IN ACCORDANCE WITH
RECOMMENDATION OF HEARING OFFICER**

WHEREAS, the Township of Franklin initiated disciplinary charges (hereafter “the Charges”) against a Township of Franklin employee (“the Employee”); and

WHEREAS, the Charges proceeded to hearing before Justice John Wallace, New Jersey Supreme Court (retired) on May 2, 2023 and June 12, 2023; and

WHEREAS, Justice Wallace found the Employee guilty of said charges “by clear and convincing evidence, as well as by proof beyond a reasonable doubt;” and

WHEREAS, Justice Wallace further provided a recommendation regarding the penalty to be imposed; and

WHEREAS, the Administrator has communicated Justice Wallace’s decision respecting guilt and recommendation regarding penalty via a confidential memo to the Committee dated June 12, 2023; and

WHEREAS, the Employee was provided notification pursuant to Rice v. Union Cty. Reg'l High Sch. Bd. of Ed., 155 N.J. Super. 64, 382 A.2d 386 (App. Div. 1977) that the recommended discipline for the sustained offenses enumerated above would be discussed at the Township Committee meeting on June 13, 2023 and was additionally directed to advise no later than June 6, 2023 if they wished to exercise their right to have their employment discussed in the open public session of the meeting; and

WHEREAS, the Employee has not responded to the Rice notice, and has not otherwise requested the discussion to take place in the open public portion of the meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin, in the County of Gloucester, New Jersey, that the Township Committee adopts the decision of Justice Wallace, and directs that the Township Administrator is hereby authorized to impose discipline upon the Employee in accordance with Justice Wallace’s recommendation; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to all parties involved in the administration of this action.

ADOPTED, at a regular meeting of the Township Committee of the Township of Franklin on June 13, 2023

COMMITTEE MEMBER	MOTION	2 nd	YES	ABSTAIN	NO	ABSENT
T. Doyle						
J. Keen						
M. Marsh						
H. Flaim						
J. Bruno						

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Clerk

John Bruno, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Franklin Township Committee held on June 13, 2023.

BARBARA FREIJOMIL, Municipal Clerk