



TOWN OF PALM BEACH

TOWN CLERK'S OFFICE

MINUTES OF THE ADMINISTRATIVE & PERSONNEL COMMITTEE MEETING HELD ON THURSDAY, MARCH 15, 2018 AND MONDAY, MARCH 19, 2018

I. CALL TO ORDER AND ROLL CALL

The meeting of the Administrative and Personnel Committee was called to order at 8:00 a.m. on Thursday, March 15, 2018, in the Town Council Chambers. On roll call, Chair Richard M. Kleid and Committee Member Julie Araskog were present.

Attorney Isidro M. Garcia represented Mr. Allen Powery; Attorney Brett Schneider represented the Administrative and Personnel Committee; Attorney Margaret Cooper represented the Town of Palm Beach.

II. APPROVAL OF AGENDA

It was the consensus of the Administrative and Personnel Committee to approve the Agenda, as printed.

III. OPENING STATEMENTS

Attorney Schneider addressed some housekeeping matters as they related to the schedule of certain witness testimonies and the late submittal of exhibits by the grievant's attorney.

Town Attorney Cooper presented her opening statement.

Attorney Garcia provided his opening statement.

IV. PRESENTATION OF TOWN'S CASE [MARGARET COOPER, ATTORNEY]

Town Attorney Cooper presented her exhibits and called her witnesses. All the witnesses were sequestered during the meeting and ordered not to discuss the case or any matters related to the case while outside of the hearing.

Chair Kleid administered the oath to those providing testimony. The following witnesses were called and cross-examined:

- H. Paul Brazil, P.E., Director of Public Works
- Patricia Strayer, Town Engineer

Attorney Garcia was able to cross-examine each witness as they took the stand.

The Administrative and Personnel Committee Meeting recessed at 1:30 p.m. for lunch.

V. PRESENTATION OF ALLEN POWERY’S CASE [ISIDIRO GARCIA, ATTORNEY]

Attorney Garcia presented his exhibits and called his witnesses.

Town Clerk Dominguez administered the oath to those providing testimony:

The following witnesses were called and cross-examined:

- Mike Roach, Project Engineer
- Jeff Sanon, Project Engineer
- Chuck Langley
- Debbie Payne
- Allen Powery
- Jeffrey Sanon

VI. REBUTTAL BY TOWN [H. PAUL BRAZIL, P.E., DIRECTOR OF PUBLIC WORKS]

Attorney Cooper provided the Town’s rebuttal.

VII. REBUTTAL BY ALLEN POWERY [ALLEN POWERY]

Attorney Garcia provided Mr. Powery’s rebuttal.

VIII. CLOSING STATEMENT

Attorney Cooper provided her closing statement.

Attorney Garcia provided his closing statement.

The Administrative and Personnel Committee Meeting recessed at 8:30 p.m. on Thursday, March 15, 2018, until 9:00 a.m. on Monday, March 19, 2018.

IX. DELIBERATION AND DECISION BY THE ADMINISTRATIVE AND PERSONNEL COMMITTEE

CALL TO ORDER AND ROLL CALL

The meeting of the Administrative and Personnel Committee was reconvened and called to order at 9:35 a.m. on Monday, March 19, 2018, in the Town Council Chambers. On roll call, Chair Richard M. Kleid and Committee Member Julie Araskog were present.

Chair Kleid announced that this is a continuation of the hearing which began on Thursday, March 15, 2018 and that the committee is now in the deliberation and decision stage.

Attorney Schneider reminded the members of the applicable rules of the Administrative and Personnel Committee related to the Roles and Findings of the Committee.

Committee Member Araskog read aloud her findings and determined that the allegations brought forth at the hearing do not support the disciplinary action that was taken against the Employee and recommended to sustain the appeal in its entirety.

Chair Kleid read aloud his findings and determined that the allegations brought forth at the hearing support the disciplinary action that was taken against the Employee and recommended to sustain the termination.

Attorney Schneider stated that he will prepare and provide a written order of findings and recommendations pertaining to the grievance for Chair Kleid's signature that will be brought forth to the Town Council for a final determination at their next regularly scheduled meeting on Tuesday, March 20, 2018.

II. ADJOURNMENT

Being there was no further business, the Administrative and Personnel Committee Meetings of March 15 and 19, 2018, concluded at 10:30 a.m.

APPROVED:

Richard M. Kleid, Chair

ATTEST:

Kathleen Dominguez, Town Clerk

Date

