

**Village Board  
Special Board Meeting  
April 29, 2021**

Present: Mayor Lee, Trustees, Fowler, Speer, Zabelny, Farrell  
Kim Fay  
Village Manager/Clerk Shari Pearce  
Amy Harter, Deputy Clerk

Mayor Lee called the meeting to order at 4:30 p.m. with the pledge of allegiance followed by a moment of silence.

**Workplace Violence/Hostile Work Environment**

Two claims were filed January 2021, one by former DPW employee, Cody Kelly and Village Manager/Clerk, Shari Pearce. Both claims are against Trustee Larry Speer for retaliation and workplace violence by creating a hostile work environment. Mr. Kelly was employed by the Village for 10 years; he left his employment within three weeks of filing this complaint.

The Village Board hired in January 2021, Richard Rosenbloom, Esq. to conduct an independent investigation for the two claims that have been submitted to Mayor Joe Lee. The Village Board has asked Mr. Rosenbloom to gather the facts only and submit this to the Mayor upon completion.

The investigation was complete, and the report was filed to the Mayor on April 22, 2021. A special meeting was called by the Mayor to discuss the facts.

The report included testimony from Shari Pearce. Cody Kelly did not respond to any calls or communication from Mr. Richard Rosenbloom, Esq. Mr. Rosenbloom then interviewed Mayor Lee, Trustee Zabelny, Trustee Fowler and former Trustee Fay. Trustee Speer replied to the comments which are listed in the report. Trustee Speer was represented by his own attorney, Ron Mittleman, ESQ.

The basis of this meeting is to discuss the facts and findings in the report. The meeting began with Shari Pearce to read her response to the report. She read a three-page statement to the entire board. Trustee Speer had a chance to respond. There was a detailed discussion that followed regarding certain examples that has transpired over the past 10 months. For the privacy of all involved, this is not being recorded in the minutes. This is a matter of public record, if a resident wants to see the formal report and responses, they can request it through the process of FOIL.

At the conclusion of the report, Mr. Rosenbloom gave an opinion, which he was not asked to do by the Village, which is below:

*The foregoing is a summary of the facts that I found. Although I was instructed to not make any recommendations, it was apparent to me that many long-time employees of the Village were unhappy and uncomfortable with the internal strife, and some were even afraid of the current work atmosphere and that this created a hostile work environment.*

### **Action by the Village Board**

At this time, the board gave their opinion and comments regarding the findings to Trustee Speer and Shari Pearce.

Trustee Shannon Zabelny stated these are serious allegations, whether the board votes for No Confidence or Censure, this is a difficult situation and extremely troubling, not only for the complainant but for others and employees. Trustee Shannon Zabelny stated Shari does so much good for the Village and Trustee Speer has hurt her heart and soul.

Former Trustee Kim Fay stated he is very respectful of Mr. Speer, but he stepped over the bounds for another person and Shari deserves an apology.

Trustee Sherry Farrell stated she has known Trustee Speer for a long time and contributes a lot to the board. She understands he has apologized to Shari. She noted there is opposition every time we meet as a board and she wants Trustee Speer to put the past behind. She also stated he has great ideas and valued and the board needs him. She wants to get past this, and the Village needs Shari.

Trustee Speer stated he wasn't aware he was creating such an atmosphere; he knows what it is like to be in the spotlight and didn't know he was causing an issue.

Mayor Lee stated Trustee Speer has not spoken to him in a very long time, he is disappointed with Larry's behavior and has no confidence in his abilities on the board. He stated he will likely revert back to his negative ways. Mayor Lee stated he will not stand for the behavior to continue.

Trustee Fowler stated he has confidence in Trustee Speer, as he has sat in this room during this uncomfortable conversation and believes the board can grow out of it. Trustee Fowler also offered to help mend relationships.

Trustee Farrell agreed with Trustee Fowler and feels Trustee Speer can move on and the board as a whole can be better.

Shari Pearce commented that she is very concerned that Trustee Speer does not recognize his behavior has caused such havoc and negativity; retaliation is still a concern for her future with the Village.

**Resolution** made by Trustee Fowler to amend the Village of Hilton’s Workplace Violence Prevention Program Handbook to list “Members of the Village Board of Trustees” as a “Designated Contact Person.” Seconded by Trustee Zabelny. Carried unanimously 5-0.

**Resolution** made by Trustee Fowler for the Village Board to acknowledge that we stand behind the Village of Hilton policies and Employee Handbook and believe that these policies should be best practices for all employees and Elected Officials to follow. Seconded by Trustee Farrell. Carried unanimously, 5-0.

**Resolution** made by Trustee Fowler to acknowledge that the Village Board of Trustees and received and reviewed two workplace violence complaints and the ensuing investigative report compiled by Richard D. Rosenbloom, Independent Fact-Finder. Seconded by Trustee Zabelny. Carried unanimously, 5-0.

Deputy Clerk Amy Harter explained the procedures that as a board member, Trustee Speer may recuse himself from the board’s decision, but he is not required to. He is permitted vote on the board’s decision.

**Resolution** made by Mayor Lee a vote of No Confidence of Trustee Speer, seconded by Trustee Zabelny. Trustees Fowler, Farrell and Speer opposed; motion denied 2-3.

**Resolution** made by Trustee Fowler to Censure Trustee Speer based on complaints made by Shari Pearce and Cody Kelly, seconded by Trustee Farrell. Motion carried 4-1, Trustee Speer opposed.

A letter will be sent to both complainants acknowledging the complaints and explaining that an investigation was conducted and acted upon.

The meeting was adjourned at 6:32, motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried 5-0.

Respectfully Submitted,

Amy Harter, Deputy Clerk