

February 18, 2025

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2025-103

**RESOLUTION AUTHORIZING THE SETTLEMENT OF PENDING LITIGATION
BEFORE THE SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY
ENTITLED HERRERA-LOPEZ, ET AL. v. BOROUGH OF BRADLEY BEACH, ET AL.,
DOCKET NO. MON-L-1807-23**

WHEREAS, on or about June 12, 2023, a Complaint was filed against the Borough of Bradley Beach, County of Monmouth, State of New Jersey (the “Borough”) by certain maintenance workers employed by the Borough, entitled *Herrera-Lopez, et al. v. Borough of Bradley Beach, et al. – Docket No. MON-L-1807-23* (the “Action”), wherein it is alleged that the Borough’s prior administration failed to pay required overtime wages, and further failed to provide required employment benefits to plaintiff-employees, in violation of law; and

WHEREAS, the Borough denied the allegations and claims made in the Action; and

WHEREAS, the Borough’s current administration finds it to be in the best interests of the taxpayers of the Borough and the plaintiff-employees that the Action be fully and finally settled;

WHEREAS, the Chief Financial Officer has certified funds in the amount of \$40,000.00 from Account Number _____;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, hereby authorizes the full and final settlement of *Herrera-Lopez, et al. v. Borough of Bradley Beach, et al. – Docket No. MON-L-1807-23*, and directs the Borough Administrator to execute the Settlement Agreement, attached hereto as Exhibit A, and in accordance therewith, make payment to the respective plaintiffs, in the total amount of \$40,000.00, as follows:

- | | |
|--------------------------|-------------|
| a. Manuel Herrea-Lopez | \$2,400.00 |
| b. Antonia Lopez-Herrera | \$7,600.00 |
| c. Isabel Sanchez-Garcia | \$8,400.00 |
| d. Olivia Guerrero | \$10,400.00 |
| e. Adelina Montoya | \$11,200.00 |

BE IT FURTHER RESOLVED that a copy of this Resolution, together with the executed Settlement Agreement, shall be filed with the Borough Clerk, and forwarded to the Borough Administrator, Borough CFO, Borough Attorney, Labor Attorney, and JIF Defense Counsel.

CHIEF FINANCIAL OFFICER CERTIFICATION

John Barrett, Interim Chief Financial Officer

I hereby certify that legally appropriate funds are available in the following accounts:

_____ **in the amount of \$40,000.00**
(Forty Thousand Dollars 00/100).

Seconded by Councilman _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeNoble				
Ms. Greenblatt				
Mr. Nowicki				
Mr. Weber				
Mayor Gubitosi				

CERTIFICATION

I, Erica Kostyz, Municipal Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the February 18, 2025 Council Business Meeting.

ERICA KOSTYZ, RMC, CMR
Municipal Clerk