

February 3, 2026

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2026-68

**RESOLUTION AUTHORIZING THE SETTLEMENT OF PENDING LITIGATION
BEFORE THE SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY
ENTITLED MONTOKA-MERINO v. BOROUGH OF BRADLEY BEACH,
DOCKET NO. MON-L-3181-25**

offered the following Resolution and moved its adoption:

WHEREAS, a Complaint was filed against the Borough of Bradley Beach, County of Monmouth, State of New Jersey (the “Borough”) by a maintenance worker employed by the Borough, entitled *Montoya-Merino v. Borough of Bradley Beach – Docket No. MON-L-3181-25* (the “Action”), wherein it was alleged that the Borough’s prior administration failed to pay required overtime wages; 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 issued a Certificate of Available Funds in the amount of \$8,062.13;

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 *Montoya-Merino v. Borough of Bradley Beach – Docket No. MON-L-3181-25*, and directs the Borough Administrator to execute the Settlement Agreement, attached hereto as Exhibit A, and in accordance therewith, make payment in the total amount of \$8,062.13, as follows:

- | | |
|---|------------|
| a. Marina Montoya-Merino | \$6,562.13 |
| b. Escandon, Fernicola, Anderson, Covelli & McPherson | \$1,500.00 |

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, and JIF Defense Counsel.

Seconded by Councilperson _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeNoble				
Ms. Greenblatt				
Mr. Karp				
Mr. Nowicki				
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 3, 2026 Council Meeting.

Erica Kostyz, RMC, CMR
Municipal Clerk