

April 26, 2023

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION 2023-142

**A RESOLUTION OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING AN INDEPENDENT
INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES REGARDING THE
BOROUGH'S RECENT PREPARATION FOR, AND EXECUTION OF, COLLECTIVE
BARGAINING NEGOTIATIONS**

Councilman Gubitosi offered the following Resolution and moved its adoption:

WHEREAS, the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey (the "Borough") is authorized to conduct municipal investigations into any affairs and/or operations of the Borough; and

WHEREAS, the Mayor and the Council hold the Public Trust in the highest regard and have an obligation to serve the public with transparency and with the utmost integrity, and

WHEREAS, during 2022, the Borough began preparations to conduct collective bargaining negotiations with unions for contracts to be effective January 1, 2023, and

WHEREAS, during the aforementioned collective bargaining preparation, certain roles were assigned to individuals who would serve to objectively represent the Borough, as Fiduciaries to the public, and

WHEREAS, in light of the foregoing circumstances, the Borough wishes to have independent counsel assess these circumstances to provide assurance that there have been no perceived or actual violations of ethical or legal principles; and

WHEREAS, Borough has resolved to investigate the matter to ensure the legitimacy of the negotiation process and to implement corrective action(s), if necessary;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bradley Beach, County of Monmouth, State of New Jersey as follows:

1. The Borough hereby resolves to retain independent counsel to ensure a transparent and detached investigation of the facts and circumstances of this matter.
2. The Borough Attorney, who has had no involvement in the subject union negotiations, shall solicit quotes from qualified attorneys to present to the Governing Body for retention in a future Resolution for consideration and approval.

Seconded by Councilperson DeNotble and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeMarco		X		
Ms. DeNoble	X			
Mr. Gubitosi	X			
Mr. Weber	X			
Mayor Fox		X		

CERTIFICATION

I, Erica Kostyz, Borough Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the April 26, 2023 meeting.


Erica Kostyz, RMC, CMR
Municipal Clerk