

**RESOLUTION NO. 09-280**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION REAPPOINTING CAROLYN SCHWEBEL  
TO THE MIDDLETOWN HUMAN RIGHTS COMMISSION  
AND AUTHORIZING SETTLEMENT OF CLAIM**

**WHEREAS**, Carolyn Schwebel (“the Complainant”) filed a Complaint against the Township of Middletown (“the Township”) with the New Jersey Division of Civil Rights (“the Division”) alleging various violations of New Jersey’s Law Against Discrimination (“LAD”) (N.J.S.A. 10:5-1 et seq.) in relation to her non-reappointment to the Middletown Human Rights Commission upon the expiration of her term of office on December 31, 2007; and

**WHEREAS**, the Complainant, however, has continued to serve on the Middletown Human Rights Commission as a holdover member as no qualified successor was ever appointed to her seat; and

**WHEREAS**, the Township and the Complainant have participated in the Division’s conciliation process and have agreed upon the entry of a Consent Order and Decree, a copy of which is attached hereto, that must be executed by the parties; and

**WHEREAS**, under terms of this settlement, the Township does not admit to any violation of the LAD; and

**WHEREAS**, under terms of this settlement, the Township agrees to formally reappoint the Complainant to the Middletown Human Rights Commission for a term expiring no later than December 31, 2011, compensate the Complainant in the amount of \$5,000 that must be donated to a duly registered non-profit organization, and pay the Complainant’s attorney fees totaling \$2,000; and

**WHEREAS**, the Township Administrator and Attorney, who participated in the Division’s conciliation process on the Township’s behalf, recommend the execution of the attached Consent Order and Decree as a reasonable settlement to this matter that is in the best interests of the taxpayers, rather than pursuing to challenge the claim in court.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Mayor and Clerk are hereby authorized to execute the proposed Consent Order and Decree attached hereto on behalf of the Township.

**BE IT FURTHER RESOLVED** that the Complainant is hereby appointed to seat number one on the Middletown Human Rights Commission, with a term expiring on December 31, 2011.

**BE IT FURTHER RESOLVED** that the Acting Chief Financial Officer is hereby authorized to issue checks payable pursuant to the terms of the attached Consent Order and Decree drawn on accounts pursuant to the certified availability of funds described herein.

<b>Committee Member</b>	<b>Approved</b>	<b>Opposed</b>	<b>Abstain</b>	<b>Absent</b>
S. Byrnes				
A. Fiore				
P. Short				
G. Scharfenberger				
Mayor Brightbill				

**CERTIFICATION**

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held December 7, 2009.

WITNESS, my hand and the seal of the Township of Middletown this 7th day of December, 2009.

\_\_\_\_\_  
HEIDI R. BRUNT  
TOWNSHIP CLERK