

J. FRANK VESPA-PAPALEO, ESQ., DIRECTOR  
NEW JERSEY DIVISION ON CIVIL RIGHTS  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DCR DOCKET NO.: **EN31JM-53700**

|                               |               |   |                          |
|-------------------------------|---------------|---|--------------------------|
| <hr/>                         |               | ) |                          |
| CAROLYN SCHWEBEL, and         |               | ) |                          |
| J. FRANK VESPA-PAPALEO, ESQ., |               | ) |                          |
| DIRECTOR,                     |               | ) |                          |
|                               |               | ) |                          |
|                               | Complainants, | ) |                          |
|                               |               | ) |                          |
| v.                            |               | ) | CONSENT ORDER AND DECREE |
| MIDDLETOWN TOWNSHIP           |               | ) |                          |
|                               |               | ) |                          |
|                               | Respondent.   | ) |                          |
| <hr/>                         |               | ) |                          |

**I. DEFINITIONS**

A. "Complainants" mean the above named complainants in this matter.

B. "Law Against Discrimination" means the Law Against Discrimination as codified by  
N.J.S.A. 10:5-1 to -42.

C. "Respondent" means the above named respondent in this matter.

**II. STATEMENT OF PRINCIPLES**

A. Whereas J. Frank Vespa Papaleo, Esq. former Director of the New Jersey Division on Civil Rights and, in the public interest, intervened as a complainant in this matter pursuant to N.J.A.C. 13:4-2.2 (e) and,

B. Whereas the respondent and the Division on Civil Rights desire to assure that the respondent's practices fully afford equal opportunities and equal treatment in compliance with the Law Against Discrimination, the respondent hereby agrees with the Division to establish a specific policy of non-discrimination, as set forth below.

C. All appointment, recruiting, processing, hiring, dismissals and other employment practices shall be maintained and conducted in a manner which does not discriminate or have the effect of discrimination on the basis of race, color, creed, national origin, nationality, ancestry, age, sex, marital status, domestic partnership status, civil union status, affectional or sexual orientation, gender identity or gender expression, atypical hereditary cellular or blood trait or liability for service in the Armed Forces of the United States, mental or physical disability including Aids or HIV related illnesses.

D. The respondent, by signing this agreement, does not admit that it has violated the Law Against Discrimination.

E. The specific actions which are set forth in this agreement are appropriate to the objectives of providing equal opportunities.

F. The Division on Civil Rights certifies that the execution and implementation of this agreement are proper and authorized under its mandates.

### III. REMEDIAL ACTIONS

A. The respondent shall henceforth cease and desist from doing any act prohibited by the Law Against Discrimination, **none of which is admitted pursuant to § II, D above.**

B. The respondent shall compensate Ms. Carolyn Schwebel in the amount of \$5,000.00 contingent upon said compensation being contributed to a duly registered non-profit organization of Ms. Schwebel's choice.

C. The respondent shall formerly appoint Ms. Schwebel to the Middletown Human Rights Commission to continue to serve in a currently vacant seat with a term expiring no earlier than December 31, 2011.

D. The check for \$5,000.00 shall be paid to Ms. Schwebel and shall be delivered to Carlos Bellido, Chief of Staff, at the Division on Civil Rights, P.O. Box 46001, Newark, New Jersey 07102, to the attention of Waleska Lucas, who will, in turn, deliver it to Ms. Schwebel.

E. The respondent shall not engage in any retaliatory conduct against Ms. Schwebel or against any participant in these proceedings or allow any of their employees or elected/appointed officials to engage in any such conduct.

F. The respondent shall continue current training required by its insurance carriers for employees on anti-discrimination policies, rules, and laws, and shall make such training available to volunteers, including members of the Township Committee.

#### IV. ENFORCEMENT

A. This consent order and decree shall have the same force and effect as a cease and desist order issued by the Director pursuant to N.J.S.A. 10:5-19, and shall operate as a complete and final disposition of the aforesaid verified complaint and the complainant's EEOC charge subject only to the fulfillment of all the foregoing provisions.

B. In the event that the respondent defaults with respect to any provision herein, the respondent hereby consents to the entry of this consent order and decree in the Chancery Division of the Superior Court of New Jersey, thereby making this consent order and decree an order of the court for purposes of enforcement therein.

\_\_\_\_\_  
COMPLAINANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
RESPONDENT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CARLOS BELLIDO, ESQ., ACTING DIRECTOR  
DIVISION ON CIVIL RIGHTS

\_\_\_\_\_  
DATE