

Council President Kelly called the meeting to order and requested those present to join her in the Pledge of Allegiance to the Flag.

Council President Kelly read the following statement:

Good Evening Ladies And Gentlemen. This Meeting Is Now Called To Order. In Line With The Borough Of Sea Bright's Longstanding Policy Of Open Government, And In Compliance With The "Open Public Meetings Act" I Wish To Advise You , That Adequate Notice Of This Special Meeting Has Been Noticed To The Asbury Park Press, The Hub/Atlanticville, The Two River Times and the Link on August 8, 2012 And Posted On The Bulletin Board In The Borough Office. In Each Instance, The Date, Time And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public."

ROLL CALL:

PRESENT: Bills, Keeler, Kelly, Leckstein, Murphy, Attorney Oxley.

ABSENT: LoBiondo, Mayor Long

COMMENTS FROM THE PUBLIC: No one wished to be heard.

EXECUTIVE SESSION

Councilman Leckstein introduced and offered for adoption the following resolution :

RESOLUTION NO. 170-2012
Executive Session
BOROUGH OF SEA BRIGHT

WHEREAS, N.J.S.A. 10:4. 12b provides for closed session of the Council as appropriate; and,

WHEREAS, the Public Meetings Act provides for closed session of the Council; and,

WHEREAS, the matters to be discussed involves personnel matters.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issues as herein set forth and when the need for confidentiality no longer

exists the decisions made therein will be made available to the public.

BE IT FURTHER RESOLVED that the Mayor and Council may come back into Regular Session to conduct additional business.

Second by Councilwoman Bills and adopted upon unanimous voice vote.

Ayes: Bills, Keeler, Kelly, Leckstein, LoBiondo

Nays: None

Abstain: Murphy

Absent: None

Councilman Leckstein introduced and offered for adoption the following resolution :

RESOLUTION NO. 171-2012
BOROUGH OF SEA BRIGHT
RESOLUTION TERMINATING THE EMPLOYMENT OF
CHARLES YINGLING

WHEREAS, on or about August 13, 2012, the Borough sustained disciplinary charges against Borough employee Charles Yingling (hereinafter referred to as "Employee"), and;

WHEREAS, the Employee created a hostile work environment by stalking both male and female employees, and;

WHEREAS, the Employee failed to abide by his job description and over stepped his authority by directing others, and;

WHEREAS, the Employee improperly used the Borough's property, cellular telephone camera, non work purposes, and;

WHEREAS, the Employee made several false accusations against fellow employees, and;

WHEREAS, the Borough issued a penalty of two (2) days suspension for the Employee's conduct, and;

WHEREAS, the Borough and the Employee are parties to a Settlement Release and Last Chance to Return to Employment Agreement (hereinafter referred to as "Agreement"), and;

WHEREAS, the Employee executed the Agreement on March 8, 2006 and Mayor Kalaka-Adams executed the Agreement on April 4, 2006 on behalf of the Borough, and;

WHEREAS, Paragraph 6 of the Agreement provides that any future discipline imposed on the Employee will be grounds for termination, and;

WHEREAS, the Borough Council having considered the disciplinary charges sustained against the Employee determines that it is in the best interest of the Borough to terminate Employee's employment, effective immediately, and;

NOW, THEREFORE, BE IT RESOLVED, that effective immediately, the employment of Charles Yingling is hereby terminated; and

BE IT FURTHER RESOLVED, that the Municipal Clerk/Borough Administrator and Mayor, are authorized and directed to take all steps necessary to effectuate the purpose of this Resolution.
Second by Councilwoman Bills and adopted upon unanimous voice vote.

Ayes: Bills; Kelly; Leckstein

Nays: Keeler

Abstain: None

Absent: LoBiondo; Murphy

COMMENTS FROM THE PUBLIC: No one wished to be heard.

ADJOURNMENT:

There being no further business before the Governing Body. Councilman Leckstein offered a motion to adjourn the meeting at 7:38 p.m. Second by Councilwoman Bills and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan, RMC
Deputy Municipal Clerk