

**COMMITTEEMEMBER PUHAK OFFERED THE FOLLOWING
RESOLUTION AND MOVED ITS ADOPTION:**

RESOLUTION 2017-105

**RESOLUTION AUTHORIZING TOWNSHIP ATTORNEY TO DEFEND
SHREWSBURY TOWNSHIP IN LAWSUIT OF JEFFREY FOSTER**

WHEREAS, Jeffrey Foster, through his attorney, Tennant D. Magee, Sr., Esq., has filed a Complaint in Lieu of Prerogative Writs in the Superior Court of New Jersey, Law Division, Monmouth County, under Docket No. L-3178-17, seeking to reverse and invalidate a Resolution of Suspension of five days without pay, after modifying a prior Resolution 2017-79, which suspended Jeffrey Foster without pay for ten consecutive days; and

WHEREAS, as a result of the aforesaid Resolutions, Plaintiff, Jeffrey Foster, through his attorney, filed the aforesaid legal action seeking to reverse the modified decision of the Township Committee; and

WHEREAS, the Township's insurance carrier has indicated that it will not cover the aforesaid case, nor provide legal counsel due to the fact that the Plaintiff is not seeking damages, and due to the type of case filed by the Plaintiff; and

WHEREAS, the Township Committee feels that it has acted properly, and desires an attorney to defend the Township of Shrewsbury in this action before the Superior Court of New Jersey.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee hereby authorizes the Township Attorney, Gene J. Anthony, Esq., to represent the Township of Shrewsbury in the case of Jeffrey Foster v. Township of Shrewsbury filed in the Superior Court of New Jersey, Law Division, Monmouth County, under Docket No. MON-L-3178-17 pursuant to the agreement for legal services entered into between the Township Attorney and Shrewsbury Township.

Seconded by Committeemember EDWARD NOLAN and adopted on roll call by the following votes:

ROLL CALL

Affirmative: PUHAK, NOLAN

Negative: NONE

Abstain: NONE

Absent: BAILLY

Dated: October 3, 2017

EDWARD NOLAN
Mayor

ATTEST:

TERI GIERCYK, RMC
Municipal Clerk

I hereby certify the foregoing to be a true copy of the resolution adopted by the Shrewsbury Township Committee on October 3, 2017.

TERI GIERCYK
Clerk