

County of Passaic
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Louis E. Imhof
Clerk Of The Board

Date: Apr 08, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED
KENNARD FAIRLEY V. COUNTY OF PASSAIC, CLAIM PETITION #2022-30699, PENDING IN
THE NEW JERSEY DIVISION OF WORKERS’ COMPENSATION, PURSUANT TO N.J.S.A.
40A:5-17(a)

THIS RESOLUTION WAS REQUESTED BY:
INSURANCE COMMISSION

REVIEWED BY:


Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:


Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	4/8/2025
Introduced Date	4/3/2025
Adopted Date	
Agenda Item	11.
CAF#	
Purchase Req. #	
Result	

Administration and Finance
COMMITTEE NAME

**RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED
KENNARD FAIRLEY V. COUNTY OF PASSAIC, CLAIM PETITION #2022-30699, PENDING
IN THE NEW JERSEY DIVISION OF WORKERS' COMPENSATION, PURSUANT TO
N.J.S.A. 40A:5-17(a)**

WHEREAS, the County of Passaic ("County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic ("Board") is vested with managing the property, finances, and affairs of the County; and

WHEREAS, pursuant to N.J.S.A. 40A:5-17(a), the Board shall approve or disapprove all claims, including the approval of settlement agreements in which the County is a named party; and

WHEREAS, the County is the respondent in Kennard Fairley v. County of Passaic, Claim Petition #2022-30699, pending in the New Jersey Division of Workers' Compensation; and

WHEREAS, the County's outside legal counsel for workers' compensation matters and third party administrator of general liability and workers' compensation claims are recommending a settlement in this matter, in an amount not to exceed forty-six thousand one hundred ninety-five dollars and twenty cents (\$46,195.20); and

WHEREAS, funds are available in any account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2025 and/or subsequent County budget(s), which is attached hereto and made part of this Resolution; and

WHEREAS, this matter was discussed by the Insurance Commission and is being recommended to the Board for approval.

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:5-17(a), the Board of County Commissioners of the County of Passaic authorizes the settlement of Kennard Fairley v. County of Passaic, Claim Petition #2022-30699, pending in the New Jersey Division of Workers' Compensation, in an amount not to exceed forty-six thousand one hundred ninety-five dollars and twenty cents (\$46,195.20).

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, County Administrator, Chief Financial Officer, and Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.