

County of Passaic

Board of County Commissioners



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Date: Jan 21, 2025 - 5:30 PM

Agenda: RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED ROJAS-MARTINEZ v. COUNTY OF PASSAIC, ET AL., PAS-L-3121-18, PENDING IN THE PASSAIC COUNTY SUPERIOR COURT, PURSUANT TO N.J.S.A. 40A:5-17(a)

THIS RESOLUTION WAS REQUESTED BY:
COUNTY COUNSEL

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	1/21/2025
Introduced Date	1/14/2025
Adopted Date	
Agenda Item	8.
CAF#	T-20-56-880-003-801
Purchase Req. #	
Result	

Administration and Finance

COMMITTEE NAME

**RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED
ROJAS-MARTINEZ v. COUNTY OF PASSAIC, ET AL., PAS-L-3121-18, PENDING IN THE
PASSAIC COUNTY SUPERIOR COURT, 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 or one of its employees is a named party; and

WHEREAS, the County is a named defendant in Rojas-Martinez v. County of Passaic, et al., PAS-L-3121-18, a matter pending in Passaic County Superior Court; and

WHEREAS, the Parties have amicably resolved the dispute, and same is being recommended for approval by the Passaic County Counsel; and

WHEREAS, funds are available in Account No. T-20-56-880-003-801, or any other 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 at the October 1, 2020 at 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 litigation entitled Rojas-Martinez v. County of Passaic, et al., PAS-L-3121-18, filed in the Passaic County Superior Court, in accordance with the terms and conditions to be set forth in a Settlement Agreement and Release, as approved by the Passaic County Counsel.

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.

NB

January 21, 2025