

County of Passaic

Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Matthew P. Jordan, Esq.
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 Nadege D. Allwaters, Esq.
 County Counsel
 Louis E. Imhof, RMC
 Clerk Of The Board

Date: Feb 02, 2024 - 12:00 PM

Agenda: RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED DOBCO, INC. v. COUNTY OF PASSAIC DOCKET NO. PAS-L-2776-22, PENDING IN THE SUPERIOR COURT OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:5-17(a)

THIS RESOLUTION WAS REQUESTED BY:
 ENGINEERING

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

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|-----------------------------|----------------------------|
| Official Resolution# | |
| Meeting Date | 2/2/2024 |
| Introduced Date | 1/18/2024 |
| Adopted Date | |
| Agenda Item | 36. |
| CAF# | 3-01-20-112-001-213, C-04- |
| Purchase Req. # | |
| Result | |

Public Works

COMMITTEE NAME

RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED DOBCO, INC. v. COUNTY OF PASSAIC DOCKET NO. PAS-L-2776-22, PENDING IN THE SUPERIOR COURT OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:5-17(a)

WHEREAS, the County of Passaic (hereafter “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 (hereafter “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 Defendant in the lawsuit entitled Dobco, Inc. v. County of Passaic, Docket No. PAS-L-2776-22, which is pending in the Superior Court of New Jersey; and

WHEREAS, the Parties amicably resolved the dispute, and same is being recommended for approval by the County’s outside counsel and County Counsel; and

WHEREAS, funds are available in Account Nos. 3-01-20-112-001-213, C-04-55-155-001-901, 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 2024 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

WHEREAS, this matter was discussed at the January 10, 2024 meeting of the Public Works Committee, 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 the litigation entitled Dobco, Inc. v. County of Passaic, Docket No. PAS-L-2776-22 filed in the Superior Court of New Jersey, pursuant to the terms and conditions to be set forth in a Settlement Agreement and Release as approved by the County Counsel.

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

KJB

January 23, 2024