

Resolution # 344-10
Adopted 12/14/2010

RESOLUTION

WHEREAS, the Township of West Orange, its Mayor and Township Council (the “Township”), were sued in an action in lieu of prerogative writ brought by the Committee of Managers of Llewellyn Park (the “Committee”), the managing body for Llewellyn Park (the “Park”), a fee simple community established by Deed of Trust and Indenture, located within the Township’s boundaries, the case pending before the Superior Court of New Jersey, Law Division, Essex County, bearing docket no. L-2005-10, to compel the Township’s compliance with the Municipal Services Act, L.. 1989, C.299 (N.J.S.A. 40:67-23.2, et seq.) (the “Act”), and related Ordinances of the Township; and

WHEREAS, the parties to that lawsuit wish to amicably resolve the differences between them and have negotiated terms of settlement as set forth in a Stipulation of Settlement and in a Municipal Services Agreement, both of which are incorporated herein by reference with copies annexed; and

WHEREAS, the Township Council of the Township of West Orange wishes to authorize the Mayor to execute and the Municipal Clerk to attest to his signature effecting the Municipal Services Agreement, the Stipulation of Settlement and any further settlement documents referenced therein or necessary and appropriate to effect the settlement of this litigation;

NOW, THEREFORE, BE IT, AND HEREBY IT IS, RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Mayor shall be authorized to execute, and the Municipal Clerk to attest to his signature, the Municipal Services Agreement, the Stipulation of Settlement and any further settlement documents referenced therein or necessary and appropriate to effect the settlement of the litigation pending before the Superior Court of New Jersey, Law Division, Essex County, bearing docket no. L-2005-10, between the Township of West Orange, its Mayor and Township Council (the “Township”), defendants, and the Committee of Managers of Llewellyn Park (the “Committee”), plaintiffs, regarding the Municipal Services Act, L.. 1989, C.299 (N.J.S.A. 40:67-23.2, et seq.) and related Ordinances of the Township.

Sal M. Anderton, Council President

Karen Carnevale, Municipal Clerk