

RESOLUTION

WHEREAS, on April 28, 2022, the Township of West Orange (the “Township”) filed a Complaint commencing a lawsuit captioned: Township of West Orange v. Ron Jolyn Realty & P S Realty, Docket No. ESX-L-2518-22 (the “Ron Jolyn Litigation”) seeking recovery of costs incurred by the Township related to the evacuation and temporary housing of tenants from the garden apartments at 275 Northfield Avenue (the “Property”) following a slope collapse at the Property which occurred on September 2, 2021; and

WHEREAS, Defendants Ron Jolyn Realty and P S Realty (the “Ron Jolyn Defendants”) have negotiated a proposed settlement of the Township’s claims to resolve the Ron Jolyn Litigation as set forth in the proposed Release, substantially in the form annexed hereto as Exhibit “A;”

WHEREAS, the proposed Release sets forth that the Ron Jolyn Defendants shall pay to the Township a **settlement amount of \$135,000** in exchange for release as to the Township’s claims; and

WHEREAS, following the Township’s receipt of funds from the Federal Emergency Management Agency (“FEMA”), the remaining balance of the costs incurred by the Township for the evacuation and temporary housing of the tenants were \$155,000; and

WHEREAS, the proposed settlement is acceptable to the Township based on the proposed terms set forth in the Release.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Township be and is hereby authorized to agree to the settlement of the Ron Jolyn Litigation as set forth in the Release substantially in the form annexed hereto as Exhibit “**A;**” and be it further

RESOLVED, that the Mayor be authorized to execute the Release, annexed hereto as Exhibit “**A**” on behalf of the Township; and be it further

RESOLVED, that a copy of this resolution shall be kept on file with Office of the Township Clerk in conformance with all applicable governing law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford
Council President

Adopted: October 8, 2024