

**MAYOR and COUNCIL of the
BOROUGH of HO-HO-KUS
BERGEN COUNTY, NEW JERSEY
Resolution # 13-63**

Subject: Settlement of Litigation

Dated: May 28, 2013

WHEREAS there is a certain lawsuit pending in the Superior Court of New Jersey, Bergen County entitled Seymour and Eris Zuckerman, (Plaintiffs) v. Borough of Ho-Ho-Kus and Department of Ho-Ho-Kus Public Works under Docket No: BER-L-6254-12 (the lawsuit);

WHEREAS the parties have been able to amicably resolve their differences;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it does hereby authorize and approve a settlement in the lawsuit subject to the following conditions:

- 1) A payment in the amount of Ten Thousand Dollars (\$10,000.) by the Borough to the Plaintiffs in exchange for a General Release.
- 2) Execution by all parties of a Release and Settlement Agreement to be prepared by the Borough Attorney. The Mayor and Municipal Clerk are authorized to execute said Agreement following legal review.
- 3) Payment by the Municipal Joint Insurance Fund of the sum of Ten Thousand Dollars (\$10,000.) to the Plaintiff.
- 4) The Borough does not admit any responsibility or liability by entering into this settlement but believes it is in the Borough's best interests to resolve the matter given the cost and uncertainties of litigation.

I, Laura Borchers, Clerk of the Borough of Ho-Ho-Kus, Bergen County, New Jersey do hereby certify the above to be a true copy of a resolution adopted by the Mayor and Council on May 28, 2013

	Moved	Second	Ayes	Nays	Absent	Abstain
Mayor Randall						
Councilmember Troast					X	
Councilmember Lennon	X		X			
Councilmember Shea					X	
Councilmember Rorty		X	X			
Councilmember Weiss					X	
Councilmember Shell			X			