

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 333 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CLAIMS FILED BY VINCENT J. LUPO

WHEREAS, the Township of West Milford previously submitted a layoff plan to the Civil Service Commission calling for the layoff of Mr. Vincent J. Lupo (“Lupo”), the Zoning Code Official (the “Layoff Plan”); and

WHEREAS, the Civil Service Commission approved the Layoff Plan and Lupo was duly notified that he would be laid off from his position of Zoning Code Official effective December 31, 2020; and

WHEREAS, thereafter Lupo filed an appeal of the Layoff with the New Jersey Civil Service Commission (the “Appeal”); and

WHEREAS, Employee’s Appeal was assigned OAL Docket NO. CSV-01583-21 and Agency Reference No.: 2021-992 and the Appeal was assigned to Judge Testa for a Hearing to be held on August 16, 2021; and

WHEREAS, Lupo also filed a claim captioned Vincent J. Lupo v. Township of Milford, William Senande and Michele A. Dale, PAS-L-003930-20 in the Superior Court of New Jersey, Law Division, Passaic County (the “Litigation”); and

WHEREAS, both parties appeared for a virtual hearing before Judge Testa on August 16, 2021 at which time Judge Testa conducted settlement discussions; and

WHEREAS, both the Township and Lupo were represented by counsel and the parties agreed upon a proposed Settlement of both the Appeal and Litigation, subject to the approval by the Governing Body of the Township; and

WHEREAS, the settlement of the Appeal and Litigation has been recommended by defense counsel assigned to defend the Township; and

WHEREAS, defense counsel has presented the terms of the Settlement to the Township for consideration; and

WHEREAS, defense counsel recommends that the Township accept the terms of the settlement; and

WHEREAS, the acceptance of the settlement is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of West Milford that the proposed settlement of the Appeal and Litigation filed by Lupo against the Township be and the same is hereby accepted and the attorney assigned to defend the Township and the Mayor are hereby authorized to execute any and all documents necessary to effectuate the settlement.

This Resolution shall take effect immediately.

Adopted: September 8, 2021

Adopted this 8th day of September, 2021
and certified as a true copy of an original.

William Senande, Township Clerk