

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 174 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE SETTLEMENT OF THE LITIGATION ENTITLED "UPPER GREENWOOD LAKE PROPERTY OWNERS ASSOCIATION v. THE TOWNSHIP OF WEST MILFORD", SUPERIOR COURT OF NEW JERSEY, CHANCERY DIVISION, PASSAIC COUNTY BEARING DOCKET NO. PAS-C-54-11**

**WHEREAS**, the Township of West Milford is named as a defendant in the matter entitled "Upper Greenwood Lake Property Owners Association v. The Township of West Milford, Superior Court of New Jersey, Chancery Division, Passaic County bearing Docket No. C-54-11; and

**WHEREAS**, the matter involved issues pertaining to road maintenance in the community of Upper Greenwood Lake located within the Township of West Milford; and

**WHEREAS**, the parties have engaged in the exchange of information and discussions regarding this matter; and

**WHEREAS**, the Administration has consistently made every effort to maintain the roadways of Upper Greenwood Lake and other lake communities throughout the Township; and

**WHEREAS**, the Administration has commenced a program to enhance drainage on Township roads as well as the retrofitting of sedimentation basins in various locations throughout the Township; and

**WHEREAS**, as a result of discussions with the Upper Greenwood Lake Property Owners Association, the Administration, including Engineering, Department of Public Works, the Municipal Engineer and Municipal Attorney recommend the settlement of this litigation in accordance with the terms and conditions set forth in the Settlement Agreement that is on file in the Municipal Clerk's Office.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey, that the Mayor is hereby authorized to execute the Settlement Agreement between the Upper Greenwood Lake Property Owners Association and the Township of West Milford;

**BE IT FURTHER RESOLVED**, that as a result of this Settlement Agreement any claims for damages by the Upper Greenwood Lake Property Owners Association shall, in consideration of this Settlement Agreement, be dismissed.

Adopted: May 23, 2012

Adopted this 23<sup>rd</sup> day of May, 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk