

RESOLUTION NO. 2020 – 356

**RESOLUTION OF THE TOWNSHIP OF  
BARNEGAT, COUNTY OF OCEAN, STATE OF  
NEW JERSEY, AUTHORIZING SETTLEMENT OF  
LITIGATION**

**WHEREAS**, the Township of Barnegat has been involved in litigation filed by Charles Cunliffe in the Superior Court of New Jersey, Law Division, Civil Part, Ocean County, under Docket Number OCN-L-1681-20 P.W.; and

**WHEREAS**, the Township is insured in this case through the Ocean County Municipal Joint Insurance Fund (“OCJIF”); and

**WHEREAS**, settlement discussions have taken place with the parties and the insurance carrier and a settlement has been reached whereby the Township’s insurance carrier, the OCJIF, will pay Plaintiff \$7,000.00 to dismiss the litigation in its entirety in full accord and satisfaction, and in compromise of, any and all disputed claims and that the payment of the money by the insurance carrier is not an admission of liability but is made for the sole purpose of terminating the litigation between the parties; and

**WHEREAS**, in order to consummate the settlement and dismissal of the lawsuit, the Township must adopt a resolution authorizing the insurance carrier, on the Township’s behalf, to consummate the settlement; and

**WHEREAS**, the Township and its professional staff has negotiated settlement in conjunction with the Ocean County Municipal Joint Insurance Fund and find it necessary and appropriate to consummate the settlement.

**NOW, THEREFORE, BE IT RESOLVED** on this 1st day of December 2020 by the Township Mayor and the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

DASTI & ASSOCIATES  
ATTORNEYS AT LAW

310 Lacey Road  
P.O. Box 779  
Forked River, N.J. 08753

1. The Township hereby authorizes its insurance carrier, the Ocean County Municipal Joint Insurance Fund, to consummate the settlement with Plaintiff and dismissal of this litigation for payment by the OCJIF in the sum of \$7,000.00 to Plaintiff in full accord and satisfaction, and in compromise of, any and all disputed claims and that the payment of the money by the insurance carrier is not an admission of liability but is made for the sole purpose of terminating the litigation between the parties.

2. The Township's legal counsel is authorized to prepare and file the appropriate legal documents to effectuate the settlement and payment by the insurance carrier and execution of the Release by Plaintiff.

3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Martin Lisella, Township Administrator
- (b) Christopher J. Dasti, Esq.
- (c) Ocean County Municipal Joint Insurance Fund

#### CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on December 1, 2020, a quorum being present and voting in the majority.

  
Michele Rivers, Township Clerk

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Prepared by:  
**DASTI & ASSOCIATES**