



Resolution No. 13-2021
Adoption Date January 13, 2021

Sufficiency of Funds Bibi Taylor
Form and Legality David Minichello

**AUTHORIZING SETTLEMENT IN AN AMOUNT NOT TO EXCEED \$220,000.00 IN
THE MATTER OF CUMMING MANAGEMENT GROUP, INC. v. UNION COUNTY
IMPROVEMENT AUTHORITY, Docket No. UNN-L-04334-18**

WHEREAS, the plaintiff, Cumming Management Group, Inc., instituted a lawsuit against the Union County Improvement Authority ("Authority"), alleging that the Authority failed to remit payments for certain pre-construction monitoring services in connection with the Mind and Body Project in Roselle; AND

WHEREAS, the plaintiff has agreed to amicably resolve and settle this matter against the Authority, in exchange for payment in the amount of Two Hundred and Twenty Thousand Dollars (\$220,000.00); AND

WHEREAS, the gross settlement payout to the plaintiff is inclusive of all litigation expenses incurred by plaintiff, including, but not limited to, plaintiff's counsel fees; AND

WHEREAS, based upon all of the facts and circumstances, and the applicable law surrounding this matter, Counsel and the Commissioners of the Board deem it is in the best interest of the Authority to enter into such a settlement; AND

RESOLVED, that the Commissioners of the Union County Improvement Authority, do hereby authorize and approve payment in an amount not to exceed Two Hundred and Twenty Thousand (\$220,000.00) from the Authority's Self-Insurance Account, upon receipt by Counsel to the Authority of all properly executed documents by the plaintiff releasing any and all claims

Commissioner	Motion	Second	Yes/Aye	No-Nay	Abstain	Absent
David Barnett		✓	✓			
Steve Hockaday			✓			
Christopher Kolibas			✓			
Debra Marshall			✓			
Andrea Mojica			✓			
Ahmed Shehata			✓			
Scott Huff, Vice Chairman	✓		✓			
Sebastian D'Elia, Chairman			✓			



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against the Authority, its agents, representatives and/or employees regarding the facts forming the basis of the lawsuit filed by the plaintiff; be it

FURTHER RESOLVED, that all payments herein authorized shall be made payable to the plaintiff, Cumming Management Group, Inc., and the law firm of Genova Burns LLC located 494 Broad Street, Newark, New Jersey 07102