



UNION COUNTY IMPROVEMENT AUTHORITY

Resolution No. 70-2021
Adoption Date: June 9, 2021

Sufficiency of Funds Bibi Taylor
Form and Legality David Minichello

APPROVING SETTLEMENT AGREEMENT AND RELEASE

WHEREAS, a regular meeting of the Union County Improvement Authority (the "Authority") was held on June 9, 2021; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the Authority is empowered to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts and things necessary, convenient or desirable for the purposes of the Authority, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, Plaintiff AST filed a Complaint against the UCIA and other defendants, in the case of AST Roselle, LLC v. The Borough of Roselle and The Union County Improvement Authority, in the Superior Court of New Jersey, Law Division, Union County with Docket No. L-3019-18 (the "Litigation"); and

WHEREAS, the Authority and Plaintiff AST have settled all controversies among them after successful mediation for \$200,000 pending Commissioners approval; and

WHEREAS, the parties now seek approval of the Settlement Agreement and Release resolving the Lawsuit and all controversies between them;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MEMBERS OF THE UNION COUNTY IMPROVEMENT AUTHORITY AS FOLLOWS:

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



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1. The Authority hereby approves the Settlement and Mutual Release Agreement in full and complete settlement of any claims and cross claims asserted or that could be asserted in the Litigation in substantially the form attached with such changes as shall be approved by the Chairman on advice of counsel.
2. The Authority hereby authorizes the Project Manager to take all steps necessary to make payment of \$200,000 to Plaintiff AST.
3. The Authority authorizes the Chairman or Vice-Chairman to execute the Settlement Agreement and Release with the Plaintiff in the form so approved.
4. The Chief Finance Officer has certified that the funds for the Settlement Agreement are available from and can be obtained from the Authority.