

**RESOLUTION
TOWNSHIP OF FRANKLIN
RESOLUTION AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO
EXECUTE A SETTLEMENT AGREEMENT TO RESOLVE LITIGATION
ENTITLED NUNES V. FRANKLIN TOWNSHIP, et al**

R-226-12

WHEREAS, Joseph Nunes as Plaintiff filed suit against the Township of Franklin under Docket Number GLO-L-1437-12 alleging that the Township had violated certain technical requirements of the Open Public Meetings Act; and

WHEREAS, the Township vigorously defended an application by the Plaintiff seeking an Order to Show Cause and Temporary Restraints; and

WHEREAS, the court denied the Order to Show Cause and declined to issue temporary restraints; and

WHEREAS, in light of the defenses raised in the Plaintiff's written submissions to the court and in light of the nature of the case and the issues presented therein, the Plaintiff and the Defendant believe it would be advantageous to resolve the matters pending before the court rather than spend significant time and resources in litigation; and

WHEREAS, the Township Committee continues to believe that it has not in any regard violated the requirements of the Open Public Meetings Act and authorizes a settlement which is not an admission of any wrongdoing by either party;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, that the Mayor and/or his designee be and is hereby authorized to execute a certain settlement agreement resolving litigation entitled Joseph Nunes v. Franklin Township, et al, bearing Docket Number GLO-L-1437-12, in the form appended hereto.

ADOPTED at a meeting of the Township Committee of the Township of Franklin on Thursday, December 27, 2012.

ATTEST:

TOWNSHIP OF FRANKLIN

BARBARA FREIJOMIL, CLERK

MARGE PFROMMER DEP. MAYOR

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Franklin Township Committee held on December 27, 2012.

BARBARA FREIJOMIL, CLERK