



Legislation Details (With Text)

File #: 21-1258 **Version:** 1 **Name:** Resolution: Pre-Litigation Settlement of Civil Claim - R. Tahirah Abdullah

Type: Resolution **Status:** Adopted

File created: 8/21/2021 **In control:** Law

On agenda: 10/6/2021 **Final action:** 10/6/2021

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Pre-Litigation Settlement of Civil Claim
Docket No.: Not Applicable
Claimant: R. Tahirah Abdullah, 9 Merrywood Drive, West Orange, New Jersey 07052
Claimant's Attorney: Not Applicable
Settlement Amount: \$70,000.00
Funding Source: Insurance Commission Fund
Additional Comments:

Sponsors: John Sharpe James, Eddie Osborne

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/6/2021	1	Municipal Council	Adopt	Pass

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Claimant's Attorney: Not Applicable
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Funding Source: Insurance Commission Fund
Additional Comments:

WHEREAS, a claim having been asserted by R. Tahirah Abdullah concerning the alleged improper demolition by the City of Newark of her property located at 741 South 11th Street, Newark, New Jersey 07103; and

WHEREAS, a proposal has been made to resolve this claim in its entirety by execution of the attached Settlement Agreement and Release and payment in the total settlement amount of Seventy Thousand Dollars and Zero Cents (\$70,000.00) ("Settlement Sum"); and

WHEREAS, the City's Corporation Counsel, based upon all facts and circumstances presented, deems it is in the best interest of the City of Newark to resolve said matter by execution of the attached Settlement Agreement and Release and payment of the proposed Settlement Sum.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE CITY OF

NEWARK, NEW JERSEY, THAT:

1. The Corporation Counsel is hereby authorized on behalf of the City of Newark to execute and accept the terms of the Settlement Agreement and Release, attached hereto.
2. Upon receipt by the Corporation Counsel of all documents deemed necessary, the Director of the Department of Finance is hereby authorized and directed to issue payment in the amount of Seventy Thousand Dollars and Zero Cents (\$70,000.00) check made payable to: R. Tahirah Abdullah, 9 Merrywood Drive, West Orange, New Jersey 07052.
3. Annexed hereto is a Certification of Funds issued by the Director of the Department of Finance, which states that there are available sufficient legally-appropriate funds from: Business Unit NW025, Dept. 25T, Division/Project 5T25 and Account #96320, in the amount of Seventy Thousand Dollars and Zero Cents (\$70,000.00), for the purpose set forth herein.
4. The Corporation Counsel shall file a copy of the Certification of Funds in the Office of the City Clerk along with this resolution.
5. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement and Release in the Office of the City Clerk.
6. This resolution shall be effective upon adoption in accordance with applicable State Law.
7. The Settlement Agreement and Release and resolution does not admit, nor should it be construed as an admission of liability or violation of any law, statute or regulation or a breach of any contract or duty by the City of Newark, its agents, officers and/or employees whatsoever and is entered into based upon recommendations of the Corporation Counsel and to eliminate all risks and future litigation costs.

STATEMENT

This Resolution authorizes the Corporation Counsel, on behalf of the City of Newark to enter into and execute a Settlement Agreement and Release to settle a claim by R. Tahirah Abdullah, in the amount of \$70,000.00, in exchange for Claimant's dismissal of any and all claims against the City of Newark and its employees, and a complete release.