



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Details (With Text)

File #: 13-0643 **Version:** 1 **Name:**
Type: Resolution **Status:** Filed
File created: 4/1/2013 **In control:** Law
On agenda: 5/15/2013 **Final action:** 5/22/2013
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-7929-11
Claimant: Nereida and Roberto Mendiondo
Claimant's Attorney: Eichen Crutchlow Zaslow & Mcelroy
Attorney's Address: 40 Ethel Road, Edison, New Jersey 08817
Settlement Amount: \$30,000.00
Funding Source: City of Newark Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel, May 14, 2013
No Action Taken 7R7-b 051513

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/22/2013	1	Municipal Council	Adopt	Pass
5/15/2013	1	Municipal Council	no action taken	

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WHEREAS, a suit was instituted in the Superior Court of New Jersey, Law Division, Essex County, captioned Nereida and Roberto Mendiondo City of Newark, et als, Superior Court of New Jersey, Docket Number: ESX-L-7929-11, in which the plaintiffs sought recovery for personal injuries; and

WHEREAS, it has been determined that plaintiffs were injured and a proposal has been made to resolve this litigation by payment in the total amount of \$30,000.00 (Thirty Thousand Dollars); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it in the best interest of the City of Newark to resolve said matter by payment of the proposed Settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE 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 Finance is hereby authorized and directed to issue a check in the amount of \$30,000.00 (Thirty Thousand Dollars), which payment shall be made payable to "Nereida and Roberto Mendiando and Eichen Crutchlow Zaslow & McElroy" and which payment will be mailed to Edward McElroy, 40 Ethel Road, Edison, New Jersey 08817.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriated funds from Fund 025-25T-5T25-96320 in the amount of \$30,000.00 (Thirty Thousand Dollars), for the purpose set forth herein. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this Resolution by the Corporation Counsel.

4. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Corporation Counsel.

5. This resolution shall be effective upon adoption in accordance with applicable State Law.

STATEMENT

This Resolution authorizes the Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and Release to settle civil litigation captioned Nereida and Roberto Mendiando v. City of Newark, Superior Court of New Jersey, Docket Number: ESX-L-7929-11, in the amount of \$30,000.00, in exchange for Plaintiffs' dismissal of any and all claims against the City of Newark, and a complete release.