



Legislation Details (With Text)

File #: 25-0106 **Version:** 1 **Name:**
Type: Resolution **Status:** Adopted
File created: 1/22/2025 **In control:** Law
On agenda: 3/5/2025 **Final action:** 3/5/2025
Title: Dept/ Agency: Law
Action: (X) Ratifying (X) Authorizing () Amending
Type of Service: Pre-Litigation Settlement
Purpose: Settlement Agreement and Release
Entity Name: United Community Corporation, Inc.
Entity Address: 332 South 8th Street, Newark New Jersey 07103
Settlement Amount: \$100,161.34
Funding Source: Community and Economic Development Trust Fund 2023 Budget/Law
Department/Bus. Unit: NW026, Account: 32100, Budget Ref. B2024
Contract Period: September 1, 2023 through November 30, 2023
Additional Comments:
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/5/2025	1	Municipal Council	Adopt	Pass

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Additional Comments:

WHEREAS, from September 1, 2023 through November 30, 2023 the City of Newark (“City”) utilized the temporary housing services of United Community Corporation, 332 South 8th Street, Newark, New Jersey 07103 (“Plaintiff”), to provide emergency housing services to chronically homeless individual in the City of Newark; and

WHEREAS, there remains an outstanding balance for the temporary housing services provided to the City from September 1, 2023 through November 30, 2023; and

WHEREAS, to avoid the costly expense of litigation, the City’s Corporation Counsel, on behalf

of the City and United Community Corporation (the “Parties”) desire to amicably resolve this matter with payment by the City of the Settlement Sum, in exchange for Plaintiff’s execution of the Settlement Agreement and Release (attached) as a full and complete release of the matter; and

WHEREAS, a settlement proposal has been made to resolve this claim by payment in the total amount of One Hundred Thousand, One Hundred Sixty-One Dollars and Thirty-Four Cents (\$100,161.34) (“Settlement Sum”), and execution of a Settlement Agreement and Release; and

WHEREAS, the City’s Corporation Counsel, based upon all facts and circumstances surrounding the matter, deems it is in the best interest of the City to resolve this matter by payment in the amount set forth above.

NOW, THEREFORE, BE IT RESOLVED BY MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

- 1 The City of Newark’s Corporation Counsel (“Corporation Counsel”), on behalf of the City of Newark, is authorized to enter into, execute and accept the terms of the Settlement Agreement and Release with United Community Corporation, Inc., 332 South 8th Street, Newark, New Jersey 07103, attached hereto.
- 2 Upon receipt by the Corporation Counsel of the fully executed Settlement Agreement, the Director of the Department of Finance is hereby authorized and directed to issue payment in the amount One Hundred Thousand One Hundred and Sixty-One Dollars and Thirty-Four Cents (\$100,161.34), a settlement sum, which will be made payable to United Community Corporation, Inc., 332 South 8th Street, Newark, New Jersey 07103.
- 3 Annexed hereto is the Certification of Funds issued by the Assistant Director of the Department of Finance, City of Newark, which states that there are available sufficient legally-appropriate funds from Business Unit: NW026; Account #32100; Budget B2024 in the amount of One Hundred Thousand One Hundred and Sixty-One Dollars and Thirty-Four Cents (\$100,161.34) for the purpose set forth herein.
- 4 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.
- 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 by Municipal Council.
- 7 The Settlement Agreement and Release 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 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 and Director of Homeless Services on behalf of the City of Newark to enter into and execute a Settlement Agreement and Release to settle outstanding fees with United Community Corporation, Inc., 332 South 8th Street, Newark, New Jersey 07103 in the amount of One Hundred Thousand One Hundred and Sixty-One Dollars and Thirty- Four Cents (\$100,161.34).