

CITY COUNCIL

The City of Orange Township, New Jersey

DATE January 16, 2024

NUMBER 41-2024

TITLE: RESOLUTION AUTHORIZING SETTLEMENT IN THE MATTER OF ANTHONY CAREY V. CITY OF ORANGE TOWNSHIP, MAYOR DWAYNE D. WARREN, RAYMOND WINGFIELD, AND JOHN DOES 1-10, DOCKET NO. ESX-L-002475-20, IN THE AMOUNT OF THREE HUNDRED AND SEVENTY THOUSAND DOLLARS (\$370,000.00)

WHEREAS, a lawsuit styled as Anthony Carey v. City of Orange Township, Mayor Dwayne D. Warren, Raymond Wingfield and John Does 1-10, Docket No. ESX-L-002475-20, was initiated in the Superior Court, Law Division, Essex County; and

WHEREAS, plaintiff, Anthony Carey filed suit against the City of Orange Township seeking compensation and punitive damages and attorney's fees; and

WHEREAS, plaintiff and the City of Orange Township desire to resolve this matter without further litigation under the terms specified in the Settlement Agreement and Release attached hereto; and

WHEREAS, after engaging in substantial discovery and due diligence, the Plaintiff is dismissing any and all claims against the City of Orange Township and the City of Orange Township is dismissing all claims against the plaintiff.

WHEREAS, the City of Orange Township and Anthony Carey agreed to amicably resolve this matter for an amount equal to \$370,000.00, which shall be made payable to Anthony Carey's attorneys, Matsikoudis & Fanciullo LLC, for further disbursement in accordance with the terms of the Settlement Agreement and Release; and

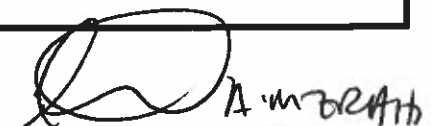
WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto certifying that funds will be available for this purpose in Account No. 4-01-20-155-000-366, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to pay the Settlement.

WHEREAS, the City of Orange Township's Chief Financial Officer has prepared the necessary Certification of Availability of Funds, a copy of which is attached hereto, certifying that funds are available in the Account; and

WHEREAS, the City of Orange Township will submit this settlement to the PEJIF for reimbursement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ORANGE TOWNSHIP as follows:

Section 1. The settlement as set forth by the foregoing, including the above Recitals, be and is hereby approved.



Section 2. The Mayor be and is hereby authorized and directed to resolve the Anthony Carey Litigation in accordance with any terms and conditions as set forth thereto.

Section 3. This Resolution shall take effect immediately.

Adopted: January 16, 2024

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President