

BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 08-36

A RESOLUTION OPPOSING REVISIONS TO THE WRONGFUL DEATH STATUTE

Mr. Cangemi offered the following resolution and moved its adoption:

WHEREAS, liability claims against municipalities are already increasing 10% per year;
and

WHEREAS, the proposed revisions to the Wrongful Death Statute will add another 6%
to 10% to the cost; and

WHEREAS, under the current wrongful death law, family members can already collect
substantial compensation for actual losses such as medical bills and lost income as well as loss
of companionship; and

WHEREAS, this bill will also allow juries to award substantial additional compensation
for “emotional distress”; and

WHEREAS, this bill is contrary to the principles of Title 59; and

WHEREAS, without the limitations in Title 59, it would be very difficult for state, county
and local government to respond to a wide range of emergency situations;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of
Red Bank that we urge the legislature to exempt Title 59 entities from any expansion of the
Wrongful Death Statute;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Senator Jennifer
Beck, Assemblyman Declan O’Scanlon, Assemblywoman Caroline Casagrande, Governor
Corzine, Senate President Cody and Assembly Speaker Roberts.

Seconded by Mr. DuPont and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Curley	(x)	()	()	()
Mr. Murphy	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Cangemi	(x)	()	()	()
Ms. Horgan	(x)	()	()	()

Dated: January 28, 2008