

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 20-287**

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF PENDING LITIGATION
BEFORE THE SUPERIOR COURT OF NEW JERSEY, MONMOUTH COUNTY ENTITLED
*RED BANK v. RIVERVIEW MEDICAL CENTER, ET AL., DOCKET NO. MON-L-360-19***

WHEREAS, on January 28, 2019, the Borough of Red Bank (the “Borough”) filed a lawsuit in the Superior Court of New Jersey, Monmouth County under Docket No. MON-L-360-19 (the “Action”), seeking to collect certain allegedly unpaid water and sewer utility charges from Riverview Medical Center, RMC-Meridian Health, Meridian Hospitals Corporation, and Meridian Health Realty Corporation (“Defendants”) and

WHEREAS, on April 15, 2019, Defendants filed an Answer to the Borough’s lawsuit, denying the allegations contained therein; and

WHEREAS, all parties acknowledge that the Action involves arguable and disputed questions of fact and law; and

WHEREAS, given the arguable and disputed nature of the Action, the parties have agreed to compromise and fully and finally settle the Action as to all parties and all issues;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. That the Governing Body authorizes the full and final settlement of Red Bank v. Riverview Medical Center, et al. – Docket No. MON-L-360-19 in accordance with the terms of the parties’ Mutual Release and Settlement Agreement; and
2. That the Governing Body authorizes the Mayor and Borough Clerk to execute the Mutual Release and Settlement Agreement in full and final settlement of the Action; and
2. That a certified copy of this resolution be forwarded to the Chief Financial Officer, Borough Administrator, Borough Clerk, and Defendants’ Attorney in the Action.

| | Motion | Yes | No | Abstain | Absent |
|------------------------|--------|-----|----|---------|--------|
| Councilman Yassin | | X | | | |
| Councilwoman Triggiano | | X | | | |
| Councilman Ballard | | X | | | |
| Councilman Yngstrom | | X | | | |
| Councilman Zipprich | Motion | X | | | |
| Councilwoman Horgan | Second | X | | | |

Dated: December 16, 2020

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on December 16, 2020.

Pamela Borghi

Pamela Borghi, Municipal Clerk