

2011 RESOLUTION – WITHDRAW APPEAL DOCKET NO: A-003169-09T4

WHEREAS, on February 11, 2010, the Mayor filed an action in the Superior Court, Docket No. ESX-L-293-10 to confirm his power to veto resolutions; and

WHEREAS, on March 3, 2011, Judge Hollar-Gregory rendered the attached decision confirming the Mayor’s power to veto resolutions; and

WHEREAS, on March 9, 2010, the Council filed an appeal of Judge Hollar-Gregory’s decision; and

WHEREAS, after much reflection the Council has concluded that it is in the best interest of the Township to withdraw that appeal; and

WHEREAS, the Council recognizes the Mayor’s ability to veto resolutions as outlined in the Township Charter; and

WHEREAS, the Mayor also believes that it is in the best interest of the Township to end the litigation and have the appeal withdrawn; and

WHEREAS, the Township has received an application filed by Mark Leonard to intervene in this matter to force the Court to continue the litigation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Bloomfield that the Township Attorney is directed to order Robert Renaud counsel for the Council members, and Matt Priore, counsel for Mayor, to immediately withdraw the appeal of Judge Hollar-Gregory’s decision, Docket No. A-003169-09T4; and

BE IT FURTHER RESOLVED, that Matt Priore is hereby authorized to oppose Mark Leonard’s application for intervention and any other intervention applications filed so that this litigation will be concluded as the Council has internally settled and resolved this conflict; and

AD AS TO FORM AND PROCEDURE
ON BASIS OF FACTS SET FORTH



Mark Leonard
Township Attorney

BE IT FURTHER RESOLVED, that once the appeal has been withdrawn both attorney's are directed to close their files and submit their final bill to the Township for payment; and

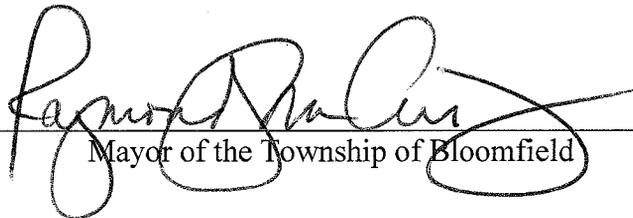
BE IT FURTHER RESOLVED, that the Director of Finance is authorized to pay the reasonable legal fees charged by Matt Priore and Robert Renaud for the services they rendered with regard to this matter.

* * *

I hereby certify that the above resolution was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on January 18, 2011.



 Municipal Clerk of the Township of Bloomfield



 Mayor of the Township of Bloomfield

ROLL CALL VOTE

MAYOR & COUNCIL	YES	NO	ABSTAIN	ABSENT
COUNCILWOMAN MALY		✓		
COUNCILMAN JOANOW		✓		
COUNCILMAN RUANE	✓			
COUNCILMAN VENEZIA	✓			
COUNCILWOMAN DUNIGAN	✓			
COUNCILMAN HAMILTON	✓			
MAYOR McCARTHY	✓			

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TRANSMISSION VERIFICATION REPORT

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