

RESOLUTION 11-23
Commissioners of Fire District No. 1
Franklin Township • Somerset County • New Jersey
Authorizing The Settlement of Certain Pending GRC Matters

WHEREAS, currently there are Complaints pending with the New Jersey Government Records Council against the Fire District brought by Jeff Carter through his counsel Walter Luers, Esq. and which bear GRC Complaint No.'s 2011-70, 2011-71, 2011-72, 2011-73, and 2011-100; and

WHEREAS, the parties have discussed resolving these matters in an amicable fashion; and




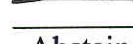



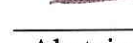



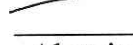



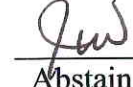
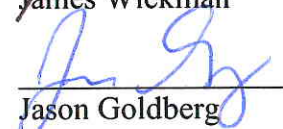



WHEREAS, after some discussion, the complainant has offered, through his counsel, to resolve all of the aforementioned GRC Complaints; and

WHEREAS, Franklin Township Fire District No. 1, pursuant to such offer for settlement, shall agree to pay the complainant reasonable attorneys fees in the amount of \$2,902.50, shall provide the complainant with any government records (in redacted form if necessary) which have not yet been provided and shall acknowledge in writing that the former Custodian of Records of the District violated the Open Public Records Act, though not knowingly and willfully which would trigger the imposition of any type of penalty pursuant to OPRA in exchange for the withdrawal of all five (5) pending GRC Complaints; and

WHEREAS, after reviewing the terms of the settlement proposal, the Board of Commissioners are desirous of resolving these matters.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Franklin Township Fire District No. 1, Somerset County, New Jersey, that it hereby authorizes the settlement of the five (5) above referenced GRC Cases brought by Jeff Carter through his counsel pursuant to the terms and conditions of the settlement which are set forth in this herein Resolution; and

BE IT FURTHER RESOLOVED that the appropriate individuals are hereby authorized to execute any and all documents necessary to effectuate the settlement and resolution of the above referenced GRC matters.

 _____ Bernard L. Pongratz	 _____ Yes	 _____ No	 _____ Abstain
 _____ Tim Szyborski	 _____ Yes	 _____ No	 _____ Abstain
 _____ Donald Bell	 _____ Yes	 _____ No	 _____ Abstain
 _____ James Wickman	 _____ Yes	 _____ No	 _____ Abstain
 _____ Jason Goldberg	 _____ Yes	 _____ No	 _____ Abstain

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION APPROVED BY THE BOARD OF FIRE COMMISSIONERS AT ITS PUBLIC MEETING HELD ON JUNE 27, 2011.



Tim Szyborski, Clerk