

Revised 2/10/09
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF MOUNT OLIVE AUTHORIZING
RESOLUTION OF DATTOLO PROPERTIES LITIGATION

WHEREAS, the Township has been engaged in litigation with Dattolo Properties for nearly seven years dealing with various aspects of the Township's connection fees and/or sewer service fees; and

WHEREAS, as a result of a settlement conference held with the Honorable B. Theodore Bozonelis, A.J.S.C. on January 5, 2009, the parties have resolved their differences and in accordance with the terms of the settlement, Dattolo properties will pay the Township back sewerage service charges in the amount of \$100,000, payable in equal monthly installments commencing April 1, 2009 and, effective that date, the charges for the Laundromat will be computed on actual water usage plus 10% for I & I, an option the Township will make available for all commercial users; and

WHEREAS, as a result of this litigation and litigation with various commercial users within the BLSSS brought about as a result of this litigation, the Township has collected a total of \$540,000.00 in sewer service charges and/or connection fees not previously paid, which amounts have been or will be used to stabilize user rates.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Mount Olive:

- 1) The Township Council does hereby authorize the settlement and the Township does hereby authorize the Township Attorney and/or the Mayor to execute on behalf of the Township, and/or the Township's Sewer and Water Utility, a Stipulation of Settlement, Release and a Stipulation of Dismissal, With Prejudice, as approved by the Township Attorney upon receipt of said documents executed by Dattolo Properties;
- 2) The Tax Collector is hereby authorized to cancel all previous sewer service fees, together with interest and year end penalties attributable to the Dattolo Properties Sewer User Account through March 31, 2009.

Russell Tepper, Council President

I, Lisa M. Lashway, Township Clerk of the Township of Mount Olive do hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Township Council at a meeting held on February 17, 2009.

Lisa Lashway, Township Clerk