

# RESOLUTION

22-103

No. \_\_\_\_\_

Date of Adoption

APR 07 2022

Approved as to Form and Legality

Factual content certified by

Wesley Bridges, Director of Law

Adam E. Cruz, Business Administrator

Councilman /woman

Robill Vaughn

presents the following Resolution:

## RESOLUTION AUTHORIZING SETTLEMENT OF A CIVIL ACTION IN THE MATTER OF BRIAN MONTGOMERY V. CITY OF TRENTON IN THE TOTAL AMOUNT OF \$85,000.00

**WHEREAS**, Brian Montgomery, commenced a civil suit against the City of Trenton, in Mercer County Superior Court, under Docket No. MER-L-2649-17; and

**WHEREAS**, the complaint alleged that the plaintiff sustained severe and permanent injuries as a result of the negligence and carelessness of Defendants, occurring on or about December 16, 2015; and

**WHEREAS**, said action has been reviewed and assessed by the City Attorney and the City Attorney is of the opinion that it is in the best interest of the City of Trenton to settle the case in the total amount of \$85,000.00; and

**WHEREAS**, the parties agree that settlement of this matter does not constitute an admission of any liability; and

**WHEREAS**, the settlement in the total amount of \$85,000.00 is inclusive of costs and attorney's fees; and

**WHEREAS**, the Director of Finance has certified that sufficient funds are available in the CY22 General Liability Self-Insurance Fund, Account Number 2-01- -80-8070-623, for this purpose; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Trenton City Council that the case of Brian Montgomery v. City of Trenton be disposed of by way of settlement in the total amount of \$85,000.00.

**BE IT FURTHER RESOLVED**, that the City Treasurer is hereby authorized to issue a warrant for the payment of \$85,000.00 to the Law Offices Ashley Law Firm shall in accordance with the terms of settlement as set forth herein.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
CALDWELL	✓				RODRIGUEZ	✓				MCBRIDE	✓			
WILSON	✓				VAUGHN	✓								
HARRISON	✓				WILKINS	✓								
MUSCHAL	✓													

APR 07 2022

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

President of Council

Assistant Municipal Clerk

**CITY OF TRENTON  
DEPARTMENT OF FINANCE**

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**CERTIFICATION OF AVAILABILITY OF FUNDS**

I, Ron Zilinski, Chief Financial Officer of the City of Trenton, do hereby certify, to the best of my knowledge and belief that there now exist adequate funds to award the settlement in the matter of Brian Montgomery v. City of Trenton, et al bearing Docket Number MER-L-2649-17 in the amount of \$85,000.00. Such funds for said settlement award are available in CY2022 General Liability Self-Insurance Fund, Account Number 2-01- -80-8070-623.

Dated: 3/8/22

  
Ronald Zilinski, Chief Financial Officer

3/7/21

Account Number: 2-01- -80-8070-623 - \$85,000.00