

**TOWNSHIP OF WALL**

**RESOLUTION NO. 18-0921**

**AUTHORIZING THE TOWNSHIP OF WALL TO PAY ATTORNEY FEES IN THE AMOUNT OF \$5000.00 TO DONALD DOHERTY, ESQ. IN CONNECTION WITH THE COURT'S ORDER CONCERNING BOZZI V. WALL TOWNSHIP**

**WHEREAS**, the Township of Wall ("Township") was named defendant in the matter of Ernest Bozzi v. Wall Township, MON-L-494-18 which arose from an Open Public Records Act (OPRA) request from a fence company which sought the names and addresses of dog owners and their addresses; and,

**WHEREAS**, after Wall Township denied this commercial entity's request for these names and addresses, Superior Court Judge Lisa Thornton on August 1, 2018 ruled against the Township and Ordered the Township of Wall to provide said records to the plaintiff, Ernest Bozzi; and,

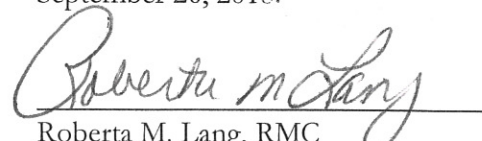
**WHEREAS**, the Open Public Records Act includes a fee shifting provision which requires the Township to pay reasonable legal fees to the prevailing party; and,

**WHEREAS**, the parties involved in the above referenced litigation engaged in a negotiation outside of court and based on legal counsel's recommendation have agreed to legal fees in the amount of \$5,000.00 (five thousand dollars); and,

**WHEREAS**, the Township Committee believes that entering into this Agreement is in the Township's best interests; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Wall, County of Monmouth, New Jersey that the Township is authorized to execute a Settlement Agreement to resolve the issue of outstanding legal fees payable to plaintiff's attorney.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Committee of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on September 26, 2018.

  
Roberta M. Lang, RMC  
Municipal Clerk

**Certification of Funds**

I, Thomas O'Hara, Chief Financial Officer of the Township of Wall, do hereby certify to the Township Committee of the Township of Wall that funds are available to pay legal fees at a price not to exceed \$5,000.00 (five thousand dollars).

Legal Services –Other Expenses  
8-01-20-155-000-132



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Thomas O'Hara, CFO  
Chief Financial Officer

Date: 9/25/18