

**RESOLUTION 2014-24**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**ENTER INTO AND EXECUTE A WRITTEN SETTLEMENT AGREEMENT**

**WHEREAS**, Plaintiff Harold F. Danielson (“Plaintiff”) filed a lawsuit against the Chester Township Police Department, Ryan Steckel, Ronald Totems, Thomas Williver, the New Jersey Highlands Water Protection and Planning Council (“the Council”), Jim Rilee, and Bruce James (collectively “the Council Defendants”) on July 31, 2013 in the Superior Court of New Jersey, Law Division, Morris County, where it was assigned Docket Number MRS-L-002049-13; and

**WHEREAS**, Plaintiff’s lawsuit asserts claims against the Council and Council Defendants pursuant to 42 U.S.C. § 1983 and the New Jersey Civil Rights Act alleging violations of his First Amendment and Equal Protection rights; and

**WHEREAS**, Plaintiff demands a trial by jury; and

**WHEREAS**, the Council and Council Defendants removed the lawsuit to federal court where it was assigned Civil Action Number 13-cv-05427; and

**WHEREAS**, the Council, on behalf of itself and the Council Defendants, vigorously opposed Plaintiff’s lawsuit and maintains that neither it nor the Council Defendants are liable for the claims asserted by Plaintiff; and

**WHEREAS**, for the past year the Council, Council Defendants and Plaintiff have engaged in motion practice in federal court; and

**WHEREAS**, the Court has ordered that formal fact discovery commence; and

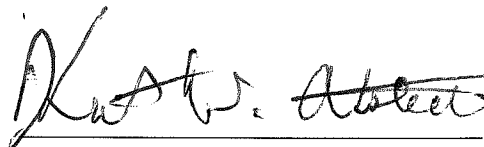
**WHEREAS**, the Council is faced with potentially significant legal expenses, including lengthy discovery and a jury trial; and

**WHEREAS**, upon the advice of counsel, the Council believes that it is in its best interest to resolve this litigation at this time without any admission of liability;

**NOW, THEREFORE, BE IT RESOLVED** that the Council hereby authorizes the Acting Executive Director, in consultation with the Office of the Attorney General, to enter into and execute a written settlement agreement on behalf of the Council and settle this litigation in an amount not to exceed \$12,500.00, and to take all other steps that are necessary and proper to effectuate such a settlement.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21<sup>st</sup> day of August, 2014.

  
Kurt W. Alstede, Vice-Chairman

## RESOLUTION 2014-24

### NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL ENTER INTO AND EXECUTE A WRITTEN SETTLEMENT AGREEMENT

| Vote on the Approval of<br>This Resolution | Motion | Second | Yes   | No    | Abstain | Absent |
|--|--------|--------|-------|-------|---------|--------|
| Councilmember Alstede                      | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Carluccio                    | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Dougherty                    | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Dressler                     | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Francis                      | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Holtaway                     | ✓      | _____  | ✓     | _____ | _____   | _____  |
| Councilmember James                        | _____  | _____  | _____ | _____ | _____   | ✓      |
| Councilmember Richko                       | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Sebetich                     | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember T'fank                       | _____  | _____  | _____ | _____ | _____   | ✓      |
| Councilmember Visioli                      | _____  | ✓      | ✓     | _____ | _____   | _____  |
| Councilmember Vohden                       | _____  | _____  | ✓     | _____ | _____   | _____  |
| Councilmember Walton                       | _____  | _____  | ✓     | _____ | _____   | _____  |
| Chairman Rilee                             | _____  | _____  | _____ | _____ | _____   | ✓      |