



**BOROUGH OF EDGEWATER
RESOLUTION**

COUNCILPERSON	YES	NO	ABSTAIN	ABSENT
GUTIERREZ				
LAWLOR				
MONTE				
VIDAL				
MARTIN				
BARTOLOMEO				
MAYOR				

DATE: April 21, 2025

RESOLUTION No. 2025-113

INTRODUCED BY: _____

SECOND BY: _____

AUTHORIZATION EXECUTION OF SETTLEMENT AGREEMENT

WHEREAS, on September 1, 2021, the Borough of Edgewater was subject to strong wind and rain from Tropical Storm Ida; and

WHEREAS, the Aventine located at Block 88, Lot 11.02 or commonly 100 Thompson Lane suffered flooding within their building as a result of water run-off from Gorge Road; and

WHEREAS, the Borough of Edgewater provided all necessary assistance as possible with the waiving of permit fees, expedited inspections, local, state, and federal resources; and

WHEREAS, the Borough of Edgewater recognized that the County of Bergen roadway was unable to handle the overflow of Cliffside Park stormwater and initiated the design of additional storm-water drains on Gorge Road, a County of Bergen roadway; and

WHEREAS, the Aventine above the Hudson Condominium Association filed a complaint against several parties including the Borough of Edgewater to preserve their rights with the Bergen County Superior Court Docket No. BER-L-4675-23 not seeking damages but for the correction of storm drainage within Gorge Road, a County of Bergen roadway; and

WHEREAS, on August 19, 2024, the Edgewater Mayor and Council endorsed resolution 2024-218 authorizing \$86,425.00 to be applied to the construction of drainage improvements to Gorge Road and the Borough of Edgewater executed an agreement with all parties; and

WHEREAS, as a result of legal minutiae between the parties, a monetary increase needs to be applied to all parties within the agreement.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Edgewater insurance carrier, the South Bergen Municipal Joint Insurance Fund, represented the Borough of Edgewater during this matter; and

BE IT FURTHER RESOLVED, that an amended settlement agreement has been reached between all parties and the SBMJIF recommends that the Borough of Edgewater be responsible for \$90,455.01 of the negotiated settlement toward the construction of drainage improvements to Gorge Road; and

BE IT FURTHER RESOLVED, that the settlement amount referenced above shall be paid to the County of Bergen who will be the lead agency for the construction of drainage improvements to Gorge Road; and

BE IT FURTHER RESOLVED, that the Borough of Edgewater Council authorize the Mayor and Borough Clerk to execute the above referenced settlement agreement; and

BE IT FURTHER RESOLVED, that I, Joseph Iannaconi, CFO of the Borough of Edgewater, do hereby certify that funding is available for the payment of the settlement agreement out of Bond Ordinance 2023-007.

Joseph Iannaconi, Jr.

I hereby certify that the above resolution was adopted by the Governing Body on April 21, 2025.

Michael J. McPartland
Mayor

Stephanie Evans, RMC
Borough Clerk