



Date Adopted

Committee

August 19, 2020

Administrative

**RESOLUTION AUTHORIZING COUNTY COUNSEL TO ENTER INTO A CONSENT ORDER DISMISSING LITIGATION CAPTIONED STATE OF NEW JERSEY JUDICIARY CUMBERLAND/GLOUCESTER/SALEM VICINAGE, PLAINTIFF V. SALEM COUNTY BOARD OF CHOSEN FREEHOLDERS, DEFENDANT, DOCKET NO.: BUR-L-1707-17**

**WHEREAS**, the Salem County Board of Chosen Freeholders were named as the Defendant in litigation commenced on or about July 24, 2017 by way of Verified Complaint in Lieu of Prerogative Writ, seeking an Order compelling the Defendant Salem County Board of Chosen Freeholders to engage in arbitration regarding the adequacy of the Salem County Courthouse Facilities; and

**WHEREAS**, on September 15, 2017, the Superior Court of New Jersey entered an Order compelling the Salem County Board of Chosen Freeholders to engage in arbitration with the Plaintiff, concerning the size and physical characteristics of courtrooms, chambers, office space and related facilities of the Law Division and of the Family Part of the Chancery Division within the Salem County Superior Court; and

**WHEREAS**, the parties proceeded with Arbitration and on February 1, 2020 the Arbitrators issued an Opinion and Determination, finding *inter alia*, that the current court facilities provided by the County of Salem are “inadequate and do not satisfy the County’s obligation under the New Jersey Constitution and N.J.S.A. 2B:6-1(b); and

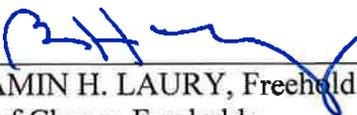
**WHEREAS**, the Arbitrators further Ordered the County to discuss an “appropriate remedy”; and

**WHEREAS**, the parties have negotiated, in good faith, regarding a remedy and have now reached an agreement for the renovation of the current courthouse facilities; and

**WHEREAS**, the parties now seek to terminate the ongoing Arbitration at this time by and through their mutual consent by way of a Consent Order to be submitted to the Court; and

**WHEREAS**, the Salem County Board of Chosen Freeholders desires to authorize Karin M Wood, Esquire, Salem County Counsel, to enter into said Consent Order on its behalf at this time;

**NOW THEREFORE, BE IT RESOLVED**, by the Salem County Board of Chosen Freeholders that Karin M. Wood, Esquire, Salem County Counsel is hereby authorized to enter into a Consent Order Dismissing, without prejudice, the litigation captioned, State of New Jersey Judiciary, Cumberland/Gloucester/Salem Vicinage, Plaintiff v. Salem County Board of Chosen Freeholders, Defendant, under Docket No.: BUR-L-1707-17.

  
BENJAMIN H. LAURY, Freeholder Director  
Board of Chosen Freeholders

I hereby certify the foregoing to be a true resolution adopted by the Board of Chosen Freeholders of the County of Salem at its meeting held on August 19, 2020.

  
 STACY L. PENNINGTON  
 Clerk of the Board

RECORD OF VOTE

FREEHOLDER	RESOLUTION MOVED	RESOLUTION SECOND	AYE	NAY	ABSTAIN	ABSENT
G. Ostrum, Jr.	✓		✓			
C. Hassler			✓			
L. Ware		✓	✓			
R.S. Griscom			✓			
B. Laury			✓			

✓ Indicates Vote

Department Initials \_\_\_\_\_