

RESOLUTION NO.: 2015 - 101

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE EXECUTION OF CONSENT ORDER RESOLVING PENDING LITIGATION IN THE MATTER OF SHAWN G. HOPKINS V. CHATHAM BOROUGH ET ALS., FILED UNDER DOCKET NUMBER MRS-L-657-15.**

**WHEREAS**, a Complaint was filed against the Borough of Mount Arlington by Shawn G. Hopkins in relation to an Open Public Records Act (hereinafter "OPRA") request; and

**WHEREAS**, the Borough of Mount Arlington provided a response to the OPRA request in an attempt to comply with the OPRA request pursuant to N.J.S.A. 47:1A-1.1 et seq. but was unable to obtain the data in the format requested; and

**WHEREAS**, Co-Defendants Microsystem-NJ.org has agreed to provide the data for any and all future requests for a one-time fee from each municipality for \$50.00; and

**WHEREAS**, Co-Defendant Microsystem-NJ.org has agreed to pay to Plaintiff attorney's fees in the amount of \$5,000 and each municipal Defendant shall pay attorney's fees in the amount of \$300.00; and

**WHEREAS**, the Borough of Mount Arlington desires to resolve the pending litigation filed against the Borough by Shawn G. Hopkins in relation to the OPRA request by execution of the proposed Consent Order, a copy of which is incorporated herein at length by reference; and

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF MOUNT ARLINGTON, THAT** the Borough attorney, Matthew J. O'Donnell, Esq., is hereby authorized to execute the Consent Order and to take such ministerial actions as are necessary to effectuate the terms of said Consent Order.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

**I HEREBY CERTIFY** this to be a true and correct Resolution of the Borough Council of the Borough of Mount Arlington and adopted on August 4 2015.

Approved:



Art Ondish, Mayor

Attest:



Linda DeSantis, RMC, Borough Clerk