

Mr. Caizza offered the following resolution and moved on its adoption:

**R-09-227**  
**RESOLUTION AUTHORIZING PAYMENT**  
**TO BAYVIEW CONDO ASSOCIATION**

**WHEREAS**, Bayview Condominium Association has asserted that they are Statuteorily entitled to reimbursement for street lighting municipal services; and

**WHEREAS**, they have a Municipal Services Agreement with the Borough of Highlands for such services; and

**WHEREAS**, the agreement requires presentation of those expenses for reimbursement, and that the expenses should be presented in a timely manner; and

**WHEREAS**, the requests for reimbursements have been sporadic, but total more than \$24,000 over the last several years; and

**WHEREAS**, the Bayview Condo Association has accepted that their timing and nature of the request for reimbursement has been inconsistent with timely submissions; and

**WHEREAS**, threats of litigation have been made by the Condo Association Attorney seeking full reimbursement of the expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that a settlement of this dispute of municipal services reimbursement be and is hereby approved in the amount of \$12,000 in total.

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby direct the Borough Attorney and Chief Financial Officer to take all necessary action to settle this claim for reimbursement of Municipal Services in the full amount of \$12,000.

Seconded by Mr. Urbanski and approved on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

**DATE:** December 16, 2009

CAROLYN CUMMINS, BOROUGH CLERK

I hereby certify this to be a true copy of the Resolution adopted by the Mayor and Council of the Borough of Highlands on December 16, 2009.

BOROUGH CLERK/DEPUTY CLERK