



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 25-169

AUTHORIZING SETTLEMENT AND EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND AGATE CONSTRUCTION COMPANY, WESTERN SURETY COMPANY AND BRIDGEWAY ASSOCIATES CORPORATION

WHEREAS, on or about November 10, 2021, the Borough entered into a written contract with Agate Construction Company ("Agate") requiring Agate to perform certain improvements to the Marine Place Bulkhead located in the Borough; and

WHEREAS, Western Surety Company issued a Maintenance Bond for the aforesaid project; and

WHEREAS, as a result of a dispute between the Borough and the Contractor as to the condition of the improvements, the Borough initiated litigation against the Contractor and Maintenance Bond Company which is docketed in the Superior Court of New Jersey, Law Division, Monmouth County, bearing Docket Number MON-L-1366-24; and

WHEREAS, the Contractor then filed a Third-Party Complaint against the Sub-Contractor for the Project, Bridgeway Associates Corporation; and

WHEREAS, the parties engaged in settlement discussions concerning the aforesaid litigation and have reached an amicable resolution of the same, wherein the Borough will receive payment in the amount of \$50,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands that it hereby authorizes settlement of this matter with the receipt of payment as set forth above.

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Highlands that the appropriate Borough officials, including the Mayor and Borough Administrator, be and are hereby authorized to execute a Settlement Agreement between the Borough of Highlands and Agate Construction Company, Western Surety Company and Bridgeway Associates Corporation, pursuant to the terms of the settlement that was reached, in a form to be approved by the Borough Attorney.

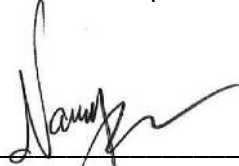
BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

Motion to Approve R 25-169:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES			X			
CHELAK	X		X			
MELNYK						X
OLSZEWSKI		X	X			
BROULLON			X			

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: September 3, 2025



Nancy Tran, Municipal Clerk
Borough of Highlands