

**RESOLUTION R-2020-
LUZERNE COUNTY COUNCIL**

***A Resolution by the Luzerne County Council Approving the Settlement of
Pending Litigation in the Matter of William J. Martin v. County of Luzerne***

WHEREAS, Section 4.07 B.3 of the Luzerne County Home Rule Charter Provides the County Manager shall have the authority to recommend the settlement of litigation involving the County, subject to the approval of County Council; and

WHEREAS, the Luzerne County Manager has recommended settlement of the above-captioned litigation; and

WHEREAS, Section 2.09 B.5 of the Luzerne County Home Rule Charter provides that County Council shall have the power to approve, by resolution adopted by a majority vote of the Council members, a recommendation by the County Manager to settle litigation involving the County; and

WHEREAS, allegations contained within Plaintiff's pleadings all stem from underground construction of storm drainage and piping system on a parcel adjacent to the property owned by Plaintiff; and

WHEREAS, Plaintiff alleges that the construction conducted by Luzerne County in 2001 caused property damage that continued unabated; and

WHEREAS, the parties desire to settle his claims against Luzerne County; and

WHEREAS, Luzerne County Council also desires to resolve the pending litigation in this matter.

NOW, THEREFORE, BE IT RESOLVED, the Luzerne County Council approves the settlement of pending litigation for all claims asserted against Luzerne County in the matter of ***William Martin v. County of Luzerne*** in the amount of \$9,115.00. This settlement is a full and complete settlement and release of any and all claims by the William Martin against the County of Luzerne.

This resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held _____, 2020.

ROLL CALL VOTE:

AYES-

NAYS-

LUZERNE COUNTY COUNCIL

By: _____
Tim McGinley, Chair

Attest: _____
Sharon Lawrence, Clerk of Council

C. David Pedri, Esquire
County Manager