

**DRAFT**

**BOROUGH OF PENNINGTON  
RESOLUTION 2026-3.17**

**RESOLUTION APPROVING SETTLEMENT OF LITIGATION**

**WHEREAS**, on the advice of the Borough Attorney, the matter of 15-17 N. Main St., LLC v. Borough of Pennington, Superior Court of New Jersey, Mercer County (Docket No. MER-L-001965-25) has been tentatively settled between the parties subject to approval by Borough Council;

**WHEREAS**, this matter involves a billing dispute following an accidental spillage of water at the plaintiff's property as the result of frozen water pipes;

**WHEREAS**, the proposed settlement would require the property owner to make full payment for the 491,000 gallons of metered water flow in the amount of \$5,018.39 but would forgive a comparable sum of \$5,309.99 for the sewerage portion of the bill in the unique absence of evidence that any part of this extraordinary metered water flow entered the sanitary sewer system;

**WHEREAS**, this compromise avoids the expense and uncertainty of continued litigation and does not therefore establish a precedent;

**NOW, THEREFORE, BE IT RESOLVED**, by Borough Council of the Borough of Pennington, incorporating the above recitals, that the proposed settlement is hereby approved, subject to payment to the Borough in the amount of \$5,018.39 within 30 days from the date of adoption of this resolution and the execution of such further documentation as the Borough Attorney and the Court may require.

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Rubenstein				
Chandler					Stern				
Marciante					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on March 9, 2026.

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Elizabeth Sterling, Borough Clerk