

**TOWNSHIP OF HOPEWELL  
MERCER COUNTY, NEW JERSEY**

**R E S O L U T I O N #24-96**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF HOPEWELL APPROVING SETTLEMENT  
AGREEMENT WITH RNM CONSTRUCTION, LLC.**

**WHEREAS**, Hopewell Township (the "Township") and RNM Construction, LLC. ("RNM") are Parties to a Contract ("Contract") for the construction of a salt barn in Hopewell Township (the "Project"), executed on or about April 18<sup>th</sup>, 2022; and

**WHEREAS**, during the course of construction, disputes arose between RNM and the Township regarding the Project; and

**WHEREAS**, RNM made certain claims against the Township regarding the Project, totaling approximately \$180,000.00; and

**WHEREAS**, the Township denied liability for the full extent of RNM's claims; and

**WHEREAS**, through mediation on February 8<sup>th</sup>, 2024, the Parties reached a tentative settlement of all claims pertaining to this Project; and

**WHEREAS**, it is the intent of the Township to resolve the claims it currently has, and could have had, in the above-captioned matter, as well as any claims RNM has, and could have had.

**NOW THEREFORE, BE IT RESOLVED**, the Parties have agreed as follows:

1. In full and final settlement of all claims presented or which could have been presented by RNM or the Township, related to or arising out of the Contract or the Project, the Township shall pay RNM the sum of \$85,000.00 (which amount includes the remaining retainage balance of \$14,224.49) (the "Settlement Payment"), said payment to be made by no later than March 21<sup>st</sup>, 2024.
2. RNM shall not be responsible for obtaining approval for the Project from the Soil Conservation District.
3. RNM shall provide all contractually required closeout documents required by the Township and/or its Engineer, including a Maintenance Bond, and a release of liens.
4. The Township Administrator is hereby authorized to take all steps necessary to effectuate the purposes of this Resolution, including but not limited to executing a formal Settlement Agreement, which shall further describe the terms and conditions of this Settlement, pursuant to counsel's review and approval. This resolution shall take effect immediately upon adoption.

Date Adopted: March 4, 2024

**CERTIFICATION**

I, Katherine Fenton-Newman, Municipal Clerk, of the Township of Hopewell, County of Mercer, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee at the regular meeting held on the 4<sup>th</sup> day of March 2024, in the Municipal Building Auditorium, Hopewell Township, New Jersey and via Zoom Video Communications.

  
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Katherine Fenton-Newman, CMR, RMC

Municipal Clerk