

SALEM COUNTY IMPROVEMENT AUTHORITY

RESOLUTION 2020-59

June 11, 2020

**RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT IN THE MATTER OF SALEM COUNTY IMPROVEMENT AUTHORITY V. DMB CONTRACTORS, LLC, JUSTIN DIMEDIO AND FORGE GROUP**

WHEREAS, Salem County Improvement Authority ("SCIA") filed a Complaint against DMB Contractors, LLC, Justin DiMedio and Forge Group, ("Defendants, DMB") in the Superior Court of New Jersey, Special Civil Part, Salem County, under Docket Number SLC-DC-1818-19, seeking the payment of certain fees, incurred by the Defendants for their use of the Salem County Landfill; and

WHEREAS, the Defendants, DMB, filed an Answer denying the obligation to pay said fees; and

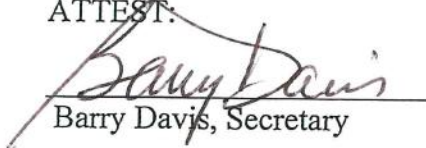
WHEREAS, the parties thereafter conducted negotiations through counsel and have reached terms of a settlement which have been reduced to writing in the form of a Consent Settlement Order, a copy of which is attached hereto as Exhibit A and incorporated within the body of this resolution by reference; and


WHEREAS, the SCIA has consulted with counsel and reviewed the terms of the proposed Consent Settlement Order in closed session at its meeting on June 11, 2020 and is in agreement with accepting the terms and conditions of the proposed Settlement Agreement; and

**NOW THEREFORE BE IT RESOLVED** by SCIA as follows:

1. SCIA hereby approves of the Consent Settlement Order attached hereto as Exhibit A, in the matter of Salem County Improvement Authority v. DMB Contractors, LLC, Justin DiMedio and Forge Group, Docket No. SLM-DC-1818-19; and
2. Michael A. Aimino, Esquire be and is hereby authorized and directed to execute said Consent Settlement Order, and any other ancillary settlement documents on behalf of SCIA so as to effectuate the settlement of the above identified lawsuit.

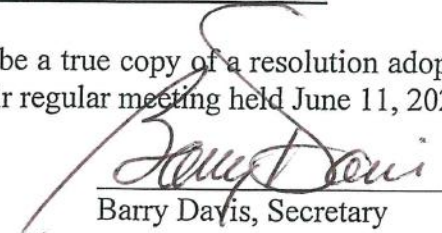
ATTEST:

  
Barry Davis, Secretary

  
Cordy Taylor, Chairman

**CERTIFICATION**

I hereby certify the above to be a true copy of a resolution adopted by the Salem County Improvement Authority Board at their regular meeting held June 11, 2020.

  
Barry Davis, Secretary

AIMINO & DENNEN, LLC  
Attorneys at Law  
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(856) 686-9147 Fax  
Attorneys for Plaintiff, Salem County  
Improvement Authority

Salem County Improvement Authority,  
Plaintiff,

v.

DMB Contractors LLC; Forge Group;  
Justin DiMedio,  
Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – SPECIAL CIVIL PART  
SALEM COUNTY  
DOCKET #: SLM DC 001818-19

Civil Action

**Consent Settlement Order**

This matter having been opened to the Court by way of Consent Settlement by the parties, with the Plaintiff, Salem County Improvement Authority ("SCIA") being represented by Michael A. Aimino, Esq., Solicitor for SCIA and the Defendants, DMB Contractors, LLC ("DMB"), Justin DiMedio and Forge Group, being represented by Kevin M. Siegel, Esq., and the Court having considered the consents of the parties, and for good cause shown;

IT IS THIS \_\_\_ DAY OF \_\_\_\_\_ 2020, ORDERED as follows:

1. The Defendants, DMB and Justin DiMedio shall pay the sum of \$8,000.00 to the Plaintiff, SCIA, in four (4) monthly installments of \$2,000.00 per month, beginning on June 15, 2020 and thereafter on July 15, 2020, August 15, 2020 and September 15, 2020; and



2. Payments shall be made by check made payable to the Salem County Improvement Authority, sent or hand delivered to at the offices of SCIA, 286 Welchville Road, P.O. Box 890, Alloway, New Jersey 08001; and

3. Failure of the Defendants, DMB and/or Justin DiMedio to make any of the payments within five (5) days of the scheduled payment date, will result in the Plaintiff, SCIA being able to automatically enter judgment against the Defendants, DMB and Justin DiMedio, jointly, severally and in the alternative, for the full amount of the demand for damages contained in the Complaint, which is a total of \$10,193.65, less any payments made by the Defendants. Judgment will be entered by the Court upon the Plaintiff, SCIA filing via ECourts a letter to the Court, indicating that one or more of the scheduled payments was not made as required under this Consent Settlement Order, detailing the amount of the Judgment to be entered and providing the Court with a form of Final Judgment; and

4. Upon payment of all sums due and owing under this Consent Settlement Order, the Plaintiff, SCIA, hereby releases, acquits, and further discharges the Defendants, DMB and Justin DiMedio, including their successors and assigns, from any and all claims and/or obligation for payment of fees, arising out of activities at the Salem County Landfill for the months of February and March 2019, the basis of which formed the within lawsuit, designated as Salem County Improvement Authority v. DMB Contractors, LLC, Justin DiMedio and Forge Group, in the Superior Court of New Jersey, Special Civil Part, Salem County, under Docket No. SLM-DC-1818-19; and

5. The Defendants, DMB, Justin DiMedio and Forge Group, hereby release, acquit, and further discharge the Plaintiff, SCIA from any claims arising from any and all claims and/or obligations arising out of activities at the Salem County Landfill for the months of February and March 2019, the basis of which formed the within lawsuit, designated as Salem County Improvement Authority v. DMB Contractors, LLC, Justin DiMedio and Forge Group, in the Superior Court of New Jersey, Special Civil Part, Salem County, under Docket No. SLM-DC-1818-19; and

6. All claims against the Defendant, Forge Group are dismissed with prejudice; and

7. Within 30 days of payment of all sums due and owing under this Consent Settlement Order, the Plaintiff, SCIA shall file a Stipulation of Dismissal, with Prejudice as to the Defendants, DMB and Justin DiMedio, with the Court, via ECourts.

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Hon. Samuel J. Ragonese, Jr., J.S.C.

We Hereby Consent to the Form  
And Entry of the Above Consent  
Settlement Order

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Michael A. Aimino, Esq., Solicitor  
Salem County Improvement Authority

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Kevin M Siegel, Esq., Attorney for  
DMB Contractors, LLC, Justin DiMedio  
and Forge Group