

Resolution 17-003

**RESOLUTION AUTHORIZING PAYMENT OF PROFESSIONAL SERVICE FEES OF CLEARY GIACOBBE ALIERI JACOBS LLC**

**WHEREAS**, at duly convened public meetings of the Rockaway Valley Regional Sewerage Authority ("RVRSA"), Resolution #13-019 was adopted on February 14, 2013, and subsequently readopted at Resolution #14-014 on February 18, 2014; at Resolution #15-020 on February 12, 2015; and at Resolution #16-019 on February 11, 2016; and

**WHEREAS**, the aforementioned resolutions establish that it is within the discretion of the RVRSA to indemnify past and present members and employees of the RVRSA and pay, or otherwise reimburse, each past and present member and employee of the RVRSA for, *inter alia*, legal fees associated with any civil action which may be brought against such member or employee based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority (hereinafter referred to as "RVRSA Indemnification Policy"); and

**WHEREAS**, the RVRSA determined that it is in the best interests of the Authority to provide a defense to JoAnn Mondsini, Executive Director, by an attorney of the employee's choosing and to make direct payments to counsel for the costs associated with the defense of JoAnn Mondsini in response to allegations made by the Local Finance Board relative to an event occurring in 2013; and

**WHEREAS**, Resolution 14-060 was adopted on June 12, 2014, and Resolution 16-058 on May 12, 2016, and Resolution 16-070 on July 14, 2016, which authorize payment in an amount not to exceed a total of \$20,000.00 without further authorization of the Authority, to the law firm of Cleary Giacobbe Alieri Jacobs LLC for legal services rendered in response to allegations made by the Local Finance Board against JoAnn Mondsini, Executive Director; and

**WHEREAS**, the RVRSA has determined that it is appropriate to increase the authorization by an additional amount, not to exceed \$5,000.00; and

**WHEREAS**, the necessary additional funds are available in 01-501-020;

**NOW THEREFORE BE IT RESOLVED** by the Rockaway Valley Regional Sewerage Authority in the County of Morris and the State of New Jersey on this 12<sup>th</sup> day of January, 2017 as follows:

1. The Authority hereby authorizes an additional amount not to exceed \$5,000.00, for a new total amount not to exceed \$25,000.00 without further authorization of the Authority, to the law firm of Cleary Giacobbe Alieri Jacobs LLC for payment of legal services rendered in response to allegations made by the Local Finance Board against JoAnn Mondsini, Executive Director.
2. This Resolution shall take effect as provided by law.

#### Certification

I hereby certify that this Resolution was adopted at a regular meeting of the Rockaway Valley Regional Sewerage Authority held on January 12, 2017.

On motion: Glenn Corbett

Second by: Michael Guadagno

And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Lowell, Rossi, Schorno

Nays: (0) None

Abstain: (1) Vincitore

Absent: (1) Recchia

  
Michael Guadagno  
Board Secretary