

RESOLUTION 17-128

RESOLUTION AUTHORIZING EXECUTION OF CONSENT ORDER IN THE MATTER OF JERSEY CITY MUA ET AL. V. TOWN OF DOVER, ET AL., DKT. NO. MRS-L-1313-10, WITH RESPECT TO THE FIFTH COUNT OF DEFENDANT'S COUNTERCLAIM RELEVANT TO THE DISCHARGE OF WASTE MATERIALS FROM JERSEY CITY'S RESERVOIR FACILITIES

WHEREAS, the City of Jersey City commenced litigation against the Rockaway Valley Regional Sewerage Authority (RVRSA) in the matter of Jersey City Municipal Utilities Authority, et. al. v. Town of Dover et. al., Docket No. MRS-L-1313-10; and

WHEREAS, Defendant Rockaway Valley Regional Sewerage Authority ("Defendant" or "RVRSA") filed Defendant's Counterclaim, Separate Defenses, and Answer of Defendant, Rockaway Valley Regional Sewerage Authority to Plaintiffs' Amended Complaint, on June 8, 2017, (hereinafter referred to as the "Defendant's Counterclaim") in this matter; and

WHEREAS, the Fifth Count of Defendant's Counterclaim asserts claims relevant to the discharge of waste materials from Jersey City's Reservoir Facilities located at 640 Greenbank Road, Boonton, NJ 07005; and

WHEREAS, Defendant and Plaintiffs, Jersey City Municipal Utilities Authority and City of Jersey City have agreed to an amicable settlement of the claims contained in the Fifth Count of Defendant's Counterclaim; and

WHEREAS, the terms of the Consent Order, attached hereto and made a part hereof, meet the objectives of the RVRSA in asserting Count 5 of its counterclaim in this litigation, and therefore upon receipt of an executed Consent Order, a withdrawal of the above referenced Count 5 of Defendant's Counterclaim is appropriate; and

WHEREAS, upon receipt of a fully executed Consent Order from Plaintiffs, the Authority desires to authorize Joseph Maraziti, Jr., Esq., to execute the same and withdraw Count 5 of Defendant's Counterclaim in the matter of Jersey City Municipal Utilities Authority, et. al. v. Town of Dover et. al., Docket No. MRS-L-1313-10.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. Upon receipt of an executed Consent Order from Plaintiffs, the Authority authorizes Joseph Maraziti, Jr., Esq., to execute the same on behalf of the Rockaway Valley Regional Sewerage Authority, and withdraw Count 5 of Defendant's Counterclaim in the matter of Jersey City Municipal Utilities Authority, et. al. v. Town of Dover et. al., Docket No. MRS-L-1313-10.
2. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that this Resolution was adopted at a regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority held on 12th October, 2017

On motion of Glenn Corbett

Seconded by Joseph Lowell

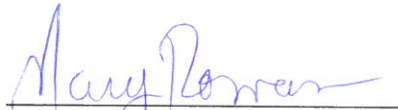
and a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Corbett, Guadagno, Lavery, Lowell, Recchia, Rossi, Schorno

Nays: (0) None

Abstain: (0) None

Absent: (1) Vincitore



Mary Roman
Assistant Board Secretary