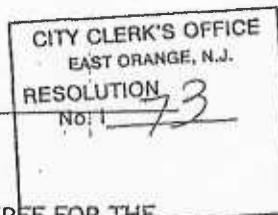


CITY COUNCIL OF EAST ORANGE

Resolution offered by Council Member JACQUELYN E. JOHNSON



RESOLUTION AUTHORIZING THE EXECUTION OF A CONSENT DECREE FOR THE
SETTLEMENT WITH STATE PLAINTIFFS IN THE ACTION ENTITLED
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION V. OCCIDENTAL
CHEMICAL CORPORATION, ET AL.

WHEREAS, certain claims have been asserted against the City of East Orange (the "City") in the action entitled New Jersey Department of Environmental Protection v. Occidental Chemical Corporation, et al., Docket No.: ESX-L-9868-05 pending in the Superior Court of New Jersey, Essex County (the "Litigation") regarding alleged environmental contamination at the Newark Bay Complex ("Newark Bay Complex");

WHEREAS, certain Third-Party Defendant municipalities, and municipal utilities authorities, including the City of East Orange are members or a Municipal Joint Defense Group;

WHEREAS, the Municipal Joint Defense Group on behalf of its members engaged in settlement negotiations with the State of New Jersey ("State Plaintiffs") towards the resolution of the Litigation through the entry of a Consent Judgment;

WHEREAS, the terms of the settlement require the City of East Orange to execute a Consent Judgment before same is lodged and disclosed for publication in the New Jersey Register;

WHEREAS, the terms of the settlement require the City of East Orange to pass a resolution authorizing its participation in the settlement and authorizing the appropriation of \$95,000 representing the Settlement Funds the term is defined by the Consent Judgment on or before March 23, 2013;

WHEREAS, a copy of the Consent Judgment and this resolution shall be maintained in the Office of the City Clerk.

CITY COUNCIL OF EAST ORANGE

NOW THEREFORE, BE IT RESOLVED by the City of East Orange as follows:

1. The appropriate City Official is hereby authorized and directed to execute a Consent Judgment disposing of the above referenced lawsuit.
2. The City hereby authorizes payment of the \$95,000 settlement amount, when due, in the manner provided for in the Consent Judgment and the Chief Financial Officer is authorized to issue payment in satisfaction of the settlement from the insurance claim fund or such other line as she may deem appropriate.
3. Notwithstanding the above authorizations, nothing contained within this resolution shall preclude or prevent the City from pursuing recovery and reimbursement for the whole or any portion of the Settlement Funds from any insurance carrier(s) identified now or in the future.
4. This resolution shall take effect immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF RESOLUTION NO. 73 ADOPTED BY THE CITY COUNCIL OF EAST ORANGE AT ITS MEETING HELD March 11, 2013
[Signature]
 CITY CLERK, EAST ORANGE, NJ

Council Member	AYE	NAY	N.V.	A.B.
FIELDS				X
BARNES	X			
CROSS	X			
JOHNSON				X
GREEN	X			

Council Member	AYE	NAY	N.V.	A.B.
HUGHES				X
MCPHATTER	X			
HOLMAN	X			
HOLT	X			
TALMADGE	X			

X - Indicates Vote A.B. - Absent
 Action on Veto - √ To Sustain

N.V - Not Voting (Abstained or Excused)
 √ To Over-Ride

VOTES REQUIRED _____

Approved as to:
 Factual Contents

[Signature]
 Department Head

Appropriation

[Signature]
 Comptroller

Form and Legality

[Signature]
 Counsel

Tabled _____

Presented to Mayor

Approved

Vetoed

[Signature] Mayor

Removed from Table

Adopted

2013

[Signature] City Council Chairman

[Signature] City Clerk

Entered on Council Minutes, Page _____

Signature Page

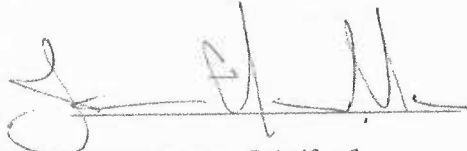
The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: James L. Cassella

BY:



Authorized Representative on Behalf of

Borough of East Rutherford

DATE:

3/19/2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

NAME:

Danielle Loren

TITLE:

PMC

ADDRESS:

1 Everett Pl
East Rutherford NJ
07073

PHONE NO.:

201-933-3444

NAME:

Richard Allen

TITLE:

Borough Attorney

ADDRESS:

52 Chestnut St

PO Box 133

Rutherford NJ 07070

PHONE NO.:

201-933-3633

Approved by Plaintiffs

JFD
By: John F. Dickinson, Jr. DJL
10/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment (as it appeared on March 8, 2013) as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)



Payment into Escrow Account



Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: City of Elizabeth

BY:

Authorized Representative on Behalf of City of Elizabeth

J. CHRISTIAN BOLLWAGE, MAYOR

DATE: MARCH 13, 2013

CITY OF ELIZABETH
APPROVED AS TO FORM <u>WRH</u>
PHYSICAL CONDITIONS
TERMS & CONDITIONS <u>WRH</u>
DESCRIPTION

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of City of Elizabeth:

NAME: J. CHRISTIAN BOLLWAGE

TITLE: MAYOR

ADDRESS: CITY HALL
50 WINFIELD SCOTT PLAZA
ELIZABETH, NJ 07201

PHONE NO.: (908) 820-4170

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of City of Elizabeth:

NAME: J. CHRISTIAN BOLLWAGE

TITLE: MAYOR

ADDRESS: CITY HALL
50 WINFIELD SCOTT PLAZA
ELIZABETH, NJ 07201

PHONE NO.: (908) 820-4170

Approved by Plaintiffs

JFD
By: John F. Dickinson, Jr. DN
2/13/17

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al., Docket No. ESX-19869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☐ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Richard A. Mola, Mayor

BY:

Richard A. Mola

Authorized Representative on Behalf of

Borough of Elmwood Park

DATE:

3/28/13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

NAME:

Keith Kazmark, RMC/CMC/MMC NAME:

Brian Giblin

TITLE:

Borough Clerk

TITLE:

Attorney

ADDRESS:

182 Market Street

ADDRESS:

2 Forest Avenue

Elmwood Park, NJ 07407

Oradell, NJ 07649

PHONE NO:

201-796-1457 ex. 202

PHONE NO:

201-262-9500

Approved By Plaintiff,

JFD
R. JOHN F. DILLON, Jr., DAC
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Fair Lawn

TITLE: _____

Authorized Representative on Behalf of Borough of Fair Lawn

Fred Semrau, Esq.

DATE: March 28, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of Fair Lawn

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of Fair Lawn

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street

P.O. Box 228

Boonton, NJ 07005

PHONE NO: 973-334-1900

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street

P.O. Box 228

Boonton, NJ 07005

PHONE NO: 973-334-1900

Approved by Plaintiff

JFD
By John R. Dickinson Jr.
DAB
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☐ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Fanwood

BY: 

Authorized Representative on Behalf of Borough of Fanwood

DATE: March 21, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of Fanwood:

NAME: Eleanor McGovern
TITLE: Administrator/Clerk
ADDRESS: 75 North Martine Avenue
Fanwood, NJ 07023

PHONE NO.: 908 322 8236 Ext. 123

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of Fanwood:

NAME: Eleanor McGovern
TITLE: Administrator/Clerk
ADDRESS: 75 North Martine Avenue
Fanwood, NJ 07023

PHONE NO.: 908 322 8236 Ext. 123

This Signature Page applies to the Consent Judgment with the heading "Confidential- For Settlement Purposes Only" attached to the January 25, 2013 e-mail from William Jackson, Esq. sent to liaison counsel.

Approved by Plaintiffs

JFD

By: John F. Dickinson, Jr.

DAL

12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Franklin Lakes

BY: 

Authorized Representative on Behalf of Borough of Franklin Lakes

Fred Semrau, Esq.

DATE: March 28, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of Franklin Lakes

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of Franklin Lakes

NAME: Fred Semrau, Esq.
Dorsey & Semrau

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

TITLE: _____

ADDRESS: 714 Main Street

ADDRESS: 714 Main Street

P.O. Box 228

P.O. Box 228

Boonton, NJ 07005

Boonton, NJ 07005

PHONE NO: _____

973-334-1900

PHONE NO: _____

973-334-1900

Approved By PLAINTIFFS

JFD

*By JOHN F. DILLON JR., Esq.
6/13/13*

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: City of Garfield

BY: [Signature]

Authorized Representative on Behalf of City of Garfield

Fred Semrau, Esq.

DATE: March 28, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of

City of Garfield

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street
P.O. Box 228
Boonton, NJ 07005

PHONE NO: 973-334-1900

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

City of Garfield

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street
P.O. Box 228
Boonton, NJ 07005

PHONE NO: 973-334-1900

Approved By Plaintiff

JFD
By JOHN F. DICKINSON, Jr., Esq.
12/18/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds in the amount of **\$95,000.00** as set forth below.

(Check one)

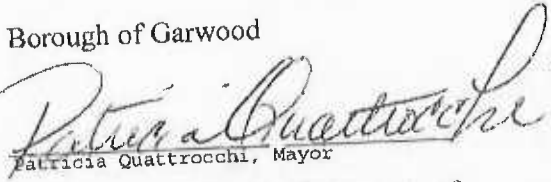
☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

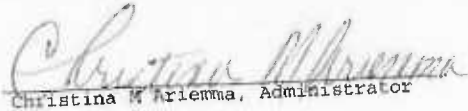
SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Garwood

BY:


Patricia Quattrocchi, Mayor

Authorized Representative on Behalf of Borough of Garwood


Christina M Ariemma, Administrator

DATE: March 12, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of Garwood:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of Garwood:

NAME: Christina M Ariemma

NAME: Christina M Ariemma

TITLE: Borough Administrator/Clerk

TITLE: Borough Administrator/Clerk

ADDRESS: 403 South Avenue

ADDRESS: 403 South Avenue

Garwood, NJ 07027

Garwood, NJ 07027

PHONE NO.: 908-789-0710

PHONE NO.: 908-789-0710

Approved by Plaintiffs

JPB
By: John F. Dickinson, Jr. PAC
12/3/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☐ Payment into Escrow Account

☒ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Glen Ridge

BY: Peter Hughes

Authorized Representative on Behalf of Borough of Glen Ridge

MAYOR

DATE: 18th day of March 2013.

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of Glen Ridge:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of Glen Ridge:

NAME: JOHN N. MALYSKA
TITLE: Borough Attorney
ADDRESS: Meyner And Landis, LLP
One Gateway Center
Suite No. 2500
Newark, New Jersey 07102
PHONE NO.: (973) 624-2800 Ext. 442

NAME: JOHN N. MALYSKA
TITLE: Borough Attorney
ADDRESS: Meyner And Landis, LLP
One Gateway Center
Suite No. 2500
Newark, New Jersey 07102
PHONE NO.: (973) 625-2800 Ext. 442

Approved By, Plaintiff

JFD
By JOHN F. DILGONSON, Jr., DPL
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Glen Rock

BY: 

Authorized Representative on Behalf of Borough of Glen Rock

Fred Semrau, Esq.

DATE:

March 28, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of Glen Rock

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of Glen Rock

NAME: Fred Semrau, Esq.
Dorsey & Semrau

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE:

TITLE:

ADDRESS: 714 Main Street

ADDRESS: 714 Main Street

P.O. Box 228

P.O. Box 228

Boonton, NJ 07005

Boonton, NJ 07005

PHONE NO: 973-334-1900

PHONE NO: 973-334-1900

APPROVED BY PLAINTIFFS

JDD

By JOHN F. Dickerson, Jr., DA
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment, as circulated by Bill Jackson, Esq. on January 25, 2013, as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L-9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds as set forth below:

Settlement Amount: \$95,000.00

Payment Method: To be determined

SETTLING THIRD-PARTY DEFENDANT

NAME: City of HackensackBY: Authorized Representative on Behalf of
City of HackensackStephen LaTacono, City mgr.DATE: 3/21/13Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of City of Hackensack:NAME: Debra HeckTITLE: City ClerkADDRESS: 65 Central AvenueHackensack, NJ 07601PHONE NO.: (201) 646-3940Person to Receive Notice Pursuant to
Paragraph 45 on Behalf of City of Hackensack:NAME: Debra HeckTITLE: City ClerkADDRESS: 65 Central AvenueHackensack, NJ 07601PHONE NO.: (201) 646-3940Approved by PlaintiffJA
By Jan F. Dickinson, Jr., JAC
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Haledon

BY: 

Authorized Representative on Behalf of Borough of Haledon

Fred Semrau, Esq.

DATE: March 28, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of

Borough of Haledon

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street

P.O. Box 228

Boonton, NJ 07005

PHONE NO: 973-334-1900

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

Borough of Haledon

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street

P.O. Box 228

Boonton, NJ 07005

PHONE NO: 973-334-1900

Approved By Plaintiff

JFD

By JOHN F. Dickinson, Jr.
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of **\$95,000.00** as set forth below.

(Check one)



Payment into Escrow Account



Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Town of Harrison

BY:

RAYMOND J. McDONOUGH
MAYOR

Authorized Representative on Behalf of Town of Harrison

Raymond J. McDonough
3/18/13

DATE:

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Town of Harrison:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Town of Harrison:

NAME:

PAUL J. ZARBETSKI

NAME:

PAUL J. ZARBETSKI

TITLE:

TOWN CLERK

TITLE:

TOWN CLERK

ADDRESS:

318 HARRISON AVE.
HARRISON, NJ 07029

ADDRESS:

318 HARRISON AVE.
HARRISON, NJ 07029

PHONE NO.:

973 - 268 - 2442

PHONE NO.:

973 - 268 - 2442

APPROVED BY PLAINTIFFS

JPD
By John F. Dickerson, Jr., JPL
12/18/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-19869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)



Payment into Escrow Account



Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Hasbrouck Heights

BY: Rose Heck
ROSE HECK, MAYOR
Authorized Representative on Behalf of

Borough of Hasbrouck Heights

DATE: March 26, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

NAME: Gregory J Coffey
TITLE: Attorney
ADDRESS: Coffey & Associates
310 South Street
Morristown, NJ 07960
PHONE NO.: 973-539-4500

NAME: Gregory J Coffey
TITLE: Attorney
ADDRESS: Coffey & Associates
310 South Street
Morristown, NJ 07960
PHONE NO.: 973-539-4500

Approval By PLAINTIFFS.

JED
By John F. Dickinson, Jr., DA
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Hawthorne

BY: 

Authorized Representative on Behalf of Borough of Hawthorne

Fred Semrau, Esq.

DATE:

March 28, 2013

Person Authorized to Accept Service Pursuant to Paragraph 6.3 on Behalf of

Borough of Hawthorne

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street

P.O. Box 228

Boonton, NJ 07005

PHONE NO: 973-334-1900

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

Borough of Hawthorne

NAME: Fred Semrau, Esq.
Dorsey & Semrau

TITLE: _____

ADDRESS: 714 Main Street

P.O. Box 228

Boonton, NJ 07005

PHONE NO: 973-334-1900

APPROVED BY PLAINTIFFS

JFO

By John P. Dickinson, Jr., DAE
12/13/13

SIGNATURE PAGE

The undersigned party enters into this Third-Party Defendant Consent Judgment, which was filed on January 24, 2013, as a Settling Public Third-Party Defendant in the matter of *New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corp., et al.*, Docket No. ESX-L9868-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.*

(Check one)

☒ Payment into Escrow Account; or

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments.

SETTLING THIRD-PARTY DEFENDANT

NAME: Township of Hillside

By: 

Mayor

By: 

Chief Financial Officer

Authorized Representatives on Behalf of the Township of Hillside

Dated: _____

Person Authorized to Accept Service Pursuant to Paragraphs 45 and 63:

NAME: Township Clerk
Township of Hillside
ADDRESS: Municipal Building
1409 Liberty Avenue
Hillside, NJ 07205

For Plaintiffs:
JOHN J. HOFFMAN,
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: 

John F. Dickinson, Jr.
Deputy Attorney General

Dated: _____

*This Signature Page applies to the Consent Judgment with the heading "Confidential-For Settlement Purposes Only" attached to the January 25, 2013 email from William Jackson, Esq. sent to Liaison Counsel, John Scagnelli, Esq.

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☐ Payment into Escrow Account

☒ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid Payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Township of Irvington

BY:

Authorized Representative on Behalf of Township of Irvington

WAYNE SMITH

DATE: April 2, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Township of Irvington:

NAME: Marvin T. Braker, Esq.

TITLE: Township Attorney

ADDRESS: Township of Irvington
1 Civic Square

Irvington, NJ 07111

PHONE NO.: 973-399-6637

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Township of Irvington:

NAME: Marvin T. Braker, Esq.

TITLE: Township Attorney

ADDRESS: Township of Irvington
1 Civic Square

Irvington, NJ 07111

PHONE NO.: 973-399-6637

Approved By PLAINTIFFS

JFB

*By John F. Dickinson, Jr., PAL
12/13/13*

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: Jersey City Municipal Utilities
Authority

BY:

Authorized Representative on Behalf of Jersey City
Municipal Utilities Authority
(973) 533-0777
Newark, New Jersey 07102
494 Broad Street
Gerova Burns Giandomasi Webster
Jennifer Borek

DATE:

Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of Jersey City Municipal
Utilities Authority:

NAME:

TITLE:

ADDRESS:

PHONE NO.:

(973) 533-0777
Newark, New Jersey 07102
494 Broad Street
Gerova Burns Giandomasi Webster
Jennifer Borek

Person to Receive Notice Pursuant to Paragraph 45
on Behalf of Jersey City Municipal Utilities
Authority:

NAME:

TITLE:

ADDRESS:

PHONE NO.:

APPROVED BY PLAINTIFFS

JED
By John F. Davidson, Jr. P.
12/18/10

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L-9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the settlement funds in the amount of \$95,000.00 as set forth below:

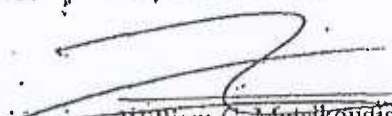
(Check one)

- ☒ Payment into Escrow Account ☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: City of Jersey City

BY:


William C. Matsikoudis
Authorized Representative on Behalf of City of Jersey City

DATE:

MARCH 19, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of City of Jersey City:

NAME: William C. Matsikoudis

TITLE: Corporation Counsel

ADDRESS: City of Jersey City-Law Dept.

280 Grove Street

Jersey City, New Jersey 07302

PHONE: (201) 547-5229

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of City of Jersey City

NAME: William C. Matsikoudis

TITLE: Corporation Counsel

ADDRESS: City of Jersey City-Law Dept.

280 Grove Street

Jersey City, New Jersey 07302

PHONE: (201) 547-5229

Approved by PLAINTIFF

JFD
By John F. Dickinson Jr.
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: Joint Meeting of Essex and Union
Counties

BY:



Authorized Representative on Behalf of Joint Meeting
of Essex and Union Counties

DATE:

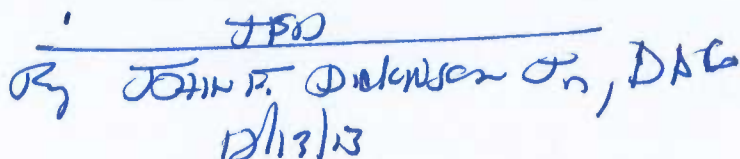
Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of Joint Meeting of Essex and
Union Counties:

NAME: Jennifer Borek
TITLE: Genova Burns Giantomasi Webster
ADDRESS: 494 Broad Street
Newark, New Jersey 07102
PHONE NO.: (973) 533-0777

Person to Receive Notice Pursuant to Paragraph 45
on Behalf of Joint Meeting of Essex and Union
Counties:

NAME: Jennifer Borek
TITLE: Genova Burns Giantomasi Webster
ADDRESS: 494 Broad Street
Newark, New Jersey 07102
PHONE NO.: (973) 533-0777

Approved By PLAINTIFF


12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Town of Kearny

BY:

Authorized Representative on Behalf of Town of Kearny

Michael J. Martello, Town Administrator

DATE:

3/12/13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Town of Kearny:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Town of Kearny:

NAME: Patricia Carpenter

NAME: Norma Garcia, Esq.

TITLE: Town Clerk

TITLE: Attorney

ADDRESS: Town of Kearny

ADDRESS: Castano Quigley LLC

402 Kearny Avenue

155 Passaic Avenue, Suite 340

Kearny, N.J. 07032

Fairfield, N.J. 07004

PHONE NO.: (201) 955-7400

PHONE NO.: (973) 808-1234

Approved by Plaintiffs

JFD

By: John F. Dickinson, Jr., ~~DAO~~

12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al; Docket No, ESX-L-9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds as set forth below.
Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of Kenilworth



By: Harvey Fruchter, Esquire
Borough Attorney / Authorized Representative
on Behalf of the Borough of Kenilworth
DATE: 3/24/2013

Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of

Person to Receive Notice Pursuant to Paragraph 45
on Behalf of

NAME: Hedy Lipke
TITLE: Borough Clerk
ADDRESS: 567 Boulevard, Kenilworth, NJ 07033
TELEPHONE: (908) 276-9090

NAME: Harvey Fruchter
TITLE: Borough Attorney
ADDRESS: 726 Boulevard, suite 19, Kenilworth, NJ 07033
TELEPHONE: (908) 241-2626

APPROVED BY PLANT, PG,

JFH
By John F. Delansky, Jr., Dir
4/13/13

Signature Page

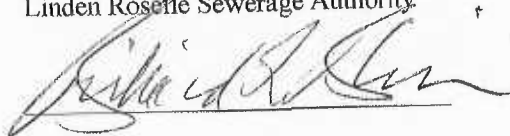
The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L-9869-04 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds as set forth below.*

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: Linden Roselle Sewerage Authority

BY:



Authorized Representative on Behalf of Linden
Roselle Sewerage Authority

Richard L. Rudin, Esq.

DATE: March 27, 2013

Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of Linden Roselle Sewerage
Authority:

NAME: Gary G. Fare

TITLE: Executive Director

ADDRESS: Linden Roselle Sewerage

Authority

500 South Wood Avenue

Linden, NJ 07036

PHONE NO.: 908-862-7100

Person To Receive Notice Pursuant to Paragraph 45
on Behalf of Linden Roselle Sewerage Authority:

NAME: Richard L. Rudin, Esq.

TITLE: Counsel for Linden Roselle

Sewerage Authority

ADDRESS: Weiner Lesniak LLP

629 Parsippany Road

Parsippany, NJ 07054

PHONE NO.: 973-403-1100

*This Signature Page applies to the Consent Judgment attached to the March 8, 2013 e-mail from
Wayne Greenstone, Esq.

Approved by Plaintiffs

JFD

By: John F. Dickinson, Jr., OPL

12/19/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al., Docket No. ESX-19869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

The City of Linden cannot determine, as of this date, whether to make payment of settlement funds directly to the State of New Jersey, or, in lieu thereof, to accept a deduction from State Aid funds. This decision will need to be made at the time of settlement approval based on the current fiscal needs, and budgetary limitations.

SETTLING THIRD-PARTY DEFENDANT

NAME: City of Linden

BY:

Richard J. Haskins
Mayor

Authorized Representative on Behalf of
City of Linden.

DATE:

March 20, 2013

Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of City of Linden.

Person to Receive Notice Pursuant to Paragraph
45 on Behalf of City of Linden.

NAME:

NAME:

TITLE:

TITLE:

ADDRESS:

ADDRESS:

PHONE NO.:

PHONE NO.:

* This signature page applies to the Consent Judgment, with the heading
"Confidential For Settlement Purposes Only" attached to the January 25, 2013
e-mail from William Jackson, Esq. sent to liaison counsel.

Approved By Plaintiffs

JFD

*By JOHN F. DICKINSON, Dkt
12/13/13*

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of **\$95,000.00** as set forth below.

(Check one) To Be Determined

☐ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Township of Little Falls

BY: Joanne Bergin

Authorized Representative on Behalf of Township of Little Falls

DATE: December 13, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Township of Little Falls:

NAME: Joanne Bergin

TITLE: Business Administrator

ADDRESS: 225 Main St.
Little Falls, NJ

PHONE NO.: (973) 890-4525

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Township of Little Falls:

NAME: Dorlene J. Post

TITLE: Mayor

ADDRESS: 225 Main St.
Little Falls, NJ

PHONE NO.: (201) 247-3094

Approved By Plaintiffs

JPD
By JOHN P. Dickinson, Jr., D.M.
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.: Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: Debra A. Ciliento
Borough Clerk

BY: Debra A. Ciliento

Authorized Representative on Behalf of

Borough of Lodi

DATE: March 26, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of

NAME: Debra A Ciliento
TITLE: Borough Clerk
ADDRESS: 1 Memorial Drive
Lodi NJ
07644
PHONE NO.: 973-365-4005 x405

NAME: Peter J King
TITLE: KING & PETRACCA, ESQS.
ADDRESS: 51 Gibraltar Drive - Suite 2F
Morris Plains, NJ 07950-1254
PHONE NO.: 973 998 6863

Approved By Plaintiff

JPD
By JOHN P. Dickinson Jr., DOL
12/17/13

3/26/2013 9:00 AM

SIGNATURE PAGE

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L-9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

☐ Payment into Escrow Account

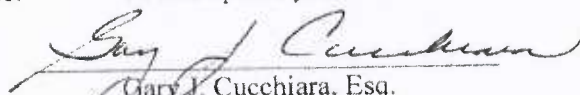
☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

☒ To be determined

SETTLING THIRD-PARTY DEFENDANT

Name: Township of Lyndhurst

By:


Gary J. Cucchiara, Esq.
Township Attorney

Authorized Representative on
Behalf of Township of Lyndhurst

DATE: April 2, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of the Township of Lyndhurst:

Name: Helen Polito

Title: Township Clerk

Address: 253 Stuyvesant Avenue
Lyndhurst, New Jersey 07071

Phone No.: 201-804-2457

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Township of Lyndhurst:

Name: Gary J. Cucchiara, Esq.

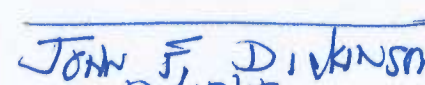
Title: Township Attorney

Address: Scarinci & Hollenbeck, LLC
1100 Valley Brook Avenue
Lyndhurst, New Jersey 07071

Phone No.: 201-896-4100

*This Signature Page applies to the Consent Judgment, with the heading "Confidential-For Settlement Purposes Only" attached to the January 25, 2013 e-mail from William Jackson, Esq. sent to liaison counsel.

Approved By Plaintiff,

By 
John F. Dickinson, J.D.
2/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☐ Payment into Escrow Account



Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Township of Maplewood

BY: 

Authorized Representative on Behalf of Township of Maplewood

ROGER J. DESIDERIO, TOWNSHIP ATTORNEY

DATE: 3/25/13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Township of Maplewood:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Township of Maplewood:

NAME: ROGER J. DESIDERIO, ESQ.

TITLE: TOWNSHIP ATTORNEY

ADDRESS: BENDIT WEINSTOCK, PA
80 MAIN STREET - SUITE 260
WEST ORANGE, NJ 07052

PHONE NO.: 973-736-9800

NAME: ROGER J. DESIDERIO, ESQ.

TITLE: TOWNSHIP ATTORNEY

ADDRESS: BENDIT WEINSTOCK, PA
80 MAIN STREET - SUITE 260
WEST ORANGE, NJ 07052

PHONE NO.: 973-736-9800

Approved By PLAINTIFFS

JPD

By John F. Dickinson, Jr. DCL
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Township of Millburn

BY:

Sandra H. Haimoff
Sandra H. Haimoff, Mayor

Authorized Representative on Behalf of Township of Millburn

DATE:

3-19-13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Township of Millburn:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Township of Millburn:

NAME: Christine Gatti

NAME: Daren R. Eppley, Esq.

TITLE: Township Clerk

TITLE: Attorney

ADDRESS: 375 Millburn Avenue

ADDRESS: DeCotiis FitzPatrick & Cole, LLP
500 Frank W. Burr Blvd, Ste. 31

Millburn, New Jersey

Teaneck, New Jersey 07666

07041-1379

PHONE NO.: (973) 564-7000

PHONE NO.: (201) 928-1100

Approved By PLAINTIFF

JTS
By John F. Dickinson, Jr. Dd
12/18/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

☐ Payment into Escrow Account

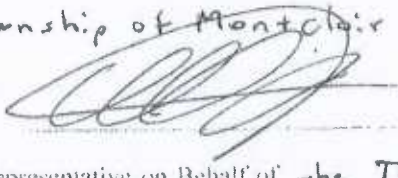


Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Township of Montclair

BY:



Authorized Representative on Behalf of the Township of Montclair

Mayor Robert Jackson

DATE:

4-29-13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of the Township of Montclair

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of the Township of Montclair

NAME: Linda Wanat

NAME: Ira Karasiok, Esq.

TITLE: Clerk

TITLE: Township Attorney

ADDRESS: 205 Claremont Ave

ADDRESS: 205 Claremont Ave

Montclair, NJ

Montclair, NJ

07042

07042

PHONE NO.: 973-509-4900

PHONE NO.: 973-509-4932

Approved By Plaintiff

JFP
Ry JOHN F. Dickinson, Jr., DAB
12/13/13

**RESOLUTION AUTHORIZING EXECUTION OF THE CONSENT DECREE
FOR SETTLEMENT IN THE ACTION ENTITLED, NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION, v. OCCIDENTAL
CHEMICAL CORPORATION, ET AL, DOCKET NO. ESX-L-9868-05 (PASR)**

April 16, 2013

WHEREAS, certain claims have been asserted against the Township of Montclair, as a Third-Party Defendant, in the action entitled New Jersey Department of Environmental Protection v. Occidental Chemical Corporation, et al, bearing Docket No. ESX-L-9868-05, pending in the Superior Court of New Jersey, Law Division, Essex County (the "Litigation") regarding alleged environmental contamination at the Newark Bay Complex; and

WHEREAS, certain Third-Party Defendant municipalities and municipal utilities authorities, including the Township of Montclair, are members of a group known as the Municipal Joint Defense Group in the Litigation; and

WHEREAS, the Municipal Joint Defense Group, on behalf of its members, engaged in settlement negotiations with the State of New Jersey ("State Plaintiffs") towards the resolution of the Litigation through the entry of a Consent Judgment; and

WHEREAS, the parties have substantially settled the Litigation and are negotiating the final details of the Consent Judgment; and

WHEREAS, the terms of the settlement require the Township of Montclair to execute/sign off on the Consent Judgment prior to the Consent Judgment being lodged and disclosed for publication in the New Jersey Register; and

WHEREAS, the terms of the settlement require the Township of Montclair to pass a resolution authorizing its participation in the settlement and authorizing the appropriation of the payment of the sum of \$95,000 representing the Settlement Funds as that term is defined by the Consent Judgment on or before March 23, 2013, or authorize the State of New Jersey to deduct the \$95,000 from State Aid in years 2014 and 2015; and

WHEREAS, a copy of the Consent Judgment is in the Clerk's office and is incorporated by reference hereto.

NOW, THEREFORE, BE IT RESOLVED by the Township of Montclair as follows:

1. The Township is hereby authorized to sign the signature pages of the Consent Judgment, which will be adopted in substantially the form contained in the draft copy on file, and thereafter immediately transmit the said original signature pages to Peter J. King, Esq., of King & Petracca, 51 Gibraltar Drive, Suite 1D, Morris Plains, New Jersey 07950-1254.

2. The Township hereby authorizes payment of the \$95,000 settlement amount, when due, in the manner provided for in the Consent Judgment.

3. Notwithstanding the above authorizations, nothing contained within this resolution shall preclude or prevent the Township from pursuing recovery and reimbursement for the whole or any portion of the Settlement Funds from any insurance carrier(s) identified now or in the future.

4. This resolution shall take effect immediately.

ATTEST:

OF Montclair

By

Name: ROBERT D. JACKSON

[Seal]

Title:

Mayor

I, Linda Wanat, Clerk of the Township of Montclair, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Township of Montclair at a meeting held on April 16, 2013.

Linda S. Wanat, Clerk

RECORD OF COUNCIL VOTE											
	YES	NO	ABS	N.V.	AB		YES	NO	ABS	N.V.	AB
Councilor Baskerville	✓					Councilor Schlager	✓				
Councilor Hurlock					✓	Councilor Spiller	✓				
Councilor McMahon	✓					Mayor Jackson	✓				
Deputy Mayor Russo	✓										

X - Indicate Vote ABS - Abstain N.V. - Not Voting AB - Absent

I HEREBY CERTIFY the foregoing to be a true copy of a Resolution adopted by the Council of the Township of Montclair, in the County of Essex, at its meeting held on April 16, 2013.

Linda S. Wanat
Linda S. Wanat
Clerk of the Township of Montclair, N.J.

SIGNATURE PAGE

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et. Al. v. Occidental Chemical Corporation, et. al.; Docket No: ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds as set forth below:

Payment into Escrow Account

Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

Settlement Amount: \$95,000.00

SETTLING THIRD PARTY DEFENDANT

Name: Borough of Mountainside

By: *Paul N. M...*

Mayor

Date: March 19, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of the Borough of Mountainside:

Name: Daren R. Eppley, Esq.
DeCotiis, FitzPatrick & Cole, LLP

Title: Attorney

Address: Glenpointe Centre West
500 Frank W. Burr Boulevard
Suite 31
Teaneck, NJ 07666

Phone No.: (201) 347-2147

Person Authorized to Accept Service Pursuant to Paragraph 45 on Behalf of the Borough of Mountainside:

Name: Daren R. Eppley, Esq.
DeCotiis, FitzPatrick & Cole, LLP

Title: Attorney

Address: Glenpointe Centre West
500 Frank W. Burr Boulevard
Suite 31
Teaneck, NJ 07666

Phone No.: (201) 347-2147

Approved by Plaintiffs

JFR
By: John F. Dickinson, Jr. *JAC*

12/13/12

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of \$95,000.00 as set forth below.

(Check one)

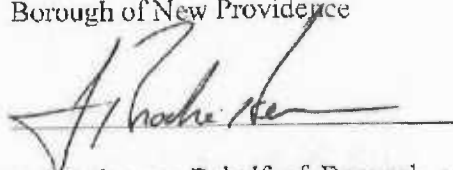
☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Borough of New Providence

BY:



Authorized Representative on Behalf of Borough of New Providence

J. BROOKE HERN, MAYOR

DATE:

3-11-13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Borough of New Providence:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Borough of New Providence:

NAME:

WENDI B BARRY

NAME:

WENDI B BARRY

TITLE:

BOROUGH CLERK

TITLE:

BOROUGH CLERK

ADDRESS:

360 ELKWOOD AVE

ADDRESS:

360 ELKWOOD AVE

NEW PROVIDENCE, NJ

NEW PROVIDENCE, NJ

07974

07974

PHONE NO.:

908-665-1400 ext 0

PHONE NO.:

908-665-1400 ext 0

Approved by Plaintiffs

JFD
By: John F. Dickinson, Jr., DAF
D/3/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9868-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds in the amount of **\$95,000.00** as set forth below.

(Check one)

- ☐ Payment into Escrow Account ☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: Housing Authority of the City of Newark*

BY: *Ellen M. Harris*

Authorized Representative on Behalf of Housing Authority of the City of Newark

ELLEN M. HARRIS, ESQ.

DATE: APRIL 5, 2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of Housing Authority of the City of Newark:

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of Housing Authority of the City of Newark:

NAME: ELLEN M. HARRIS, ESQ.
TITLE: CHIEF LEGAL OFFICER
ADDRESS: NEWARK HOUSING AUTHORITY
 500 BROAD ST., 6th FL.
 NEWARK, NJ 07102
PHONE NO.: 973-273-6650

NAME: ELLEN M. HARRIS, ESQ.
TITLE: CHIEF LEGAL OFFICER
ADDRESS: NEWARK HOUSING AUTHORITY
 500 BROAD ST., 6th FL.
 NEWARK, NJ 07102
PHONE NO.: 973-273-6650

*Payment of the Settlement Funds to be made in installments with (i) the first installment of \$50,000 paid on or before April 1, 2014, and (ii) the second installment of \$45,000 paid on or before April 1, 2015.

APPROVED BY PLAINTIFFS
JFD
By J. J. F. Dickerson, Jr., D.A.L.
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds in the amount of **\$95,000.00** as set forth below.

(Check one)

☒ Payment into Escrow Account

☐ Deduction from two consecutive Consolidated Municipal Property Tax Relief Aid payments

SETTLING THIRD-PARTY DEFENDANT

NAME: City of Newark

BY: Michael J. Greene

Authorized Representative on Behalf of City of Newark

DATE: 3/22/2013

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of City of Newark:

NAME: _____

TITLE: CORPORATION COUNSEL

ADDRESS: CITY OF NEWARK

920 BROAD ST., RM 316
NEWARK, NJ 07102

PHONE NO.: 973 733 8935

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of City of Newark:

NAME: _____

TITLE: CORPORATION COUNSEL

ADDRESS: CITY OF NEWARK

920 BROAD ST., RM 316
NEWARK, NJ 07102

PHONE NO.: 973 733 8935

Approved by Plaintiffs

UPD
By: John F. Dickinson, Jr. *DK*
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division - Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: New Jersey Transit Corporation

BY:

Authorized Representative on Behalf of New Jersey Transit Corporation

STEVEN SANTORO

DATE:

03/21/13

Person Authorized to Accept Service Pursuant to Paragraph 63 on Behalf of New Jersey Transit Corporation:

NAME:

JOYCE ZUCCHER

TITLE:

Acting General Secretary

ADDRESS:

1 Penn Plaza East

Newark, NJ

07105

PHONE NO.:

973 491-7453

Person to Receive Notice Pursuant to Paragraph 45 on Behalf of New Jersey Transit Corporation:

NAME:

KELLY GURLEY

TITLE:

Chief Financial Officer

ADDRESS:

1 Penn Plaza East

Newark, NJ

07105

PHONE NO.:

973 491-7949

Approved by Plaintiffs

JD
By: John F. Dickinson, Jr. *DFD*
11/13/13

Signature Page

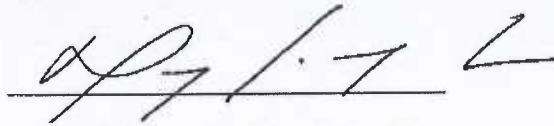
The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: The New Jersey Department of
Agriculture

BY:



Authorized Representative on Behalf of The New
Jersey Department of Agriculture

DATE:

March 22, 2013

Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of The New Jersey
Department of Agriculture:

NAME: Judith I. Gleason, Esq.

TITLE: Legal Affairs Specialist

ADDRESS: P.O. Box 330

Trenton, NJ 08625

PHONE NO.:

609-984-0613

Person to Receive Notice Pursuant to Paragraph 45
on Behalf of The New Jersey Department of
Agriculture:

NAME: Judith I. Gleason, Esq.

TITLE: Legal Affairs Specialist

ADDRESS: P.O. Box 330

Trenton, NJ 08625

PHONE NO.: 609-984-0613

Approved by Plaintiff

JPD

By: John F. Dickinson, Jr. Date
12/13/13

Signature Page

The undersigned party enters into this Third-Party Defendant Consent Judgment as a Settling Public Third-Party Defendant in the matter of New Jersey Department of Environmental Protection, et al. v. Occidental Chemical Corporation, et al.; Docket No. ESX-L9869-05 (PASR) in the Superior Court of New Jersey, Law Division – Essex County and agrees to pay the Settlement Funds as set forth below.

Settlement Amount: \$95,000.00

SETTLING THIRD-PARTY DEFENDANT

NAME: The New Jersey Department of
Transportation

BY: 

Authorized Representative on Behalf of The New
Jersey Department of Transportation

DATE: 3-26-13

Person Authorized to Accept Service Pursuant to
Paragraph 63 on Behalf of The New Jersey
Department of Transportation:

NAME: David Kuhn

TITLE: Assistant Commissioner

ADDRESS: 1035 Parkway Avenue
Trenton, NJ 08625

PHONE NO.: 609-530-3855

Person to Receive Notice Pursuant to Paragraph 45
on Behalf of The New Jersey Department of
Transportation:

NAME: Elkins Green

TITLE: Director

ADDRESS: 1035 Parkway Avenue
Trenton, NJ 08625

PHONE NO.: _____

Approved by Plaintiffs

JPD

By: John F. Dickinson, Jr, DAG

01/13/13