

RESOLUTION AUTHORIZING A RETAINER AGREEMENT WITH THE LAW FIRM OF KEVIN MADONNA, PLLC TO INVESTIGATE AND ASSESS POTENTIAL CLAIMS AGAINST VARIOUS DEFENDANTS RELATED TO PFAS CONTAMINATION AFFECTING HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY'S WELLS TO PROVIDE LEGAL REPRESENTATION IN ANY CIVIL ACTION AS MAY BE FILED ON BEHALF OF THE AUTHORITY

WHEREAS, the Hardyston Township Municipal Utilities Authority (the "Authority") owns and operates a potable water supply, treatment, storage and distribution system servicing the residents of Hardyston Township (the "System"); and

WHEREAS, the Authority is committed to delivering clean drinking water to its customers, and is also committed to identifying responsible parties whose actions impair the water quality and taking reasonable steps to avoid passing on the costs to its customers for the treatment and remediation of contamination in its drinking water supplies; and

WHEREAS, the Law Office of Kevin Madonna, PLLC (the "Firm") engages with a team of attorneys (collectively, the "Team") to assist public entities facing the challenges posed by contamination with per- and polyfluoroalkyl substances ("PFAS"); and

WHEREAS, the Team is comprised of attorneys with experience both in PFAS litigation and in the representation of public entities and water suppliers in cases involving groundwater and property contamination; and

WHEREAS, the Team represents various public entities in the State of New Jersey and across the nation in multi-district litigation against various defendants related to PFAS contamination; and

WHEREAS, the Firm has offered to provide representation to the Authority on a contingency basis, and to be responsible for all pre-litigation investigations costs and fees pursuant to a Retainer Agreement attached hereto as **Exhibit A**,

NOW, THEREFORE, BE IT RESOLVED by the Board of the Hardyston Township Municipal Utilities Authority as follows:

1. The aforesaid recitals are incorporated herein as if set forth at length;
2. The Retainer Agreement with the Firm is hereby authorized subject to the following:
 - a. Receipt from the Firm of a Business Entity Disclosure Form pursuant to N.J.S.A. 19:44A-20.8;
 - b. Receipt from the Firm of a Political Contributions Disclosure Statement pursuant to P.L. 2005, c. 271; and
 - c. Receipt from the Firm of its Business Registration Certificate pursuant to N.J.S.A. 52:32-44;

3. Subject to receipt of the items listed in paragraph 2, above, the Administrator is hereby authorized and directed to execute the Retainer Agreement with the Firm.

	YES	NO	ABSTAIN	ABSENT
Chairman Cicerale				
Vice Chairman Marples				
Secretary Kaminski				
Treasurer O'Grady				
Commissioner Codner				
Commissioner Van Ginneken (Alt. 1)				
Commissioner Wortche (Alt 2)				

Certified to be a true copy of the Resolution
adopted by the HTMUA at a meeting held on
October 2, 2023

_____, Recording Secretary

This Resolution shall take effect immediately.