



# UNION COUNTY UTILITIES AUTHORITY

1499 US Highway One, Rahway, New Jersey 07065

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RESOLUTION NO.: 77-2023

DATE: December 11, 2023

## RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY AUTHORIZING THE EXECUTION OF A PROPOSED FORM OF CONSENT ORDER ON BEHALF OF THE AUTHORITY.

APPROVED AS TO FORM:

Bianka Vargas  
Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS

YES  NO  NONE REQUIRED  
UNION COUNTY UTILITIES AUTHORITY

By: *Bianka Vargas*

By: *John Ciuffo*

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<b>Eastman</b> , Treasurer	X		X				
<b>Figueiredo</b>	X		X				
<b>Jackus</b>		X					
<b>Holder</b>		X					
<b>Kahn</b>		X					
<b>McManus</b> , Secretary		X					
<b>Rachlin</b>	X		X			X	
<b>Scutari</b> , Vice Chairperson	X		X				
<b>Szpond</b> , Chairperson	X		X				
<b>Alma</b> , Alternate No. 1	X		X				X
<b>Scott-Bey</b> , Alternate No. 2		X					

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY  
AUTHORIZING THE EXECUTION OF A PROPOSED FORM OF CONSENT  
ORDER ON BEHALF OF THE AUTHORITY.**

**WHEREAS**, the Union County Utilities Authority ("Authority") and the City of Rahway ("City") were parties to litigation which, on or about March 2, 1992, resulted in the entry of a consent order in Union County Superior Court, as agreed to by the Authority and the City, permitting the Authority's Chairperson to serve up to two (2) consecutive terms as Chairperson, and permitting the Authority to amend its bylaws to reflect same; and

**WHEREAS**, the Authority believes it to be in its best interests to petition the Court, through the filing of a new proposed form of consent order, subject to the City's mutual consent, to permit the Authority's Chairperson to serve up to four (4) consecutive terms as Chairperson and further permitting the Authority to update its bylaws to reflect same.

**NOW, THEREFORE, BE IT RESOLVED**, by the Union County Utilities Authority as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby authorizes its General Counsel and/or Solid Waste Counsel to execute a consent order consistent with the aforesaid recitals, in a form substantially similar to the form of order attached hereto.
3. The Authority further authorizes its General Counsel and/or Solid Waste Counsel to continue efforts to secure the consent of the City, to file the proposed form of consent order in Superior Court and to take any and all other appropriate steps necessary to petition the Court in order to formalize the wishes of the Authority and the City as set forth herein.
4. This resolution shall take effect immediately.

**CLEARY GIACOBBE ALFIERI JACOBS LLC**  
169 Ramapo Valley Road  
Upper Level 105  
Oakland, New Jersey 07436  
Tel: 973-845-6700  
Fax: 201-644-7601  
John Napolitano, Esq. (Attorney ID No. )  
Attorneys for Defendant, Union County Utilities Authority

CITY OF RAHWAY,

Plaintiff(s),

vs.

COUNTY OF UNION, et al.,

Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: UNION COUNTY  
DOCKET NO. UNN-L-5103-86

Civil Action

**CONSENT ORDER AMENDING  
CONSENT JUDGMENT**

This matter having been opened to the Court by Defendants, by and through their attorneys Cleary Giacobbe Alfieri Jacobs, LLC, with the consent of counsel to Plaintiff, City of Rahway, Louis N. Rainone, Esq., for the entry of an Order modifying the terms of the Consent Judgment previously entered herein and the parties having affixed their consent hereto;

**IT IS ON THIS** \_\_\_\_ day of \_\_\_\_\_, 2023;

**HEREBY ORDERED:**

1. That the Consent Judgment previously entered herein shall and is hereby MODIFIED;  
and

2. IT IS FURTHER ORDERED that the aforementioned Consent Judgment is hereby modified to permit the Chairman of the Union County Utilities Authority to serve four (4) consecutive terms; and

3. IT IS FURTHER ORDERED that the Union County Utilities Authority is hereby permitted to change its Bylaws to reflect said modification.

\_\_\_\_\_  
J.S.C.

WE HEREBY CONSENT TO THE FORM AND ENTRY OF THE FOREGOING ORDER.

RAINONE COUGHLIN MINCHELLO  
Attorney for Plaintiff

CLEARY GIACOBBE ALFIERI JACOBS  
Attorneys for Defendants

By: \_\_\_\_\_  
Louis N. Rainone, Esq.

By: \_\_\_\_\_  
John Napolitano, Esq.

Dated:

Dated: