

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
MOUNT OLIVE AUTHORIZING EXECUTION OF THE CONSENT DECREE
FOR THE SETTLEMENT WITH GOVERNMENT PLAINTIFFS IN THE
CONSOLIDATED ACTIONS ENTITLED UNITED STATES OF AMERICA V.
BECKMAN COULTER, ET ALS. AND NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION, V. AMERICAN THERMOPLASTICS
CORP., ET ALS.**

WHEREAS, certain claims have been asserted against the Township of Mount Olive, Morris County, New Jersey (the “Municipality”) in the consolidated actions entitled United States of America v. Beckman Coulter, Inc., et als., Civil Action No. 98-4812 (WHW) and New Jersey Department of Environmental Protection v. American Thermoplastics Corp., et als., Civil Action No. 98-4781 (WHW) pending in the United States District Court for the District of New Jersey (the “Litigation”) regarding alleged environmental contamination at the Combe Fill South Landfill in Chester, New Jersey (“Site”);

WHEREAS, certain Third-Party Defendant municipalities, school boards, school districts, colleges, parks commissions and housing authorities, including the Township of Mount Olive are members of a group known as the Municipal Group in the Litigation;

WHEREAS, the Municipal Group on behalf of its members engaged in settlement negotiations with the United States Department of Justice and the State of New Jersey (“Governmental Plaintiffs”) under the supervision of the Honorable Esther Salas, United States Magistrate Judge;

WHEREAS, the parties have substantially settled the Litigation, and negotiated the final details of the Consent Decree;

WHEREAS, the terms of the settlement require Mount Olive Township to execute a formal escrow agreement and sign off on the Consent Decree prior to the Consent Decree being lodged;

WHEREAS, payment and/or reimbursement of the settlement amount and costs is currently being sought and will continue to be sought from the insurers of the Township of Mount Olive that provided general liability coverage for the periods of the claim;

WHEREAS, a copy of the Consent Decree are in the Clerk’s office and are incorporated by reference hereto;

NOW, THEREFORE, BE IT RESOLVED by Township Council of the Township of Mount Olive as follows:

1. Mayor David Scapicchio is hereby authorized and directed to sign the signature pages of the Consent Decree, as sent under cover of a December 16, 2008 email to the municipality, and thereafter immediately transmit the said signature pages to Peter J. King, Esq.
2. This resolution shall take effect immediately.

TOWNSHIP OF MOUNT OLIVE

Russell Tepper, Council President

I, Lisa Lashway, Clerk of the Mount Olive Township, Morris County, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Township Council of the Mount Olive Township at a meeting held on January 20, 2009.

Lisa M. Lashway, Township Clerk