

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #20-132**

**A RESOLUTION AUTHORIZING EXECUTION OF A JOINT DEFENSE  
AGREEMENT IN CONNECTION WITH THE C-1 RULE CHALLENGE**

**WHEREAS**, the Township of Raritan (the “Township”), the County of Hunterdon (the “County”) and the Raritan Township Municipal Utilities Authority (the “RTMUA”) (collectively, the “Parties”) have a need for legal representation with regard to a challenge of the New Jersey Department of Environmental Protection’s (“NJDEP”) adoption of the C-1 Rule (the “C-1 Rule Challenge”) and the effect of the C-1 Rule adoption on the Parties; and

**WHEREAS**, the Parties, individually, have retained legal counsel (the “Parties’ Legal Counsel”) to represent them with respect to the C-1 Rule Challenge; and

**WHEREAS**, the Parties anticipate that the nature of the C-1 Rule Challenge will present many common legal and factual issues in which the Parties will have mutuality of interests making essential joint and common efforts in connection with that Challenge; and

**WHEREAS**, the Parties believe that it is in their best interest to enter into an agreement to memorialize their respective rights and responsibilities and to provide for collaboration among the Parties’ Legal Counsel in pursuing the C-1 Challenge; and

**WHEREAS**, a Joint Prosecution, Defense and Common Interest Agreement (the “Joint Defense Agreement”) was prepared by the Township Attorney, and reviewed and approved by the County and the RTMUA.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Raritan, County of Hunterdon and State of New Jersey, as follows:

1. The Township Attorney is hereby authorized to execute the Joint Defense Agreement, a copy of which is attached hereto, on behalf of the Township.
2. Since the Joint Defense Agreement can be executed in counterparts, the Township Clerk shall forward a copy of the executed Joint Defense Agreement, together with a certified copy of this Resolution, to the following parties, with directions to return the signature page only to Jeffrey Lehrer, Township Attorney (who will compile all signatures and send attorney a fully executed counterpart copy):

Michael Gross, Esq., of Giordano, Halleran & Ciesla, P.C.  
Gregory Watts, Esq., of Watts, Tice & Skowronek,  
George Tyler, Esq., of Law Offices of George Tyler, P.C.  
Margaret Carmeli, Esq., of Offit Kurman  
Shana Taylor, Esq., Hunterdon County Counsel

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

  
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

  
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Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on May 19, 2020.

  
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Lisa Fania, RMC  
Township Clerk