



Stockton Borough Council
Resolution #24- 55
Authorizing Appointment of Council Subcommittee to
Select Law Firm to Assist Borough of Stockton with PFAS
Class Action Lawsuit and Authorizing Subcommittee and
Mayor to execute Agreement for Legal Services in
Connection Therewith

WHEREAS, the Borough of Stockton is committed to maintaining safe drinking water for the users of its Water System; and

WHEREAS, the New Jersey Department of Environmental Protection and United States Environmental Protection Agency have designated per- and polyfluoroalkyl substances (“PFAS”), also referred to as “forever chemicals,” as contaminants for which testing, treatment and remediation are necessary to ensure the safety of the public water systems; and

WHEREAS, there is a pending multi-district litigation which is being overseen by the United States District Court for the District of South Carolina, including settlements to resolve claims involving PFAS contamination in Public Water Systems’ Drinking Water by Defendants 3M company (“3M”); E.I. Du Pont de Nemours and company, Dupont de Nemours inc., the Chemours company, the Chemours company fc, llc, and Corteva, inc. (collectively, “Dupont”); and Tyco Fire Products and Chemguard, Inc. (collectively, “the Tyco Defendants”)

WHEREAS, the Borough has been investigating and researching this pending litigation and settlements, as well as meeting with law firms uniquely qualified to represent the Borough’s interests in connection with same; and

WHEREAS, at this time the Council seeks to appoint three Council members to continue these investigations and research, and for purposes of selecting one qualified law firm to pursue these and similar claims on the Borough’s behalf; and

WHEREAS, there shall be no out-of-pocket expenses or costs to the Borough for its pursuit of these claims, as any agreement with a law firm in connection herewith shall be based on a contingent fee arrangement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey, as follows:

1. Brown, Hunt and Mayor Lipsen are hereby appointed to serve as members of a PFAS Litigation Subcommittee on the Council’s behalf.
2. The PFAS Litigation Subcommittee shall be authorized and directed to select a qualified law firm for purposes of representing the Borough’s interests in connection with the PFAS claims identified in this Resolution.
3. The Mayor shall be authorized and directed to execute an Agreement for an appropriate contingent fee arrangement with the selected law firm, the terms of which shall be subject to the approval of the Borough Attorney.

Certification:

I, Laurie A. Courter, Clerk of the Borough of Stockton, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Borough Council of the Borough of Stockton on May 20, 2024.

Laurie A. Courter