

**A RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT  
BETWEEN THE TOWNSHIP OF NORTH BRUNSWICK  
AND THE NORTH BRUNSWICK BOARD OF EDUCATION  
AND THE BRISTOL-MYERS SQUIBB COMPANY**

**WHEREAS**, the Township of North Brunswick (“Township”) and North Brunswick Township Board of Education (“NBTBOE”) undertook actions to finance and respond to the discovery of waste materials at and in the vicinity of a school property owned by the NBTBOE (the “Property”), including portions of an adjoining park owned by the Township and nearby residential areas, which response actions have been taken and continue to take place; and

**WHEREAS**, the Township and the NBTBOE notified the Bristol-Myers Squibb Company (“BMS”) of its potential legal responsibility associated with waste materials discovered at the Property and entered into an Agreement for the Establishment of a Remediation Trust Fund and Alternative Dispute Resolution Process (the “Remediation Trust Fund Agreement”) to resolve the various claims they may have against one another with respect to conditions at the Property and environs, including development of an appropriate allocation of responsibility among them of such costs; and

**WHEREAS**, despite the denial of liability by BMS, the parties entered into negotiations and have amicably resolved their differences as to the claims asserted in the Remediation Trust Fund Agreement, the terms of which are set forth in the proposed Settlement Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of North Brunswick, Middlesex County, New Jersey, that the Settlement Agreement between the Township of North Brunswick, the North Brunswick Township Board of Education and the Bristol-Myers Squibb Company in substantially the form of the Settlement Agreement presented thereto, be and is hereby authorized and approved; and

**BE IT FURTHER RESOLVED**, that the Mayor, and the Township Clerk, are hereby authorized to execute said Settlement Agreement and to execute any and all further documents necessary to effectuate the settlement of this matter.

\_\_\_\_\_  
Justine Progebin  
Business Administrator

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Jacob S. Grouser, Esq.  
Special Environmental Counsel  
Certified as to Form

## RECORDED VOTE:

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
MARY HUTCHINSON				
BOB DAVIS				
CARLO SOCIO				
RALPH ANDREWS				
AMANDA GUADAGNINO				
RAJESH MEHTA				
MAYOR WOMACK				

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at the meeting duly held on the 19th day of August 2024.

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Lisa Russo, Township Clerk