

Special Board Meeting
Suffolk County Water Authority
October 9, 2024, at 9:30 a.m.
4060 Sunrise Highway, Oakdale
and Virtually via Zoom

Attendance

Present:

Members: Charles Lefkowitz, Chairman
Elizabeth Mercado, Member
John Rose, Member
Virtual: Tim Bishop, Secretary
John M. Porchia III, Member

Jeffrey W. Szabo, Chief Executive Officer

The meeting was also attended by SCWA Counsel A. Bass and M. Edling, and S. Biehl of Sher Edling LLP.

Jeffrey Szabo, Chief Executive Officer called the meeting to order at 9:31 a.m. upon a quorum of Members of the Board being present.

On motion made by Mrs. Mercado, duly seconded by Mr. Bishop, the following resolution was unanimously carried;

(378-10-2024) WHEREAS the Authority filed suit arising out of contamination of its water sources with per- and polyfluoroalkyl substances on November 30, 2017 (PFAS Litigation); and

WHEREAS the Authority's PFAS Litigation was transferred to the Aqueous Film-Forming Foam Multidistrict Litigation No. 2873 (AFFF MDL) on December 7, 2018; and

WHEREAS on July 3, 2024, the AFFF MDL Court preliminarily approved a settlement class for all claims against Defendant BASF Corporation, BASF SE, BASF Schweiz AG, BASF USA Holding LLC, BASF Nederland BV, BASF Performance Products LLC, Ciba-Geigy Limited, Ciba-Geigy Corporation, Ciba Specialty Chemicals Holding, Inc., Ciba Specialty Chemicals Corporation, Ciba Specialty Chemicals, Inc., Ciba International AG, Ciba Inc., and Ciba Corporation and related entities (collectively "BASF") for certain water providers throughout the country, of which, the Authority is a qualifying class member, now, therefore, be it

RESOLVED, that the Authority elects to participate in the class action settlement through the AFFF MDL with Defendant BASF; and be it

FURTHER RESOLVED, that the Chief Executive Officer, or his designee, is authorized to take all action necessary to effectuate the Authority's participation and receipt of funds from the BASF settlement and be it

FURTHER RESOLVED, that the Authority authorizes its outside counsel, Sher Edling LLP and Hausfeld, LLP, to take all action necessary to effectuate the Authority's participation and receipt of funds from the settlement, including but not limited to, working with Authority staff to confirm and gather additional information that may be needed through the claims process, completion of claim forms on behalf of the Authority, communicating with Class Counsel, Defendants, and/or the Claims Administrator, and Special Master, and all other necessary communication, evaluation, and action through the settlement process.

As there was no further business to be considered, the meeting was adjourned at 9:45 a.m.

Timothy Bishop
Secretary