

RESOLUTION NO. 10 - 02

**RESOLUTION OF
THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST
AUTHORIZING THE APPOINTMENT OF
AN ACTING EXECUTIVE DIRECTOR**

WHEREAS, pursuant to the New Jersey Environmental Infrastructure Trust Act, constituting Chapter 334 of the Pamphlet Laws of 1985 of the State of New Jersey (N.J.S.A. 58:11B-1 *et seq.*), as the same may be amended and supplemented from time to time (the “Act”), and, specifically, Section 5(h) thereof, the New Jersey Environmental Infrastructure Trust (the “Trust”) may appoint and employ an Executive Director and any other officers or employees as it may require for the performance of its duties; and

WHEREAS, pursuant to Part III, Section 4 of the by-laws of the Trust (the “By-Laws”), the Executive Director, *inter alia*, shall have all of the power and authority delegated to him or her in accordance with (i) the By-Laws, (ii) the actions of the Trust, or (iii) otherwise pursuant to the provisions of the Act; and the Executive Director shall, subject to the provisions of the By-Laws, have general supervisory and management responsibility over the staff and day-to-day activities of the Trust; and the Executive Director shall have the power to sign checks in accordance with Part VII of the By-Laws, and shall, under the direction of the Treasurer of the Trust, keep the financial records of the Trust and provide for custody of funds and other property of the Trust; and

WHEREAS, pursuant to Part IV of the By-Laws, the Trust, *inter alia*, shall as permitted by law name and appoint, from time to time, such additional officers or employees as it may require; and

WHEREAS, Dennis Hart, the existing Executive Director and Assistant Secretary will be leaving State Service; and

WHEREAS, given the impending vacancy in the position of Executive Director, it is the desire of the Trust to designate an employee of the Trust to serve in the capacity of Acting Executive Director and Assistant Secretary in order to ensure (i) the proper administration of the Trust and (ii) the satisfaction in full of various actions delegated by official action of the Trust to the Executive Director, which actions must, pursuant to the terms of such delegation, be undertaken and completed.

NOW THEREFORE BE IT RESOLVED by the governing body of the Trust as follows:

Section 1. The Board of Directors of the Trust hereby appoints Maryclaire D'Andrea, the Assistant Director of the Trust, to serve as Acting Executive Director of the Trust and Assistant Secretary and to perform the following duties and responsibilities from the date of adoption of this resolution until the permanent appointment by the Trust of an Executive Director, pursuant to Section 5(h) of the Act and Part IV of the By-Laws.

Adopted Date: January 21, 2010

Motion Made By: Mr. Barrack

Motion Seconded By: Mr. Gardner

Ayes: 7

Nays: 0

Abstentions: 0