

RESOLUTION 2022-33 APPROVED: October 4, 2022

A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO SIGN A SETTLEMENT AGREEMENT WITH COMED REGARDING MAPLE PARK'S MUNICIPAL UTILITY AUDIT

WHEREAS, the Village of Maple Park ("Village") is an Illinois municipal corporation organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and,

WHEREAS, in 2014, the Village of Maple Park hired Azavar, Inc. to conduct a municipal utility audit with various utilities; and,

WHEREAS, the Village and ComEd have reached an agreement to all matters related to the Electric Utility Tax Audit and any other claims Village may have that are waivable under law, contingent upon approval by the President and Board of Trustees; and,

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the Village to settle the grievances on the terms and conditions set forth in the Settlement Agreement, attached and hereto incorporated as Exhibit A.

NOW THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Maple Park, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Settlement Agreement Approved. The Settlement Agreement between ComEd and the Village of Maple Park is approved substantially in the form as attached in Exhibit A, subject to review and approval of the Village Attorney, and subject to the approval and execution of the agreement between the Village and ComEd.

Section 3. Execution of Agreement. The Village President and the Village Clerk are directed to execute the Settlement Agreement on behalf of the Village in substantially the form attached, subject to review and approval by the Village Attorney, and are authorized to execute any and all such other documents as may be necessary to effectuate the terms and intent of the Settlement Agreement.

Section 4. Severability and Repeal of Inconsistent Ordinances and Resolutions. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Resolution. All existing resolutions of the Village of Maple Park are hereby repealed insofar as they may be inconsistent with the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its passage as provided by law.

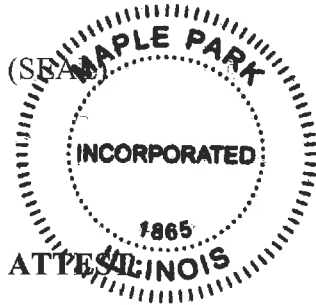
ADOPTED by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois at a regular Board meeting held October 4, 2022.

AYES: Ward, Groezinger, Peloso, Joy, Simon

NAYS: None

ABSENT: Speare

SIGNED by the Village President of the Village of Maple Park, Kane and DeKalb Counties on October 4th, 2022.




Suzanne Fahnestock, Village President


Elizabeth Peerboom, Village Clerk