

**TOMS RIVER MUNICIPAL UTILITIES AUTHORITY**

**RESOLUTION  
ADOPTED – FEBRUARY 23, 2016**

**BE IT RESOLVED BY THE Toms River Municipal Utilities Authority, that:**

1. Juan Bellu is hereby appointed as Chairperson of the Toms River Municipal Utilities Authority for a term of one (1) year to expire at time of re-organization in February, 2017.
2. Carmen Memoli is hereby appointed as Vice-Chairperson of the Toms River Municipal Utilities Authority for a term of one (1) year to expire at time of re-organization in February 2017.
3. Stephen Acropolis is hereby appointed as Secretary-Treasurer of the Toms River Municipal Utilities Authority for a term of one (1) year to expire at time of re-organization in February, 2017.
4. Georgia Benyola is hereby appointed as Assistant Secretary of the Toms River Municipal Utilities Authority for a term of one (1) year to expire at time of re-organization in February, 2017.
5. Rosemary Rosetto is hereby appointed as Assistant Treasurer of the Toms River Municipal Utilities Authority for a term of one (1) year to expire at time of re-organization in February, 2017.
6. A certified copy of this Resolution shall be sent to each of the following:
  - A. Banks:
  - B. Legal Counsel
  - C. J. Mark Mutter, Clerk, Township of Toms River
  - D. US Environmental Protection Agency
  - E. NJ Department of Environmental Protection

I, STEPHEN ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 23<sup>rd</sup> DAY OF FEBRUARY 2016.



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STEPHEN ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

**RESOLUTION**

**WHEREAS**, N.J.S.A. 19:44A-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professional services for the position of Authority Attorney; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said position through a “fair and open process; and

**WHEREAS**, it is the desire of the Board of Commissioners to appoint the firm of Gluck & Allen as Authority Attorney.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the attached agreement with the law firm of Gluck & Allen, which such agreement shall be available for public examination in the office of the Assistant Secretary during normal business hours.
2. That this contract is being awarded pursuant to a “fair and open process”
3. That service for this contract shall be rendered to the Authority at the rate of \$145.00 per hour and \$85.00 per hour for paralegal time. Additionally, the firm shall be compensated in the amount of \$7,200.00, paid in monthly amounts of \$600.00 for attendance at all regular authority meetings.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating budget.
5. That this resolution shall take effect February 23, 2016, for duration of one year.
6. That a certified copy of this Resolution shall be provided to the firm of Gluck & Allen, the Executive Director, Controller and QPA.

**CERTIFICATION**

I, Stephen C. Acropolis, Executive Director, Secretary-Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



\_\_\_\_\_  
Stephen C. Acropolis, Executive Director, Secretary-Treasurer

**R E S O L U T I O N**

**WHEREAS**, N.J.S.A. 19:44A-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professional services for the position of Authority Labor Counsel; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said position through a “fair and open process; and

**WHEREAS**, it is the desire of the Board of Commissioners to appoint the firm of Citta, Holzapfel & Zabarsky as Authority Labor Counsel.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the attached agreement with the law firm of Citta, Holzapfel & Zabarsky, which such agreement shall be available for public examination in the office of the Assistant Secretary during normal business hours.
2. That this contract is being awarded pursuant to a “fair and open process”
3. That service for this contract shall be rendered to the Authority at the rate of \$145.00 per hour.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating budget.
5. That this resolution shall take effect February 23, 2016, for duration of one year.
6. That a certified copy of this Resolution shall be provided to the firm of Citta, Holzapfel & Zabarsky, the Executive Director, Controller and QPA.

**C E R T I F I C A T I O N**

I, Stephen C. Acropolis, Executive Director, Secretary - Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



\_\_\_\_\_  
Stephen C. Acropolis, Executive Director, Secretary – Treasurer

## RESOLUTION

**WHEREAS**, N.J.S.A. 19:44a-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professionals as Bond Counsel to assist the Authority with its Bond and or Note Issues; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said services through a “fair and open process; and

**WHEREAS**, the Executive Director has recommended the firms listed below to be retained for the purpose of providing the required services on an as needed basis.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the attached agreements with the following firms:
  - a. Hawkins, Delafield & Wood
  - b. Waters, McPherson, McNeill, P.C.
  - c. Gluck Walrath, LLP
  - d. McManimon, Scotland, Baumann
  - e. DeCotiis, Fitzpatrick & Cole
  - f. Bathgate, Wegener & Wolfe
  - g. Capehart Scatchard, Attorneys at Law
2. That this contract is being awarded as a Professional Services Contract in accordance with the provisions of N.J.S.A. 40A:11-5.
3. That this contract is being awarded pursuant to a “fair and open process.”
4. That service for this contract shall be rendered to the Authority at the rates listed on attachment A, 2016 Bond Counsel Rate Schedule.
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating, capital and or NJEIT Budgets.
6. That this resolution shall take effect February 23, 2016 for a period of one year.
7. That a certified copy of this Resolution shall be provided to the firms listed on the resolution of award, the Executive Director, Controller and the QPA.

## CERTIFICATION

I, Stephen C. Acropolis, Executive Director, Secretary-Treasurer of the Toms River Municipal Utilities Authority, of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



Stephen C. Acropolis, Executive Director, Secretary - Treasurer

2016 Bond Counsel Fee Schedule

Bond or Note Issue                \$25,000 plus \$1.00 per thousand issue

Consulting                         Range \$80.00 to \$275.00 per hours

Written Post Issuance Tax Compliance Procedure – Not to exceed \$5,000.00

Customary Disbursement for postage, telephone, photocopying, etc.

## RESOLUTION

**WHEREAS**, N.J.S.A. 19:44a-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professional services for the position of Authority Auditor for the calendar year 2016; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said position through a “fair and open process; and

**WHEREAS**, the Board of Commissioners is satisfied with the terms of the proposed form of agreement aforesaid.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the attached agreement with the auditing firm of Holman, Frenia, Allison P.C, which such agreement shall be available for public examination in the office of the Assistant Secretary during normal business hours.
2. That this contract is being awarded pursuant to a “fair and open process”
3. That service for this contract shall be rendered to the Authority for a fee of \$26,750.00. All additional work shall be billed in accordance with the rates as set forth in attachment A.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating budget.
5. That this resolution shall take effect February 23, 2016, for duration of one year.
6. That a certified copy of this Resolution shall be provided to the firm of Holman, Frenia, Allison, P.C., the Executive Director, Controller and the QPA.

## CERTIFICATION

I, Stephen C. Acropolis, Executive Director, Secretary – Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



Stephen C. Acropolis, Executive Director, Secretary - Treasurer

2016 TRMUA Auditor Attachment A – Hourly Rates (additional services if required)

Engagement Partner /Quality Review Partner	\$180.00/hour
Manager	\$135.00/hour
Senior Accountant	\$100.00/hour
Staff Accountant	\$90.00/hour

**RESOLUTION**

**WHEREAS**, N.J.S.A. 19:44a-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professional Financial consultants to assist the Authority in its financial matters for the period of one (1) year; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said services through a “fair and open process; and

**WHEREAS**, the Executive Director has recommended the firms listed below to be retained for the purpose of providing the required services on an as needed basis.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the attached agreements with the following firms:
  - a. Acacia Financial Group
  - b. NW Financial Group, LLC
  - c. Phoenix Advisors, LLC
2. That this contract is being awarded as a Professional Services Contract in accordance with the provisions of N.J.S.A. 40A:11-5.
3. That this contract is being awarded pursuant to a “fair and open process.”
4. That service for this contract shall be rendered to the Authority at the rates listed on attachment A, 2016 Financial Advisor Rate Schedule.
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating, capital and or NJEIT Budgets.
6. That this resolution shall take effect February 23, 2016 for a period of one year.
7. That a certified copy of this Resolution shall be provided to the firms listed on the resolution of award, the Executive Director, Controller and the QPA.

**CERTIFICATION**

I, Stephen C. Acropolis, Executive Director, Secretary – Treasurer of the Toms River Municipal Utilities Authority, of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



\_\_\_\_\_  
Stephen C. Acropolis, Executive Director, Secretary – Treasurer



2016 Financial Advisor Rate Schedule

Sale of Bond and Notes	\$0.85 per \$1,000 of par value issued \$15,000 per issue
Consulting Service Rate	\$150.00 per hour

**RESOLUTION**

**WHEREAS**, N.J.S.A. 19:44a-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professionals as Underwriter Consultants to assist the Authority with its Bond and Note financings, general financial planning and underwriting services; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said services through a “fair and open process; and

**WHEREAS**, the Executive Director hereby recommends the firm of NW Capital Markets be retained for the purpose of providing the required services on an as needed basis; and

**WHEREAS**, the Board of Commissioners are satisfied with the qualifications and terms of the proposal submitted by NW Capital Markets.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the agreements with NW Capital Markets, which such agreement shall be available for public examination in the Office of the Assistant Secretary during normal business hours.
2. That this contract is being awarded as a Professional Services Contract in accordance with the provisions of N.J.S.A. 40A:11-5.
3. That this contract is being awarded pursuant to a “fair and open process.”
4. That service for this contract shall be rendered to the Authority at the rates listed on attachment A, 2016 Underwriter Rate Schedule.
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating, capital and or NJEIT Budgets.
6. That this resolution shall take effect February 23, 2016 for a period of one year.
7. That a certified copy of this Resolution shall be provided to NW Capital Markets, the Executive Director, Controller and the QPA.

**CERTIFICATION**

I, Stephen C. Acropolis, Executive Director, Secretary – Treasurer of the Toms River Municipal Utilities Authority, of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.

  
\_\_\_\_\_  
Stephen C. Acropolis, Executive Director, Secretary - Treasurer

## 2016 Underwriter Rate Schedule

Notes	Flat fee of \$5,000 plus reasonable out of pocket expenses
Bonds	8.0 basis points (.08%) of the principal amount financed with A minimum amount of \$8,000 plus reasonable out of pocket expenses
Consulting	Range - \$140 to \$195/hour, plus reasonable out of pocket expenses

## RESOLUTION

**WHEREAS**, N.J.S.A. 19:44a-20.5 et. seq. provides for the procedure for soliciting proposals through a “fair and open process”; and

**WHEREAS**, there is a need to retain professional Engineering/Surveying/Planning consultants for various projects and preliminary studies on proposed capital and NJEIT projects, wastewater issues and other general engineering projects for the calendar year 2016; and

**WHEREAS**, the Toms River Municipal Utilities Authority has solicited proposals for said services through a “fair and open process; and

**WHEREAS**, the Executive Director has recommended the firms listed below to be retained for the purpose of providing the required services on an as needed basis.

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the attached agreements with the following firms:
  - a. Maser Consulting
  - b. T&M Associates
  - c. Remington & Vernick & Vena
  - d. Owen Little & Associates
  - e. D. Desmond Corp.
  - f. Hatch Mott MacDonald
  - g. Suburban Consulting Engineers
  - h. VanCleeef Engineer
  - i. PS&S
  - j. Alaimo Group Consulting Engineers
  - k. GTS Consultants, Inc.
2. That this contract is being awarded pursuant to a “fair and open process.”
3. That services for this contract shall be rendered to the Authority at the rates listed on attachment A, schedule of authorized hourly fees for professional Engineering/Surveying/Planning services.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2016 operating, capital and or NJEIT Budgets.
5. That this resolution shall take effect February 23, 2016, for duration of one year.
6. That a certified copy of this Resolution shall be provided to the firms listed on the resolution of award, the Executive Director, the Authority Engineer, Controller and the QPA

## CERTIFICATION

I, Stephen C. Acropolis, Executive Director, Secretary – Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.

  
\_\_\_\_\_  
Stephen C. Acropolis, Executive Director, Secretary - Treasurer

## 2016 Schedule of Billable Hourly Rates/Expenses

Firms submitting proposals for Professional Engineering Services shall provide the following disciplines at the hourly rates listed below:

### Engineering Services

- Civil
- Construction Administration
- Electrical
- Mechanical
- Structural
- Traffic/Transportation
- Sewer Resources

### Other Technical Services

- Environmental
- Regulatory Compliance
- Grants
- GIS
- NJEIT Project Administration & Inspection
- Planning
- Surveying

Title	Hourly Rate
Secretary/Clerical	\$33.00
Inspector Level 1	\$51.00
Inspector Level 2	\$71.00
Senior Inspector	\$87.00
Field Survey Crew	\$138.00
CADD Operator	\$61.00
Senior CADD Operator	\$77.00
Survey Technician	\$66.00
Engineering Technician	\$77.00
Computer Technician	\$77.00

Senior Designer	\$77.00
Professional Land Surveyor (as an associate)	\$112.00
Professional Land Surveyor (as a principal or partnership)	\$133.00
Design Engineer	\$97.00
Design Engineer (EIT)	\$107.00
Project Manager	\$128.00
Principal Engineer	\$148.00

Expenses

Photocopies	0.20 – 0.80 per copy
Blueprint Reproduction	0.37 per square foot
Other Reproduction	Square foot rate subject to type of material used
Special Mailings/Delivery	Rates subject to priority, weight and distance
Other Direct Costs	Cost plus 15% to include, but not limited to, subcontractors, supplies and other materials

**TOMS RIVER MUNICIPAL UTILITIES AUTHORITY**

**RESOLUTION  
ADOPTED – FEBRUARY 23, 2016**

**WHEREAS**, the "Open Public Meetings Law", P.L. 1975, c. 231, requires adequate notice to be given of meetings of this public body, and sets forth the manner of giving such notice.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY**, that:

1. The Asbury Park Press and the Newark Star Ledger newspapers are hereby designated to receive any notices required under this Law because they have the greatest likelihood of informing the public within the jurisdiction of these publications of such meetings;

A) Notice of Authority meetings will be sent to the Asbury Park Press, Newark Star Ledger, and the Ocean Signal in accordance with the requirements of the Open Public Meetings Law.

B) The Asbury Park Press will publish one paid legal advertisement listing the Annual Meeting Schedule of the Authority.

C) The Asbury Park Press will be designated as the local newspaper to publish required legal notices of the Authority when publication in only one newspaper is required.

D) In the event a particular Statute requires legal notices to appear in more than one publication, the Asbury Park Press and the Newark Star Ledger will be sent the notices for publication.

2. Ocean Signal is hereby designated to receive any notices because they have the greatest likelihood of informing the public within the jurisdiction of these publications of such meetings.

3. Any person who shall request that this public body mail to him copies of any regular meeting schedule or revision hereof, or advance written notice of any regular, special, or re-scheduled meeting for the year 2016, shall, in advance, submit to the Executive Director, Secretary-Treasurer of the Toms River Municipal Utilities Authority, sufficient self-addressed envelopes, with adequate postage affixed thereon, to enable this body to provide such notice. Any requests for such notices shall terminate at midnight, December 31, 2016.

4. A certified copy of this resolution shall be sent to each of the following:

- A. Asbury Park Press
- B. Newark Star Ledger
- C. Ocean Signal
- D. Legal Counsel
- E. Accounting Department

I, STEPHEN C. ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 23<sup>rd</sup> DAY OF FEBRUARY 2016.



STEPHEN C. ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

RESOLUTION OF THE  
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY  
UPDATING EMERGENCY PURCHASING POLICY  
FORMS AND PROCEDURES

WHEREAS, the Toms River Municipal Utilities Authority (hereinafter referred to as the "Authority") is a duly organized Municipal Utilities Authority under N.J.S.A. 40:14B-1, et seq.; and

WHEREAS, from time to time emergencies occur which affect the public health, safety or welfare and mandate the immediate delivery of goods or provision of services; and

WHEREAS, New Jersey's Local Public Contracts Law (N.J.S.A. 40A: 11-6), and the regulations promulgated pursuant thereto (N.J.A.C. 5:34-6.1), allow for the negotiation and award of contracts without the need for the advertisement and solicitation of public bids in such emergency circumstances; and

WHEREAS, the aforesaid statute and regulations contain express limitations, procedures and record-keeping requirements; and

WHEREAS, the Authority wishes to update its policies, practices, procedures and forms to ensure compliance with all prevailing statutory and regulatory requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, in the Township of Toms River, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby establishes the following Emergency Requisition Policy:
  - A. The Authority's Executive Director is hereby authorized to negotiate and award contracts without the need to advertise or solicit public bids with advanced notice to the Authority Chairman and/or Vice Chairman, or in their unavailability, two members of the Board of Commissioners, under the following circumstances:
    - (1) An imminent emergency exists affecting the public health, safety or welfare which requires the immediate delivery of goods or provision of services.
    - (2) The emergency could not have been reasonably foreseen or arose notwithstanding a good faith effort to plan for goods or services necessary to respond to it.
    - (3) The employee requesting the negotiation and award of the emergency contract shall have fully filled out and executed Section I of the Authority's Emergency Requisition and Certification Form (attached hereto as Schedule "A") describing in detail all relevant facts and circumstances.
    - (4) The emergency contract shall be of such limited duration as to meet only the immediate needs of the emergency and, under no circumstances, shall this emergency purchasing procedure be used to enter into a multi-year contract.
    - (5) A condition of the award of contract shall be that necessary funds are available and appropriated a Authority's budget and same shall be acknowledged and certified by the Authority's Controller, who shall fill out and execute Section III of Authority's Emergency Requisition and Certification Form (attached hereto as Schedule "A").



ATTACHMENT "A"

SECTION I

EMERGENCY REQUISITION / CERTIFICATION FORM

TO: Stephen C. Acropolis, Executive Director

REQUESTED BY: \_\_\_\_\_

DATE OF REPORT: \_\_\_\_\_

A. Description of Items Needed

Services:

Materials:

Requisition No.:

B. Brief Description of Emergency

C. Date, Time and Place Emergency Occurred

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

D. The Emergency affects the public health, safety and welfare as follows:

E. The Emergency either could not have been foreseen or arose despite the Authority's good faith effort to plan for the purchase of the required materials and/or services as follows: **[Provide specific details]**

SIGNATURE: \_\_\_\_\_

SECTION II

**CERTIFICATION OF EXECUTIVE DIRECTOR  
REGARDING EMERGENCY PURCHASE**

I, **Stephen C. Acropolis**, Executive Director of the Toms River Municipal Utilities

Authority (hereinafter referred to as "the Authority") hereby certify as follows:

1. An emergency exists which requires the immediate acquisition of services and/or materials, as more fully described in Section I herein above.
2. The emergency affects the public health, safety and welfare.
3. Only the immediate delivery of the services and/or materials specified will resolve the emergency.
4. Check one of the following:  
  
\_\_\_\_\_ The need for the materials and/or services could not have been reasonably foreseen; or  
  
\_\_\_\_\_ The need for the materials and/or services has arisen despite the Authority's good faith effort to plan for the purchase of required materials and/or services.
5. The contract to be entered into for the provision of services and/or materials shall be limited in length so that only the immediate emergency needs of the Authority shall be satisfied.
6. A Multi-year contract is not being entered into by the Authority.
7. The payments pursuant to any award of an emergency contract shall not be more than the Authority's available budgeted appropriations.

Name of Contractor: \_\_\_\_\_  
\_\_\_\_\_

Amount of Contract: \$ \_\_\_\_\_

I certify that all of the foregoing statements made by me are true. I understand that if any of the foregoing statement made by me are willfully false, I am subject to punishment.

SIGNATURE: \_\_\_\_\_

DATED: \_\_\_\_\_

SECTION III

**EMERGENCY REQUISITION / CERTIFICATION FORM  
CERTIFICATION OF CHIEF FINANCIAL/AFFIRMATIVE ACTION OFFICER**

I, \_\_\_\_\_, as Chief Financial Officer of the Toms River Municipal Utilities Authority certify the following:

1. Funds for the above-referenced emergency purchases are available and appropriated under the budget line item entitle \_\_\_\_\_

I certify that all of the foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SIGNATURE: \_\_\_\_\_ TITLE \_\_\_\_\_

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

I, \_\_\_\_\_ as Public Agency Compliance Officer of the Toms River Municipal Utilities Authority certify the following:

2. The contractor has either supplied proof of compliance with affirmation rules or acknowledged its obligation to do so no later than 14 days after the contract award, pursuant to N.J.A.C. 17:274-7.

I certify that all of the foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SIGNATURE: \_\_\_\_\_ TITLE \_\_\_\_\_

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

(Revised 3-13)

- (6) A condition of the award of contract shall be that the contractor shall provide proof of compliance with all prevailing affirmative action rules no later than 14 days after the award of contract, pursuant to N.J.A.C. 17:27- 4.7. The Authority's Public Agency Compliance Officer (P.A.C.O.) shall acknowledge and certify compliance with the foregoing by filling in and executing Section III of the Authority's Emergency Requisition and Certification Form (attached hereto as Schedule "A").
- (7) The Authority's Executive Director shall acknowledge and certify that all statutory and regulatory requirements have been met by filling in and executing Section II of the Authority's Emergency Requisition and Certification Form (attached hereto as Schedule "A"). A copy of the fully executed form shall be provided to the Authority's record keeper or Purchasing Agent, who shall record same, and to the Members, who shall ratify said award by formal resolution.

B. In those circumstances where the Authority Executive Director will not be available within the time needed to respond, the following chain of command shall be established pursuant to N.J.A.C. ,5:34-6.1(B):

- (1) Authority Engineer, and
- (2) Controller.

2. The Authority's Executive Director is hereby authorized and directed to take such action as shall be reasonably necessary to ensure that all Authority employees and officers are responsible for the administration of public contracts are aware of and are able to comply with all relevant statutory and regulatory requirements.
- 3 The Authority's Executive Director is hereby authorized and directed to forward copies of this Resolution to the Authority's Commissioners, Attorney, Controller, Director of Operations, and such other persons or entities as may demonstrate a valid interest herein.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF A RESOLUTION DULY ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, AT ITS MEETING HELD ON THE 23<sup>rd</sup> DAY OF FEBRUARY, 2016.



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STEPHEN C. ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

RESOLUTION  
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

FEBRUARY 23, 2016

WHEREAS, N.J.A.C. 17:27-3.3 requires that each public agency annually designate an officer or employee to serve as its Public Agency Compliance Officer, and

WHEREAS, Bernard Rutkowski, is the Public Agency Compliance Officer of record for the Toms River Municipal Utilities Authority, and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY that:

1. Bernard Rutkowski is the designated Public Agency Compliance Officer for the Toms River Municipal Utilities Authority for a period of one (1) year to expire at time of re-organization in February, 2017.
2. A certified copy of this resolution shall be forwarded to the State Affirmative Action Office.

I, STEPHEN C. ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY OF OCEAN, TOWNSHIP OF TOMS RIVER, HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 23<sup>rd</sup> DAY OF FEBRUARY, 2016.



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Stephen C. Acropolis, Executive Director, Secretary-Treasurer

**RESOLUTION**

February 23, 2016

**WHEREAS**, during the month of January 2016, purchases were made for goods and or services listed in the Authority's Capital Rehab Improvement budget; and

**WHEREAS**, these purchases were made in compliance with the Authority's Internal Purchasing Controls and the Local Public Contracts Law.

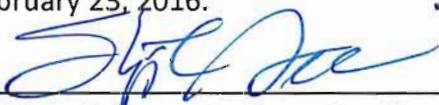
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, HEREBY RATIFY THE FOLLOWING CAPITAL PURCHASES FOR JANUARY 2016:**

1. Reiner Pump Systems, Inc. – Two (2) Piranha M35-2 Pumps – PO D6-00095 - \$8,785.00
2. That a certified copy of this resolution will be entered into the official record of the Authority meeting held on February 23, 2016.

**CERTIFICATION**

I, Stephen C. Acropolis, Executive Director, Secretary – Treasurer of the Toms River Municipal Utilities Authority in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Authority on the 23<sup>rd</sup> day of February, 2016.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February 23, 2016.



\_\_\_\_\_  
Stephen C. Acropolis, Executive Director, Secretary - Treasurer

## RESOLUTION

**WHEREAS**, a request was made by the Lead Fleet Mechanic and the Rehab Foreman to purchase equipment not included in the Authority's 2016 Rehab Capital Budget; and

**WHEREAS**, it has been determined that the funds allocated for the replacement of Truck #84 are no longer needed for that purpose; and

**WHEREAS**, the Lead Fleet Mechanic desires to use such funds to purchase two (2) trailers with accessories for pump station/rehab use and the Rehab Foreman desires to purchase one (1) air tug unit for Rehab use.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, as follows:

1. That authorization is given to utilize the funds previously allocated in the 2016 rehab capital budget for the replacement of truck #84 for the purchase of two (2) trailers and accessories and one (1) air tug unit.
2. That a certified copy of this resolution shall be provided to the Executive Director, the Lead Fleet Mechanic, Rehab Foreman, Controller and the QPA.

## CERTIFICATION

I, Stephen C. Acropolis, Executive Director-Secretary-Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on February 23, 2016.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



Stephen C. Acropolis, Executive Director, Secretary-Treasurer



## RESOLUTION

**WHEREAS**, on January 13, 2016, a purchase order was issued to Garden State Bobcat for the purchase of Steel Tracks and ancillary parts for the Authority's Bobcat/Skid Steer; and

**WHEREAS**, upon review it was found that the project was not included in the 2015 capital budget and the Authority will use funds previously allocated for the purchase of dewatering equipment to fund the project; and

**WHEREAS**, Garden State Bobcat Group has been awarded a contract for equipment, parts and accessories for Bobcat through the Middlesex Regional Educational Commission; and

**WHEREAS**, purchase order D6-00072 was issued on January 13, 2016 in the amount of \$6,050.02

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, as follows:

1. That the invoice (s) submitted by Garden State Bobcat is hereby accepted and that the acquisition is hereby ratified.
2. That a certified copy of this resolution will be entered into the official record of the Authority meeting held on February 23, 2016.

## CERTIFICATION

I, Stephen C. Acropolis, Executive Director, Secretary – Treasurer of the Toms River Municipal Utilities Authority in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Authority on the 23<sup>rd</sup> day of February, 2016.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



Stephen C. Acropolis, Executive Director, Secretary - Treasurer

**RESOLUTION**

**AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT  
BETWEEN THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY  
AND THE BEACHWOOD SEWERAGE AUTHORITY**

**WHEREAS**, The Toms River Municipal Utilities Authority (TRMUA) and Beachwood Sewerage Authority (BSA) are both Municipal Entities serving the residents and taxpayers of their respective communities; and

**WHEREAS**, the TRMUA may possess specialized equipment, resources, and expertise of that can be utilized by the BSA to supplement its operations; and

**WHEREAS**, it is deemed in the best interest of the Public for these Agencies to share such equipment, resources, and expertise in order to perform tasks in the most cost effective way possible for the taxpayers; and

**WHEREAS**, the Uniform Shared Services and Consolidation Agreement Act, N.J.S.A. 40A:65-1 permits municipalities to enter into agreements for shared services;

**NOW, THEREFORE BE IT RESOLVED**, by the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey as follows:


The Executive Director is hereby authorized to execute and the Assistant Secretary to attest to an Interlocal Services Agreement, which shall be attached hereto and made a part hereof, between the Toms River Municipal Utilities Authority and the Beachwood Sewerage Authority.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the following:

1. Toms River Municipal Utilities Authority Commissioners
2. Beachwood Sewerage Authority Commissioners
3. Steven Acropolis, TRMUA Executive Director

**CERTIFICATION**

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted at a Public Meeting held on February 23, 2016.

  
\_\_\_\_\_  
Georgia Benyola, Assistant Secretary

## RESOLUTION

**WHEREAS**, the Toms River Municipal Utilities Authority (hereinafter "TRMUA"), County of Ocean and State of New Jersey advertised for bids in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. for Contract No. PS01-2016, Purchase and Delivery of Five (5) Backup Sanitary Sewer Pumps in accordance with specifications prepared by the Authority; and

**WHEREAS**, one (1) bid was received and opened on February 23, 2016; and

**WHEREAS**, the bids have been reviewed by the Authority's Safety Compliance Officer and the Pump Station Foreman and it is their recommendation to award this bid to the lowest responsive and responsible bidder.

**NOW, THEREFORE, BE IT RESOLVED BY THE TRMUA COMMISSIONERS, COUNTY OF OCEAN AND STATE OF NEW JERSEY**, as follows

1. That the bid for the Purchase and Delivery of Five (5) Backup Sanitary Sewer Pumps contract is hereby awarded to Riordan Materials Corp., 6198 Butler Pike, Suite 150, Blue Bell, Pa., 19422-2600 in the amount of \$62,609.00.
2. Funds for this contract are available in the 2016 Capital Budget under the line item entitled Capital Expenditures, account 604-8110.
3. That the Executive Director is hereby authorized to execute and the Assistant Secretary to attest to the proposed form of contract aforesaid, which such agreement shall be available for public examination in the Qualified Purchasing Agent during normal business hours.
4. That a certified copy of this resolution be forwarded to the successful contractor, the Executive Director, the Safety and Compliance Officer, Pumps Station Foremen, Chairman and Commissioners, the QPA and the Controller.

## CERTIFICATION

I, Stephen C. Acropolis, Executive Director, Secretary - Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do certify that the foregoing to be a true and exact copy of a resolution duly adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the 23<sup>rd</sup> day of February, 2016.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Authority this 23<sup>rd</sup> day of February, 2016.



Stephen C. Acropolis, Executive Director, Secretary - Treasurer

I, Rosemary Rosetto, Controller of the Toms River Municipal Utilities Authority, hereby certify to the Commissioners of the Toms River Municipal Utilities Authority that I have reviewed the Authority's budget for 2016 and find that funds are available underline the item noted above.

I hereby certify that the foregoing statements made by me are true. I am also aware that if any of the foregoing statement made by me is false, I am subject to punishment.



Rosemary Rosetto, Controller