

RESOLUTION
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

July 24, 2018

WHEREAS, the Toms River Municipal Utilities Authority budget for the year 2018 was approved by the Commissioners of the Toms River Municipal Utilities Authority, on November 28, 2017;

WHEREAS, a review of the 2018 Operating Expenses was conducted by the Finance Department of the Toms River Municipal Utilities Authority and it was found necessary to request appropriation transfers due to increased costs and unanticipated expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, THAT THE FOLLOWING APPROPRIATION TRANSFERS BE MADE TO THE APPROVED BUDGET OF 2018:

| | |
|---|---------|
| Transfer from: 109-2013 Admin Miscellaneous | \$7,500 |
| Transfer to: 109-1011 Admin Heat | \$7,500 |

I, STEPHEN C. ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 24th DAY OF JULY, 2018.



STEPHEN C. ACROPOLIS, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION RATIFYING ACTIONS OF THE TOMS RIVER
MUNICIPAL UTILITIES AUTHORITY BOARD OF COMMISSIONERS
RESCINDING RESOLUTION NO. 12-17-13**

WHEREAS, at the June 26, 2018, regularly held meeting of the Board of Commissioners of the Toms River Municipal Utilities Authority (hereinafter "TRMUA"), County of Ocean, State of New Jersey, the TRMUA Commissioners voted to rescind Resolution No. 12-17-13; and

WHEREAS, the TRMUA Commissioners determined that it is in the best interest of the TRMUA to rescind the Resolution No. 12-17-13; and

NOW, THEREFORE, BE IT RESOLVED, by the TRMUA Commissioners, County of Ocean, State of New Jersey, as follows:

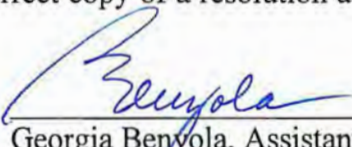
1. All sections of the preamble are hereby adopted by the Board of Commissioners as if fully set forth herewith.
2. The actions of the Board of Commissioners taken on the record at the meeting dated June 26, 2018, related to rescinding Resolution No. 12-17-13 are hereby ratified with an effective date of June 26, 2018.

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

1. Chairman and Commissioners;
2. Stephen C. Acropolis, Executive Director;
3. James J. Gluck, Esq., Authority Attorney
4. All other parties in interest.

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 July 24, 2018.



Georgia Benyola, Assistant Secretary

Change Order Resolution No. 2

WHEREAS, it has come to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority that a Change Order representing the addition of material, is required for the West Bay View Drive Roadway Improvement Project; and

WHEREAS, DeFino Contracting Company previously submitted Change Order No. 1, which was approved by the Board of Commissioners on February 27, 2018; and

WHEREAS, Change Order No. 1 was for \$154,404.00 and increased the original contract price from \$473,400.00 to \$627,804.00; and

WHEREAS, Change Order No. 1 also exceeded twenty percent (20%) of the original contract price; and

WHEREAS, the TRMUA has reviewed the second Change Order request and disputes two items identified as CO#2-S5 and CO#2-5, the Asphalt Price Adjustments totaling \$20,336.12; and

WHEREAS, the Authority's Attorney shall notify DeFino Contracting Company of the disputed costs; and

WHEREAS, in accordance with N.J.S.A. 5:30-14.4, the Executive Director recommends that Change Order No. 2 is reasonable and necessary and is in the best interests of the ratepayers and customers of the TRMUA; and

WHEREAS, the Executive Director further recommends that Change Order No. 2 be authorized deducting disputed items and that the contract issued to Defino Contracting Company be increased by \$46,891.67 and the contract be commensurately increased from \$627,804.00 to \$674,695.67; and

WHEREAS, Change Order No. 2 exceeds twenty percent (20%) change order threshold of the original contract price and, therefore, notice shall be provided to the Director of the Division Local Government Services; and

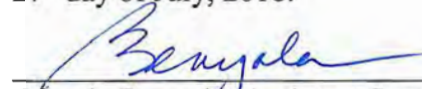
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. Change Order No. 2 is hereby authorized as stated above.
2. The Assistant Secretary shall forward a certified copy of the Resolution to Defino Contracting Company, the Executive Director, the Chief Financial Officer, the Safety & Compliance Officer, James J. Gluck, Authority Attorney, the Consulting Engineer, the QPA, and the Director of the Division of Local Government Services.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary 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 Commissioners on the 24th day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Authority this 24th day of July, 2018.



Georgia Benyola, Assistant Secretary

I, Rosemary Rosetto, Chief Financial Officer 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 2018 and find that funds are available under line item 604-8110.

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



Rosemary Rosetto, Chief Financial Officer

RESOLUTION

July 24, 2018

WHEREAS, during the month of July, 2018, purchases were made for goods and or services listed in the Authority's Capital 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 JULY, 2018:

1. Mitchell 1 – Shop Key Software-Vehicles - PO D8-00626 - \$2,270.44
2. That a certified copy of this resolution will be entered into the official record of the Authority meeting held on July 24, 2018.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary 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 24th day of July, 2018.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 24th day of July, 2018.



Georgia Benyola, Assistant Secretary

**RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES
AUTHORITY COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A SCHEDULE C
AGREEMENT WITH THE COUNTY OF OCEAN**

WHEREAS, the Toms River Municipal Utilities Authority (“TRMUA”) and the County of Ocean (“County”) are both local units serving the residents and taxpayers of their respective communities; and

WHEREAS, the County may possess specialized equipment and resources that can be utilized by the TRMUA to supplemental its operations;

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

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 to -35, permits local units to enter into agreements for shared services; and

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

1. That the Executive Director is hereby authorized to execute, and the Assistant Secretary to attest to, a Schedule C Agreement (“Agreement”) with the County of Ocean in accordance with the provisions of the law to include \$1,000 for Truck Wash Services. A copy of the said Agreement is on file in the office of the Assistant Secretary and is available for public inspection during normal business hours.
2. That the Authority Chief Financial Officer shall certify the availability of funds prior to the placement of the rendering of the service.
3. That this Agreement is for a period of one year, commencing on the date of award.

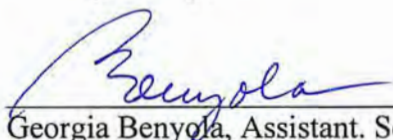
BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the following:

1. Toms River Municipal Utilities Authority Commissioners;
2. Clerk of the Ocean County Board of Chosen Freeholders;
3. Ocean County Department of Vehicles Services;
4. Ocean County Finance Department;
5. Stephen C. Acropolis, TRMUA Executive Director;
6. Richard MacDonald, TRMUA QPA; and
7. Rosemary Rosetto, TRMUA CFO.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary 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 July 24, 2018

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 24th day of July, 2018.



Georgia Benyola, Assistant. Se cretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
AND THE TOWNSHIP MANCHESTER**

WHEREAS, The Toms River Municipal Utilities Authority (“TRMUA”) and the Township of Manchester (“Township”) are both Municipal Entities (collectively the “Entities”) serving the residents and taxpayers of their respective communities; and

WHEREAS, the Entities entered into an agreement dated May 20, 1991, governing the delivery of wastewater from the Township to the TRMUA and conveyance thereof by the TRMUA through its collection system facilities to the Ocean County Utilities Authority; and

WHEREAS, the Entities have continued performing in accordance with said agreement and now wish to enter into and memorialize a new agreement as set forth herein; and

WHEREAS, it is deemed in the best interest of the Public for these Entities to enter into a new agreement for the TRMUA to continue to provide for certain connections to its sanitary sewer collection system; 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 a Shared Services Agreement, which shall be attached hereto and made a part hereof, between the Toms River Municipal Utilities Authority and the Township of Manchester.

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

1. Toms River Municipal Utilities Authority Commissioners
2. Hon. Kenneth Palmer, Mayor of Manchester Township
3. Stephen C. 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 July 24, 2018.



Georgia Benyola Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

7-24-18

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the TRMUA may go into Exec. Session to discuss matters that may be confidential or listed pursuant to NJSA 10:4-12; and

WHEREAS, it is recommended by the General Counsel that the TRMUA Commissioners go into Executive Session on July 24, 2018 to discuss matters set forth hereinafter which are permissible to discuss in Executive Session.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the TRMUA shall go into Executive Session to discuss the following items:

LIST

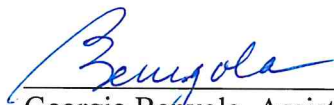
Personnel Matters

Litigation/Potential Litigation

Contractual Matters

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissions on July 24, 2018.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 24th day of July, 2018.



Georgia Benyola, Assistant Secretary