

R E S O L U T I O N
SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED
FOR PUBLIC USE
March 26, 2019

WHEREAS, it has been brought to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority by the Regulatory Compliance/ Safety Officer that there exists a surplus of personal property no longer needed for public use; and

WHEREAS, the Local Public Contracts Law 40A:11-36 provides for the sale and disposition of personal property no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service;

WHEREAS, the Toms River Municipal Utilities Authority intends to utilize the online auction services of GovDeals.com, at the website www.govdeals.com; and

WHEREAS, the Safety Officer has attached hereto a list of surplus personal property no longer needed for public use identified as Toms River MUA 2019 Auction Items and requests authorization to auction the surplus on GovDeals website.

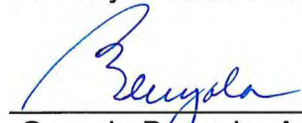
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, AND STATE OF NEW JERSEY, AS FOLLOWS:

1. That the Safety Officer is hereby authorized to advertise the sale of surplus personal property no longer needed for public use identified as Toms River MUA 2019 Auction Items in accordance with N.J.S.A.40A:11-36.
2. That the Safety Officer is hereby authorized to sell the surplus personal property no longer needed for public use identified as Toms River MUA 2019 Auction Items pursuant to Local Finance Notice 2008-9 and Local Finance Notice 2008-21R.
3. That the Safety Officer is hereby authorized to post the sale of personal property no longer needed for public use identified as Toms River MUA 2019 Auction Items on the internet at GovDeals auction website at www.govdeals.com;
4. That the Terms and Condition of the agreement entered into with GovDeals are available in the Office of the Safety Officer.
5. That a certified copy of this resolution shall be forwarded to the Executive Director, the Safety Officer and the Purchasing Agent.

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

I, GEORGIA BENYOLA, Assistant Secretary of the Toms River Municipal Utilities Authority, 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 held on the 26th day of March 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of March 2019.



Georgia Benyola, Assistant Secretary

Attachment "A" – 2019 TRMUA Items for Auction

Item Description

- 1 (2) Rigid Sewer Machines
- 2 Miscellaneous Furniture

RESOLUTION

WHEREAS, it has been brought to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority (TRMUA) that the TRMUA is desirous of receiving bids through a fair and open process for the following goods:

Contract No. TRMUA PDA-2019
Purchase and Delivery of Aggregates


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 Qualified Purchasing Agent is hereby authorized to advertise for the receiving of bids for the above-mentioned.

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 March 26, 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of March, 2019.



Georgia Benyola, Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AWARDING 2019 ON-CALL ROADWAY PAVEMENT
RESTORATION PROJECT TO JOHNSON-BARAN CORP.

WHEREAS, the Toms River Municipal Utilities Authority (hereinafter "TRMUA"), County of Ocean, State of New Jersey advertised for bids in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. for 2019 On-Call Roadway Pavement Restoration Project, in accordance with plans and specifications prepared by the TRMUA consultant; and

WHEREAS, three bids were received and opened on March 13, 2019; and

WHEREAS, Johnson-Baran Corp., P.O. 842, Forked River, New Jersey 08731, submitted the low bid in the amount of \$405,350.25; and

WHEREAS, the two (2) other bids received ranged from \$442,369.76 to \$473,255.00; and

WHEREAS, the TRMUA Attorney reviewed the bids and determined that Johnson-Baran Corp. submitted the lowest responsible bid in accordance with the solicitation; and

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

1. That the 2019 On-Call Roadway Pavement Restoration Project is hereby awarded to Johnson-Baran Corp., P.O. 842, Forked River, New Jersey 08731, as per the attached schedule of prices.
2. That this is a unit price contract and funds will be certified prior to the scheduling of any work.
3. That the maximum dollar value for this project is \$405,350.25.
4. That award of this contract is to be allocated from the 2018/2019 Capital Budget under the line item Capital Expenditures, account 604-8110.

BE IT FURTHER RESOLVED, that the TRMUA is hereby authorized, upon receipt of fully executed contract and any other required documents, to return the certified checks or bid bonds of the following bidders:

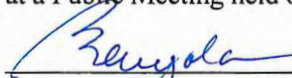
1. Johnson-Baran Corp.;
2. M.C. Messina, Inc.; and
3. Shore Top Construction Corp.;

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

1. Chairman and Commissioners;
2. Robert J. DiBiase, Executive Director;
3. Johnson-Baran Corp.;
4. M.C. Messina, Inc.;
5. Shore Top Construction Corp.;
6. James J. Gluck, Esq. Authority Attorney; and
7. All other parties in interest.

CERTIFICATION

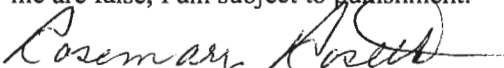
I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted at a Public Meeting held on March 26, 2019.



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 2019 and find that funds are available under the account number 604-8110 noted above.

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

Change Order Resolution No. 1 - Final

Whereas, it has come to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority that a Change Order representing as –built quantity adjustments is needed to successfully complete the contract for the 2017-2018 On-Call Roadway Pavement/Restoration Contract; and

Whereas, in accordance with N.J.S.A. 5:30 14.4, the Executive Director has recommended that Change Order No. 1 final be authorized and that the contract issued to Johnson Baran Corp., be decreased by \$260,007.80 and the contract be commensurately decreased from \$363,490.35 to \$103,482.55.

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. 1Final is hereby authorized as stated above.
2. The Assistant Secretary shall forward a certified copy of the Resolution to Johnson Baran Corp., Maser Consulting, the Executive Director, the Chief Financial Officer and the QPA.

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 Board on the 26th day of March, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of March, 2019.



Georgia Benyola, Assistant Secretary

Change Order Resolution No. 2 - Final

Whereas, it has come to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority that a Change Order reducing equipment costs is needed to successfully complete the Video Surveillance System Project; and

Whereas, in accordance with N.J.S.A. 5:30 14.4, the Executive Director has recommended that Change Order No. 2 Final be authorized and that the contract issued Eastern Data Comm. be decreased by (\$4,120.43) and the contract be commensurately decreased from \$367,608.63 to \$363,488.20.

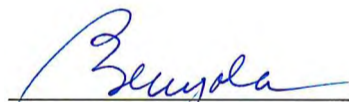
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. Change Order No. 2 Final is hereby authorized as stated above.
2. The Assistant Secretary shall forward a certified copy of the Resolution to the Executive Director, the CFO, the Safety Compliance Officer and the QPA.

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 26th day of March 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of March 2019.



Georgia Benyola, Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AWARDING AN EMERGENCY CONTRACT TO
MONTANA CONSTRUCTION FOR
REPAIRS TO PIPE GARY ROAD

WHEREAS, the Toms River Municipal Utilities Authority (hereinafter “TRMUA”), County of Ocean, State of New Jersey has determined that an emergency exists with regard to the health and safety of the residents, ratepayers and the general population as well as the integrity of TRMUA sanitary sewer system as a result of a broken 8” pipe section effecting a parking lot and Gary Road parallel to Rt. 37 (eastbound), creating an obstruction and impacting the sewers ability to convey wastewater potentially causing a sinkhole; and

WHEREAS, as a result of the broken pipe, emergency services were required to make repairs; and

WHEREAS, the TRMUA has determined that an imminent emergent condition exists and the emergency could not reasonably have been foreseen; and

WHEREAS, Montana Construction will supply the necessary labor, materials and equipment required to and repair and or replace the damaged pipe.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Toms River Municipal Utilities Authority that an emergency contract is awarded pursuant to N.J.S.A. 40A:11-6 to Montana Construction in an amount of \$55,604.18

BE IT FURTHER RESOLVED that this contract is subject to a certification of the availability of funds.

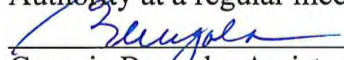
BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute, and the Assistant Secretary to attest thereto, a form of contract and any necessary and related documents pursuant to this award.

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

1. Chairman and Commissioners;
2. Robert J. DiBiase, Executive Director
3. Rosemary Rosetto, Chief Financial Officer
4. Nick Otten, TRMUA Engineer
5. Montana Construction
6. 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, do hereby certify the forgoing 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 26th day of March 2019.



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 2019 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

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

3-26-19

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 March 26, 2019 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 March 26, 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of March, 2019.



Georgia Benyola, Assistant Secretary

**RESOLUTION FOR PURCHASE OF
REPAIR OF FUELING SYSTEM**

March 26, 2019

WHEREAS, it has come to the attention of the TRMUA that the gas dispensing system recently failed a hydrostatic test requiring repairs and;

WHEREAS, the work was not budgeted for in 2019 and;

WHEREAS, the repairs are time sensitive to ensure the fueling system remains in compliance while operating and;

WHEREAS, the TRMUA obtained (2) quotations/ proposals from DeMaio Inc. totaling \$10, 846.18 and T-Slack totaling \$49,866.19 and;

WHEREAS, DeMaio submitted a lower quote and less intrusive proposal and;

WHEREAS, additional quotations are not required as the quotation was provided through the Ocean County Cooperative Purchasing Program contract #B2017-91 and;

WHEREAS, funds are available under account 900-9102 platform replacement

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

1. Authorization is given to contract DeMaio Inc. 543 Columbia Rd, Egg Harbor City, NJ 08215 to perform the repairs at a cost not to exceed \$10,846.18.
2. A copy of this resolution will be entered into the official record of the Authority meeting held on March 26, 2019.

CERTIFICATION

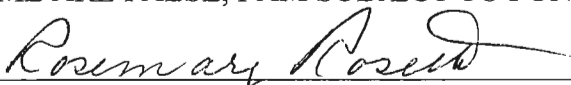
I, GEORGIA BENYOLA, ASSISTANT SECRETARY OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY OF OCEAN, TOWNSHIP OF TOMS RIVER, HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 26th DAY OF MARCH, 2019.



GEORGIA BENYOLA, ASSISTANT SECRETARY

I, ROSEMARY ROSETTO, CFO 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 2019 AND FIND THAT FUNDS ARE AVAILABLE UNDER THE LINE 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 STATEMENTS MADE BY ME ARE FALSE, I AM SUBJECT TO PUNISHMENT.



ROSEMARY ROSETTO, CFO