

RESOLUTION OF THE
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

February 26, 2019

WHEREAS, application to the New Jersey Department of Environmental Protection is required for all sanitary sewer extensions of the Toms River Municipal Utilities Authority, and

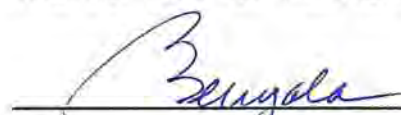
WHEREAS, all projects approved by the Authority for development extensions are filed with the New Jersey Department of Environmental Protection with the Toms River Municipal Utilities Authority as Applicant, and

WHEREAS, the regulations of the New Jersey Department of Environmental Protection require that the signature of the Applicant include a Resolution of the Authority, authorizing said signature and application.

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

1. Nicholas Otten, P.E., Authority Engineer, shall have authorization to sign all applications to the New Jersey Department of Environmental Protection for sanitary sewer extensions.
2. In the absence of Nicholas Otten, P.E., Robert J. DiBiase, Executive Director, Secretary-Treasurer, shall be authorized to sign New Jersey Department of Environmental Protection sanitary sewer extension applications.
3. A copy of the resolution shall accompany all applications to the New Jersey Department of Environmental Protection.

I, GEORGIA BENYOLA, ASSISTANT SECRETARY, OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, HEREBY CERTIFY THAT THE ABOVE IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 26TH DAY OF FEBRUARY, 2019.



GEORGIA BENYOLA, ASSISTANT SECRETARY

RESOLUTION OF THE
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

FEBRUARY 26, 2019


WHEREAS, application to the New Jersey Department of Transportation is required for all road opening permits, sanitary sewer extensions, and repair and/or rehabilitation of the Toms River Municipal Utilities Authority lines when falling within the boundaries of the New Jersey Department of Transportation roadways, and

WHEREAS, the regulations require that the signature of the Applicant include a Resolution of the Authority, authorizing said signature and application.

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

1. Robert J. DiBiase, Executive Director, Secretary-Treasurer and/or Nicholas Otten, P.E., Authority Engineer shall have authorization to sign all applications to the New Jersey Department of Transportation for sanitary sewer repairs and/or extensions.
2. A copy of the resolution shall accompany all applications to the New Jersey Department of Transportation.

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



GEORGIA BENYOLA, ASSISTANT SECRETARY

RESOLUTION

ADOPTED – FEBRUARY 26, 2019

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 2019; 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.

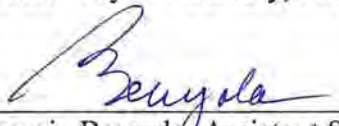
NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

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, with is not to exceed amount of \$50,000.00.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating budget, line item 01-103-3104.
5. That this resolution shall take effect February 26, 2019, 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, Chief Financial Officer and the QPA.

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 February 26, 2019.

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



Georgia Benyola, Assistant Secretary

2019 TRMUA Auditor Attachment A – Hourly Rates (additional services if required)

Engagement Partner	\$180.00/hour
Quality Review Partner	\$180.00/hour
Manager	\$135.00/hour
Senior Accountant	\$100.00/hour
Staff I	\$90.00/hour
Administrative	\$80.00/hour

RESOLUTION

ADOPTED – FEBRUARY 26, 2019

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.

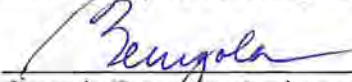
NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

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. DeCotiis, Fitzpatrick, Cole & Giblin, LLP
 - c. Gluck Walrath, LLP
 - d. Wilentz, Goldman & Spitzer
 - e. Parker McCay, P.A.
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, 2019 Bond Counsel Rate Schedule, with a not to exceed amount of \$50,000.00.
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating, capital and or NJEIT Budgets.
6. That this resolution shall take effect February 26, 2019 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, Chief Financial Officer and the QPA.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary 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 26, 2019.

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



Georgia Benyola, Assistant Secretary

2019 Bond Counsel Fee Schedule – Attachment A

Bond or Note Issue	\$3,500 plus \$1.10 per thousand issue
Consulting	Range \$80.00 to \$275.00 per hour
Written Post Issuance Tax Compliance Procedure –	Not to exceed \$5,000.00
Customary Disbursement for postage, telephone, photocopying, etc.	

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 CFO, who shall fill out and execute Section III of Authority's Emergency Requisition and Certification Form (attached hereto as Schedule A").

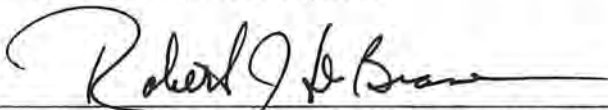
- (6) The Authority has established an "Emergency Contractor Pool". Selection of contractor will be based on line item prices submitted for 2019 and response time to mobilize at address of emergency.
- (7) A condition of the award of contract shall be that the contractor shall provide proof of compliance 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").
- (8) 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's 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) Chief Financial Officer

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 and are aware of and 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, Chief Financial Officer, Authority Engineer 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 26TH DAY OF FEBRUARY, 2019.



ROBERT J. DIBIASE, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

ATTACHMENT "A"

SECTION I

EMERGENCY REQUISITION / CERTIFICATION FORM

TO: Robert J. DiBiase, 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, **Robert J. DiBiase**, 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, Rosemary Rosetto, 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 entitled _____

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: Controller

NAME: Rosemary Rosetto DATE: _____

I, Bernard Rutkowski, 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: PACO

NAME: Bernard Rutkowski DATE: _____

(Revised 3-13)

RESOLUTION

ADOPTED –FEBRUARY 26, 2019

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/NJIB projects, wastewater issues and other general engineering projects for the calendar year 2019; 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. Mott MacDonald
 - g. Suburban Consulting Engineers
 - h. VanCleaf Engineer
 - i. PS&S
 - j. Alaimo Group Consulting Engineers
 - k. GTS Consultants, Inc.
 - l. French & Parrello Associates
 - m. CME Associates
 - n. Brinkerhoff Environmental Services, Inc.
 - o. ARH Associates
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, not to exceed \$500,000.00.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating, capital and or NJEIT/NJIB Budgets.
5. That this resolution shall take effect February 26, 2019, 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, Chief Financial Officer and the QPA

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 February 26, 2019.

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



Georgia Benyola, Assistant Secretary

2019 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

RESOLUTION

ADOPTED – FEBRUARY 26, 2019

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. Phoenix Advisors, LLC
 - c. NW Financial Group, Inc.
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, 2019 Financial Advisor Rate Schedule, with a not to exceed amount of \$50,000.00.
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating, capital and or NJEIT Budgets.
6. That this resolution shall take effect February 26, 2019 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, Chief Financial Officer and the QPA.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary 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 26, 2019.

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



Georgia Benyola, Assistant Secretary

2019 Financial Advisor Rate Schedule – Attachment A

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
Reimbursement for reasonable expenses incurred in providing said services, i.e. postage, photocopies, telecopies, travel and telephone	

RESOLUTION

ADOPTED – FEBRUARY 26, 2019

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, LLC, as Authority Attorney.

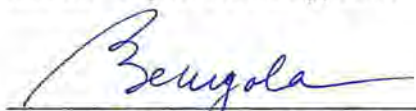
NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

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, LLC, 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 \$160.00 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, with a not to exceed amount of \$60,000.00.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating budget, line item 01-103-3101.
5. That this resolution shall take effect February 26, 2019, for duration of one year.
6. That a certified copy of this Resolution shall be provided to the firm of Gluck & Allen, LLC, the Executive Director, Chief Financial Officer and QPA.

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 February 26, 2019.

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



Georgia Benyola, Assistant Secretary

RESOLUTION

ADOPTED – FEBRUARY 26, 2019

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.

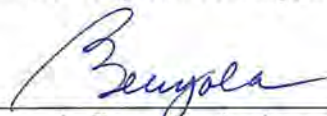
NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

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, with a not to exceed amount of \$10,000.00.
4. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating budget, line item 01-103-3104.
5. That this resolution shall take effect February 26, 2019, 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, Chief Financial Officer and QPA.

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 February 26, 2019.

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



Georgia Benyola, Assistant Secretary

RESOLUTION FOR MEMBER PARTICIPATION IN COOPERATIVE PURCHASING SYSTEM

WHEREAS, P.L. 2011, c. 139 allows contracting units to enter into agreement with state, regional, or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contracts to other government agencies; and

WHEREAS, the National Cooperative Purchasing Alliance (NCPA) has offered voluntary participation in a Cooperative Purchasing System for the purchase of goods and services; and

WHEREAS, it is the desire of the Toms River Municipal Utilities Authority to join the National Cooperative Purchasing Alliance (NCPA) to purchase goods and or services, to make the procurement process more efficient and to provide cost savings to the Authority.

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

1. That the Board of Commissioners of the Toms River Municipal Utilities Authority does hereby authorize the Executive Director to enter into agreement and the Authority to participate in the National Cooperative Purchasing Alliance.
2. That the Authority shall be responsible to ensure that the goods and or services procured through the system comply with all applicable laws of the State of New Jersey, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.
3. That this resolution shall take effect immediately upon passage.

CERTIFICATION

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 of said Commissioners on the 26th day of February, 2019.

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



Georgia Benyola, Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

RESOLUTION ADOPTED – FEBRUARY 26, 2019

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.

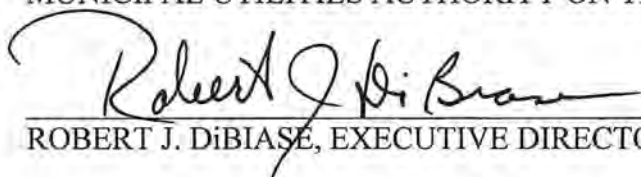
2. Ocean Signal is hereby designated to receive any notices because they have the greatest likelihood of informing the public within the jurisdiction of these publications of such meetings.

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 2019, 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, 2019.

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, ROBERT J. DiBIASE, 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 26th DAY OF FEBRUARY 2019.



ROBERT J. DiBIASE, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

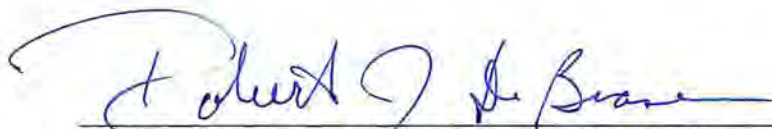
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION
ADOPTED – FEBRUARY 26, 2019**

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

1. Carmen J. Memoli 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, 2020.
2. Tariq M. Siddiqui 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 2020.
3. Robert J. DiBiase 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, 2020.
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, 2020.
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, 2020.
6. A certified copy of this Resolution shall be sent to each of the following:
 - A. Banks:
 - B. Legal Counsel
 - C. Alison Carlisle, Clerk, Township of Toms River
 - D. US Environmental Protection Agency
 - E. NJ Department of Environmental Protection

I, ROBERT J. DiBIASE, 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 26th DAY OF FEBRUARY 2019.



ROBERT J. DiBIASE, EXECUTIVE DIRECTOR, SECRETARY-TREASURER

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

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

WHEREAS, The Toms River Municipal Utilities Authority ("TRMUA") and the Beachwood Sewerage Authority ("BSA") are both Municipal Entities (collectively the "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 a Shared 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; and
3. Robert J. DiBiase, 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 26, 2019.



Georgia Benyola Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
AND THE BOROUGH OF OCEAN GATE**

WHEREAS, The Toms River Municipal Utilities Authority ("TRMUA") and the Borough of Ocean Gate ("Borough") are both Municipal Entities (collectively the "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 Borough 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 a Shared Services Agreement, which shall be attached hereto and made a part hereof, between the Toms River Municipal Utilities Authority and the Borough of Ocean Gate.

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

1. Toms River Municipal Utilities Authority Commissioners
2. Paul J. Kennedy, Mayor of Borough of Ocean Gate
3. Robert J. DiBiase, 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 26, 2019.



Georgia Benyola Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

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

WHEREAS, The Toms River Municipal Utilities Authority ("TRMUA") and the Lacey Township Municipal Utilities Authority ("LTMUA") are both Municipal Entities (collectively the "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 LTMUA 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 a Shared Services Agreement, which shall be attached hereto and made a part hereof, between the Toms River Municipal Utilities Authority and the Lacey Township Municipal Utilities 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. Edward Woolf, LTMUA Executive Director
3. Robert J. DiBiase, 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 26, 2019.



Georgia Benyola Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

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

WHEREAS, The Toms River Municipal Utilities Authority (“TRMUA”) and the Lakewood Township Municipal Utilities Authority (“LTMUA”) are both Municipal Entities (collectively the “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 LTMUA 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:

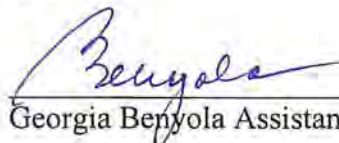
The Executive Director is hereby authorized to execute and the Assistant Secretary to attest to a Shared Services Agreement, which shall be attached hereto and made a part hereof, between the Toms River Municipal Utilities Authority and the Lakewood Township Municipal Utilities Authority.

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

1. Toms River Municipal Utilities Authority Commissioners
2. Justin Flancaum, LTMUA Executive Director
3. Robert J. DiBiase, 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 26, 2019.



Georgia Benyola Assistant Secretary

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
AND THE SOUTH TOMS RIVER SEWERAGE AUTHORITY**

WHEREAS, The Toms River Municipal Utilities Authority ("TRMUA") and the South Toms River Sewerage Authority ("STRSA") are both Municipal Entities (collectively the "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 STRSA 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 a Shared Services Agreement, which shall be attached hereto and made a part hereof, between the Toms River Municipal Utilities Authority and the South Toms River 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. William Gleason, Chairman of STRSA
3. Robert J. DiBiase, 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 26, 2019.



Georgia Benyola Assistant Secretary

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 for a 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 hereby recommends the firms listed below 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.

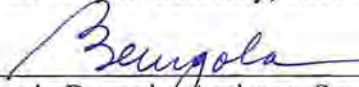
NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the agreements with the following firms:
 - a. Raymond James
 - b. Stifel Nicolaus & Company, Inc.
 - c. NW Financial Group
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, 2019 Underwriter Rate Schedule, with a not to exceed amount of \$50,000.00
5. That this contract is awarded contingent upon the adequate provisions of funding in the 2019 operating, capital and or NJEIT Budgets.
6. That this resolution shall take effect February 26, 2019 for a period of one year.
7. That a certified copy of this Resolution shall be provided to Raymond James, Stifel, Nicolaus & Company, Inc., NW Financial Group, the Executive Director, Chief Financial Officer and the QPA.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary 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 26, 2019.

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



Georgia Benyola, Assistant Secretary

2019 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

**Toms River Municipal Utilities Authority
340 West Water Street
Toms River, New Jersey 08753**

February 27, 2019

Alison Carlisle, Municipal Clerk
Township of Toms River
Municipal Building
33 Washington Street
Toms River, New Jersey 08753

Re: Toms River Municipal Utilities Authority
Notice of Adoption of Bond Resolutions

Dear Ms. Carlisle:

On February 26, 2019, the Toms River Municipal Utilities Authority adopted two bond resolutions (collectively, the "Bond Resolutions"), entitled:

RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO
EXCEED \$3,900,000 PRINCIPAL AMOUNT OF PROJECT NOTES
RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF
THE NEW JERSEY INFRASTRUCTURE BANK AND DETERMINING
VARIOUS MATTERS RELATING THERETO

RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO
EXCEED \$4,000,000 PRINCIPAL AMOUNT OF SUBORDINATED
REVENUE BONDS, AND DETERMINING VARIOUS MATTERS
RELATING THERETO

Attached hereto are certified copies of the Bond Resolutions.

Pursuant to N.J.S.A. 40:14B-28, kindly cause the attached certified copies of the Bond Resolutions to be filed for public inspection in the office of the Municipal Clerk of the Township.

Thank you.

Very truly yours,



Robert J. DiBiase
Executive Director

9A-6C

EXHIBIT C TO NOTE RESOLUTION

**TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
NOTICE OF ADOPTION OF BOND RESOLUTION**

PUBLIC NOTICE is hereby given that a resolution entitled: "RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,900,000 PRINCIPAL AMOUNT OF PROJECT NOTES RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK AND DETERMINING VARIOUS MATTERS RELATING THERETO" (the "Resolution") was adopted by the Toms River Municipal Utilities Authority (the "Authority") on February 26, 2019. Copies of said Resolution have been filed and are available for public inspection in the office of the Municipal Clerk of the Township of Toms River, in the County of Ocean, New Jersey, in the Municipal Building in said Township located at 33 Washington Street, Toms River, New Jersey 08753, and in the office of said Authority, 340 West Water Street, Toms River, New Jersey 08753.

Any action or proceeding of any kind or nature in any court questioning the validity of the creation or establishment of the Authority, or the validity or proper authorization of the notes provided for by the Resolution, or the validity of any covenants, agreements or contracts provided for by the Resolution shall be commenced within twenty (20) days after the first publication of this notice.

TOMS RIVER MUNICIPAL UTILITIES
AUTHORITY

BY: ROBERT J. DIBIASE
EXECUTIVE DIRECTOR

**Toms River Municipal Utilities Authority
340 West Water Street
Toms River, New Jersey 08753**

February 27, 2019

Alison Carlisle, Municipal Clerk
Township of Toms River
Municipal Building
33 Washington Street
Toms River, New Jersey 08753

Re: Toms River Municipal Utilities Authority
Notice of Adoption of Bond Resolutions

Dear Ms. Carlisle:

On February 26, 2019, the Toms River Municipal Utilities Authority adopted two bond resolutions (collectively, the "Bond Resolutions"), entitled:

RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO
EXCEED \$3,900,000 PRINCIPAL AMOUNT OF PROJECT NOTES
RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF
THE NEW JERSEY INFRASTRUCTURE BANK AND DETERMINING
VARIOUS MATTERS RELATING THERETO

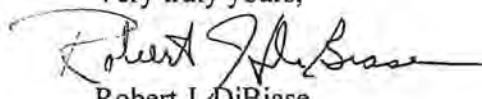
RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO
EXCEED \$4,000,000 PRINCIPAL AMOUNT OF SUBORDINATED
REVENUE BONDS, AND DETERMINING VARIOUS MATTERS
RELATING THERETO

Attached hereto are certified copies of the Bond Resolutions.

Pursuant to N.J.S.A. 40:14B-28, kindly cause the attached certified copies of the Bond Resolutions to be filed for public inspection in the office of the Municipal Clerk of the Township.

Thank you.

Very truly yours,


Robert J. DiBiase
Executive Director

9A-6C