

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 capital project:

Contract No. TRMUA RPR-24
On-Call Roadway Pavement Restoration

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 and/or Authority Engineer are hereby authorized to advertise for the receiving of bids for the above-mentioned.

CERTIFICATION

I, Christina Diamante, Executive Assistant 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 September 26, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of September 2023.



Christina Diamante, Executive Assistant

RESOLUTION
Authorization to Bid

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 items:

Contract No. TRMUA PR-2023
Trenchless Point Repair Clamps and Equipment

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 QPA is hereby authorized to advertise for the receiving of bids for the above-mentioned.
2. That authorization is hereby given to prepare formal bid specifications for the above mentioned goods.

CERTIFICATION

I, Christina Diamante, Administrative Assistant 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 September 26, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of September, 2023.



Christina Diamante, Asst. Secretary

APPENDIX C

RESOLUTION

WHEREAS, N.J.S.A. 40A:5A-5 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2022 has been completed and filed with the State of New Jersey, Division of Local Government Services, Department of Community Affairs, pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A- 17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member there of has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," in accordance with N.J.S.A. 40A:5A-17,

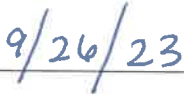
NOW, THEREFORE BE IT RESOLVED, that the governing body of the Toms River Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2022, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON SEPTEMBER 26, 2023.



Secretary



Date

RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM

A Resolution Authorizing the Toms River Municipal Utilities Authority
To enter into a Cooperative Pricing Agreement

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Camden County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on September 26, 2023 the governing body of the Toms River Municipal Utilities Authority, County of Ocean, New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

WHEREAS, on September 26, 2023 the Board of Commissioners of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey duly considered participation in the Camden County Educational Services Commission Cooperative Purchasing System.

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 this Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Toms River Municipal Utilities Authority.
2. That pursuant to the provisions of N.J.S.A. 40A:11-11 (5) the Executive Director is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
3. That the Lead Agency shall be responsible for complying with the provisions of the 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.

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

I, Christina Diamante, 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 September, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of September, 2023.



Christina Diamante, Assistant Secretary

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AND, IF NECESSARY, A CONTINUING DISCLOSURE AGREEMENT, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM

WHEREAS, the Toms River Municipal Utilities Authority (the "Local Unit") has determined that there exists a need within the service area of the Local Unit to acquire, construct, renovate and/or install the Project (the "Project") as defined in (i) that certain Loan Agreement (the "I-Bank Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Infrastructure Bank (the "I-Bank") and, if applicable, (ii) that certain Loan Agreement (the "Fund Loan Agreement") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the Department of Environmental Protection (the "State"), all pursuant to the New Jersey Infrastructure Bank Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation and/or installation of the Project with the proceeds of (i) a loan to be made by the I-Bank pursuant to the I-Bank Loan Agreement (the "I-Bank Loan") and, if applicable, (ii) a loan to be made by the State pursuant to the Fund Loan Agreement (the "Fund Loan", and together with the I-Bank Loan, the "Loans");

WHEREAS, on October 27, 2020, the Local Unit adopted a resolution entitled "RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$10,000,000 PRINCIPAL AMOUNT OF SUBORDINATED REVENUE BONDS, AND DETERMINING VARIOUS MATTERS RELATING THERETO" (the "Bond Resolution"), authorizing, inter alia, the issuance of bonds in an aggregate principal amount not to exceed \$1,300,000 to finance the costs of the Project;

WHEREAS, to evidence the Loans, the I-Bank requires the Local Unit to authorize, execute and deliver the Local Unit's Subordinated Sewer Revenue Bond, 2023 Series A to the I-Bank (the "I-Bank Loan Bond") and, if applicable, the Local Unit's Subordinated Sewer Revenue Bond, 2023 Series B to the State (the "Fund Loan Bond", and together with the I-Bank Loan Bond, the "Local Unit Bonds") in an aggregate principal amount not to exceed \$1,300,000 pursuant to the terms of applicable law, the Bond Resolution and the Loan Agreements; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the Local Unit Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the Local Unit and the escrow agent named therein;

WHEREAS, in connection with the I-Bank Loan, the Local Unit may be required to enter into a Continuing Disclosure Agreement with the I-Bank and its bond trustee and/or dissemination agent (the "Continuing Disclosure Agreement"), by which the Local Unit may be required to provide, or cause to be provided, certain financial information and operating data and notices of certain enumerated events in respect of the Local Unit and/or the Township of Toms River.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Chairman, the Vice Chairman, the Executive Director or the Treasurer of the Local Unit (each an "Authorized Officer"), in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Authorized Officer executing same, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further

consultation with the I-Bank and its representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Secretary of the Local Unit is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

Section 2. The Local Unit hereby authorizes the preparation and distribution of financial statements and demographic and other information concerning the Local Unit and any related government entity, if applicable, contained in a "Preliminary Official Statement" and final "Official Statement" to be issued in connection with the marketing of the I-Bank's bonds relating to the I-Bank Loan. In furtherance of such authorization, the Local Unit hereby severally directs the Authorized Officers to take such action as the particular Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with the preparation and distribution of such information for inclusion in the Preliminary Official Statement and the final Official Statement.

Section 3. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Secretary of the Local Unit is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, (i) the Continuing Disclosure Agreement, if required, in such form as shall be presented by the I-Bank and approved by the Authorized Officer executing same, such approval to be conclusively evidenced by the execution thereof by an Authorized Officer as determined hereunder, and (ii) any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the Local Unit in connection with the preparation and distribution of the (i) Preliminary Official Statement is "deemed final" for the purposes and within the meaning of Rule 15c2-12 and (ii) Official Statement constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, and (b) a determination that any information provided by or on behalf of the Local Unit or relating to the Local Unit, the Loan Agreements, the Escrow Agreement or the transactions contemplated thereby in connection with the preparation and distribution of the Preliminary Official Statement and the Official Statement complies with Section 10 and Rule 10b-5 of the Securities Exchange Act.

Section 4. This resolution shall take effect immediately.

Section 5. Upon the adoption hereof, the Secretary of the Local Unit shall forward certified copies of this resolution to James G. Fearon, Esq., Dilworth Paxson LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, Bond Counsel to the I-Bank.

CERTIFICATION

I, Christina Diamante, Executive Assistant of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Board of Commissioners on September 26, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of September 2023.



Christina Diamante, Executive Assistant

RESOLUTION FOR THE REPLACEMENT OF CERTAIN PORTIONS OF THE HVAC SYSTEM

September 26, 2023

WHEREAS, over the last (2) years the TRMUA contracted French and Parrello Associates (FPA) to perform an audit of the TRMUA HVAC System; and

WHEREAS, French and Parrello Associates determined the major components of the system, including the boilers and AC components, had exceeded their useful life and should be replaced; and

WHEREAS, the TRMUA determined the replacement of the HVAC System in-kind was the most cost effective and beneficial approach; and

WHEREAS, the AC portion of the HVAC system was replaced by Hutchins Inc. in 2021/2022 at a cost of \$164,4600; and

WHEREAS, (2) boilers were replaced by Hutchins Inc. in 2022/2023 at a cost of \$466,420; and

WHEREAS, the TRMUA obtained a quotation totaling \$181,960 from Hutchins Inc. HVAC under the Education Services Commission Cooperative Purchasing Program Contract #ECSNJ 19/20-13 to replace the hanging heaters located in the TRMUA service bays; and

WHEREAS, FPA recommends that the TRMUA approve the quote and contract the services of Hutchins Inc.; and

WHEREAS, sufficient funds are available under account number 900-9102 Building Improvements.

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

1. Authorization is given to enter into contract with Hutchins Inc. to replace hanging heaters at a cost not to exceed \$181,960.
2. A copy of this resolution will be entered into the official record of the Authority meeting held on September 26, 2023.

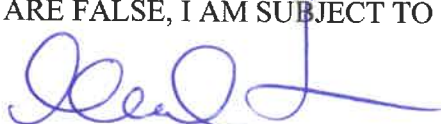
I, CHRISTINA DIAMANTE, ASSISTANT SECRETARY OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY OF OCEAN, TOWNSHIP OF TOMS RIVER, HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 26th DAY OF SEPTEMBER 2023.



CHRISTINA DIAMANTE, ASSISTANT SECRETARY

I, MICHAEL LEE, 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 2023 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.



MICHAEL LEE, CFO