

RESOLUTION NO. 17-10

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

February 1, 2010

*A Resolution Appointing Acacia Financial Group (AFG)
Consultant to The Brick Township Municipal Utilities Authority for the term of February 1, 2010
through January 31, 2011*

WHEREAS, there exists a need for financial counsel and representation by the Brick Township Municipal Utilities Authority; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20-5 et. seq. (New Jersey Pay to Play Law), the Authority advertised in its official papers a Notice of Solicitation for RFQ's, and

WHEREAS, on January 27, 2010, the duly advertised date for receipt of RFQ's, the Authority opened and reviewed all Qualifications from interested parties; and

WHEREAS, at the Annual Reorganization Meeting of the Authority on February 1, 2010, the Board of Commissioners did duly accept the appointment of firms to fill these positions, and

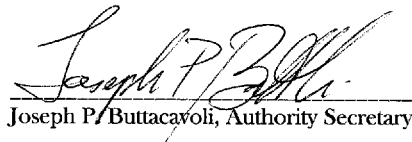
WHEREAS, N.J.S.A. 40A:11-5(1)(a)(i) permits the award of contracts for such professional services without public bidding;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, as follows:

1. Acacia Financial Group (AFG) 305 Fellowship Road, Suite 105, Mount Laurel, NJ 08054 is hereby appointed as financial counsel to the Brick Township Municipal Utilities Authority from February 1, 2010 until January 31, 2011 or until the first meeting of the Authority after such date.
2. The Authority Chairman and Secretary are hereby authorized and directed to execute the attached Agreement for professional services with said consultant in the amount of \$150.00 per hour plus out-of-pocket expenses; for financial advisory services related to the issuance of notes or bonds, the Advisor will be compensated a fee of \$0.85 per bond, plus out of pocket expenses, with a minimum fee of \$15,000 per transaction, payable at closing. Said agreement is made a part hereof.
3. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law.
4. The Executive Director shall cause notice of award of said appointment to be published once in the officially designated newspapers of the Authority.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted at the Public Meeting of The Brick Township Municipal Utilities Authority of the Township of Brick, County of Ocean, State of New Jersey held on February 1, 2010.


Joseph P. Buttacavoli, Authority Secretary