

**RESOLUTION NO. 29 - 10**

**BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**March 4, 2010**

**A Resolution Accepting and Approving the Letter of Agreement  
With PJM InterConnection, L.L.C. and the Hess Corporation  
for the Load Response Program**

**WHEREAS**, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is an autonomous public body duly incorporated pursuant to the provisions of *N.J.S.A. 40:14B-1 et seq.*; and

**WHEREAS**, the Authority has been approached by the Hess Corporation ("Hess") and PJM Interconnection, L.L.C. ("PJM") with regard to potential execution of a Letter of Agreement concerning the Load Response Program (hereinafter referred to as the "Agreement"); and

**WHEREAS**, the terms of the Agreement provide that if requested by Hess the Authority would agree to temporarily curtail utilization of electricity and as an alternative utilize its own generators, in order to save electricity during peak hours; and

**WHEREAS**, the Agreement provides monetary compensation to the Authority for entering into this Agreement, which compensation will be paid to the Authority whether or not it is requested to curtail electric usage; and

**WHEREAS**, the Agreement has been reviewed by the Authority's Solicitor and found to be acceptable as to form and content;

**WHEREAS**, the Authority had previously authorized the Executive Director and Certified Financial Officer to take all necessary steps to execute the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** this 4th day of March, 2010, by the Brick Township Municipal Utilities Authority as follows:

1. Based upon the recommendations of the Authority's professional staff, the Authority hereby approves the aforementioned Agreement, a true copy of which is on file at the office of the Executive Director and can be reviewed by the public during normal business hours.

2. The Authority authorizes and directs the Chairman, Executive Director and Secretary to execute any and all necessary documents to implement the intent of this Resolution.

**DASTI, MURPHY  
McGUCKIN, ULAKY,  
CHERROS & CONNORS**  
COUNSELLORS AT LAW  
620 WEST LACEY ROAD  
P.O. BOX 1057  
FORKED RIVER, N.J. 08731

3. The Authority hereby approves the actions taken by it's Executive Director and Certified Financial Officer in taking all necessary steps to execute the Agreement.

4. A copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- (a) Patrick L. Bottazzi, Chairman;
- (a) James F. Lacey, Executive Director;
- (b) Stephen T. Specht, P.E., Deputy Executive Director;
- (c) Frank Planko, Chief Financial Officer;
- (d) Marie Sylvester, Executive Secretary; and
- (e) Jerry J. Dasti, Esq.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 4th day of March, 2010, a quorum being present and voting in the majority.



**MADELINE IANNARONE, Asst. Sec./Treas.**

Prepared by:

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