

**RESOLUTION NO. 35-10**

**BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**April 26, 2010**

**A Resolution Authorizing Execution of a Shared Services Agreement  
with the Borough of Point Pleasant Beach**

**WHEREAS**, the Brick Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has entered into discussions and negotiations with representatives of the Borough of Point Pleasant Beach (hereinafter referred to as the “the Borough”)with regard to shared services involving the Authority contracting to undertake the preparation of the 2009 Consumer Confidence report (CCR) for the Borough in exchange for the transfer of ownership of specific water treatment plant components from the Borough to the Authority; and

**WHEREAS**, the discussions have resulted in a proposed Shared Services Agreement, a true copy of which is on file at the office of the Executive Director of the Authority and can be reviewed by the public during normal business hours; and

**WHEREAS**, the Shared Services Agreement is being entered into by and between the Authority and the Borough pursuant to the provisions of N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, the Authority and the Borough have determined that the public health, safety, and welfare of the Customers of the Authority and Customers of the Borough can best be protected by entering into an Agreement authorized under the Uniform Shared Services and Consolidated Act, of the Laws of 2007, Chapter 63, effective April 3, 2007 (the “Act”) N.J.S.A. 40A:65-1 through 40A:65-35, as amended, to provide the CCR preparation services; and

**WHEREAS**, N.J.S.A. 40A:11-5(2) provides an exception under the Local Public Contracts Law for contracts entered into with any “agency or authority”, inter alia, or subdivisions thereof; and

**WHEREAS**, the Commissioners of the Authority believe that it is in the long term best interests of the Authority and its ratepayers that the Shared Services Agreement be accepted and approved, in order to provide services to the Borough and needed water treatment plant components to the Authority so as to defray expenses and costs of the Authority being imposed upon its ratepayers:

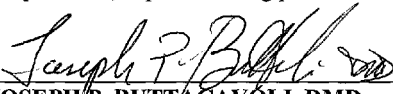
**NOW, THEREFORE, BE IT RESOLVED** this 26th day of April 2010, by the Brick Township Municipal Utilities Authority as follows:

1. The Authority hereby accepts and approves the Shared Services Agreement with The Borough, 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, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this resolution.
3. A certified copy of this Resolution with an executed copy of the Shared Services Agreement shall be forwarded by the Administrative Secretary of the Authority, to the following:
  - (a) Patrick L. Bottazzi, Chairman;
  - (b) James Lacey, Executive Director;
  - (c) Stephen Specht, Deputy Executive Director;
  - (d) Frank Planko, Chief Financial Officer;
  - (e) Borough of Point Pleasant Beach; and
  - (f) 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 26th day of April 2010, a quorum being present and voting in the majority.

  
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**JOSEPH P. BUTTACAVOLI, DMD,**  
**Secretary**