

RESOLUTION NO. 68 - 12

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

November 26, 2012

A Resolution Authorizing Execution of a Shared Services Agreement with Passaic Valley Water Commission

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has entered into discussions and negotiations with representatives of the Passaic Valley Water Commission (hereinafter referred to as "Passaic Valley") with regard to a shared services involving the Authority contracting to undertake certain testing responsibilities for Passaic Valley; 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 Passaic Valley pursuant to the provisions of N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, the Authority and the Commission have determined that the public health, safety, and welfare of the Customers of the Authority and Customers of the Commission 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 Laboratory 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

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW
620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

services to Passaic Valley and additional revenues 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 November, 2012, by the Brick Township Municipal Utilities Authority as follows:

1. The Authority hereby accepts and approves the Shared Services Agreement with Passaic Valley Water Commission, 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) Joseph M. Veni, P.E., Chairman;
- (b) James Lacey, Executive Director;
- (c) Joseph Maggio, P.E., Director of Water Quality;
- (d) Frank Planko, Chief Financial Officer;
- (e) Passaic Valley Water Commission; 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 November, 2012, a quorum being present and voting in the majority.


Patrick L. Bottazzi
Secretary

DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS

COUNSELLORS AT LAW
620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

Prepared by:

**DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS**
Forked River, New Jersey 08731

JJD/caff[BTMUA-Resolutions 2009-GL#17900]
[BTMUA - Passaic Valley Water Commission Bid - GL#18290]