

RESOLUTION NO. 59 - 13

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

July 22, 2013

A Resolution Approving a Reimbursement Agreement with Associates in Foot & Ankle Surgery LLC Regarding Block 1026, Lots 10, 11 and 12 (Brick Utilities Developer Application No. 2120; 2159 Route 88), Brick Township, New Jersey

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has provided preliminary approval on October 22, 2012 under Authority Application No. 2120 which involves a Major Site Plan for the Associates in Foot & Ankle Surgery, LLC (hereinafter referred to as the "Developer") Doctor's Office Building to be located on the property designated as Block 1026, Lots 10, 11 and 12 (2159 Route 88), Brick Township, New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, the preliminary approval included the installation of a twelve inch diameter water main within the south shoulder area of Route 88 along the front of the Property as well as the extension of an eight inch diameter water main from the existing water main which located at the southeast corner of the Property to a new connection to the new twelve inch diameter water main on the east side of the Property in order to accommodate the proposed doctor's office building which is to be constructed within the Property and to provide for a connection to the proposed doctor's office building; and

WHEREAS, the Developer and the Authority have negotiated an agreement whereby the Authority will reimburse the Developer the fair share cost of the difference in the material cost for upsizing the water main to be installed along the Property's frontage of Route 88 to the twelve inch diameter water main and the cost for extending the eight inch water main along the east side of the Property to its connection to the new twelve inch diameter water main; and

WHEREAS, the Developer and the Authority negotiated that the Authority's contribution to pay the Developer is Fifteen Thousand Dollars (\$15,000.00) representing the Authority's aforementioned fair share contribution and the \$15,000.00 contribution will only be paid to the Developer after the work is completed and satisfactorily accepted by the Authority; and

WHEREAS, a Reimbursement Agreement has been prepared by the Authority's Engineering Department and the Commissioners believe it is fair and appropriate, and

WHEREAS, the Authority's Deputy Executive Director & Director of Engineering/Operations, Stephen T. Specht, has reviewed this additional costs for the completion of the work and is recommending that it be approved; and

WHEREAS, the Authority's Chief Financial Officer, Frank Planko, has advised the Authority that sufficient funds for the payment of \$15,000.00 exists in Project No 713007 of the Authority's 2013 / 2014 Amended Capital Budget.

NOW, THEREFORE, BE IT RESOLVED this 22nd day of July, 2013, by the Brick Township Municipal Utilities Authority as follows:

1. The Authority approves and authorizes execution and acceptance of the Reimbursement Agreement prepared by the Authority's Engineering Department, a true copy of which is on file at the office of the Administrative Secretary 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 copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- (a) Honorable Allen E. Cartine, Chairman;
- (b) James F. Lacey, Executive Director;
- (c) Stephen T. Specht, P.E., Deputy Executive Director;
- (d) Frank Planko, C.F.O.;
- (e) Jerry J. Dasti, Esquire; and
- (f) Dr. Atheras, D.P.M., F.A.C.F.A.S., Associates in Foot & Ankle Surgery, L.L.C.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 22nd day of July, 2013, a quorum being present and voting in the majority.


PATRICK BOTTAZZI, Secretary