

RESOLUTION NO. 92-15

THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

OCTOBER 26, 2015

A Resolution Authorizing the Brick Township Municipal Utilities Authority to enter into an Agreement with the State of New Jersey Department of Transportation for the Verification, Design, Protection and/or Relocation of Certain Public Works Facilities in Connection with the Design and Construction of Route 88 over the Beaver Dam Creek Bridge

WHEREAS, State of New Jersey, hereinafter called the "State", is about to undertake the design and construction of Route 88 over Beaver Dam Creek Bridge located in Brick Township, Ocean County, hereinafter called the "Project"; and

WHEREAS, the Project may require the construction of new, and/or the protection, relocation and/or adjustment of facilities of the existing water utility system which is owned and operated by the Brick Township Municipal Utilities Authority, hereinafter called the "Utility"; and

WHEREAS, Utility's legal right to occupy public right-of-way, subject to the conditions imposed by the State, is in no way mitigated by this Agreement; and

WHEREAS, Utility is not obligated by State law or agreement to relocate its own facilities at its own expense for this type of Project; and

WHEREAS, the provisions of the State's Accommodations of Utilities within Highway Right-of-Way N.J.A.C. 16:25 and Code of Federal Regulations, 23 C.F.R. 645, Subpart B are applicable; and

WHEREAS, the details of the terms and conditions are set out in Utility Engineering and Construction Agreement UECA-7-RT88BDC-093220, attached hereto and made part hereof;

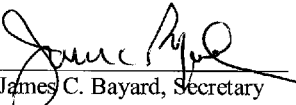
NOW THEREFORE, BE IT RESOLVED on this 26th day of October, 2015, by the Brick Township Municipal Utilities Authority as follows:

1. The Agreement between the Authority and the State of New Jersey as attached hereto and made a part hereof may be executed by the officers and employees of the Authority and forwarded to the State of New Jersey for execution by the appropriate State officials at which time the attached Agreement shall be in full force and effect.

2. A certified copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:
 - A. George Cevalco, Chairman;
 - B. James F. Lacey, Executive Director;
 - C. Stephen T. Specht, Deputy Executive Director and Director of Engineering/Operations;
 - D. Frank Planko, CFO; and
 - E. State of New Jersey, Department of Transportation.

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 Monday, October 26, 2015.


James C. Bayard, Secretary