

RESOLUTION NO. 61 - 16

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

August 22, 2016

A Resolution Approving a Reimbursement Agreement with Mr. Joseph T. Gass, III Regarding Block 386, Lots 1.01, 6.01 and 11 (Brick Utilities Developer Application No. 2153; 344 Montana Drive, 309 Old Toms River Road, 305 Old Toms River Road), Brick Township, New Jersey

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has provided final approval on November 24, 2014 under Authority Application No. 2153 which involves a Road Extension Plan titled "Gass Road Extension Plan – Block 386, Lots 1.01, 6.01 & 11" for Mr. Joseph T. Gass, III (hereinafter referred to as the "Developer") for the extension of Old Toms River Road and the installation of a new sanitary sewer main and water main to provide sewer and water services to the new residential houses to be located on the properties designated as Block 386, Lots 1.01, 6.01 and 11 (344 Montana Drive, 309 Old Toms River Road and 305 Old Toms River Road), Brick Township, New Jersey (hereinafter referred to as the "Property"); and

WHEREAS, the final approval included the installation of a six inch diameter water main within the east shoulder area of Old Toms River Road along the front of the Property as well as the extension of a sixteen inch diameter water main from the existing water main which is located in Montana Drive to the north of the Property and to provide a connection of the new sixteen inch diameter water main to the new six inch diameter water main in the intersection of Old Toms River Road and Montana Drive in order to accommodate the proposed residential houses which are to be constructed on the Property and to provide for the individual water service connections to the proposed residential houses; and

WHEREAS, the Developer and the Authority have negotiated an agreement whereby the Authority will reimburse the Developer the fair share cost for extending the six inch diameter water main the additional one hundred and sixty feet distance from where the Developer is extending a new six inch diameter water main along the front of the Property in Old Toms River Road as well as the extension of a sixteen inch diameter water main from the existing water main in Montana Drive and to provide a connection of the sixteen inch diameter water main to the six inch diameter water main in the intersection of Old Toms River Road and Montana Drive; and

WHEREAS, the Developer and the Authority negotiated that the Authority's contribution to pay the Developer Twenty Nine Thousand, Five Hundred and Ninety Eight Dollars and Eighty Cents (\$29,598.80) representing the Authority's aforementioned fair share contribution; and

WHEREAS, the parties have agreed to a Reimbursement Agreement which agreement has been approved by the Authority's Engineering Department; 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 Director of Finance, Frank Planko, has advised the Authority that sufficient funds for the payment of \$29,598.80 exists in and is included in Project No. 714007 Water Main Extension - Old Toms River Road of the Authority's 2016/2017 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED this 22nd day of August, 2016, by the Brick Township Municipal Utilities Authority as follows:

1. The Authority approves and authorizes execution and acceptance of the Reimbursement Agreement 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.

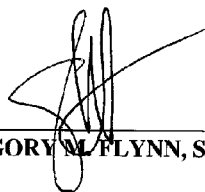
2. The Authority authorizes and directs the Chairman and Secretary to execute any and all necessary documents in order to implement the intent of this Resolution subsequent to the execution of same by the developer.

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

- (a) George Cevalasco, Chairman
- (b) Secretary Gregory M. Flynn
- (c) Chris A. Theodos, P.E., PP, CME, CPWM, CFM, Executive Director
- (d) Stephen T. Specht, P.E., Deputy Ex. Dir. & Dir. of Eng./Ops.
- (e) Frank Planko, Chief Financial Officer
- (f) Nicholas C. Montenegro, Esquire, Montenegro, Thompson, Montenegro & Genz
- (g) Joseph T. Gass, III

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 August, 2016, a quorum being present and voting in the majority.



GREGORY M. FLYNN, SECRETARY