

RESOLUTION #2016-21

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A PROFESSIONAL  
APPOINTMENT FOR THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") is in need of the appointment of a Conflict Attorney to represent the interests of the Authority; and

**WHEREAS**, the appointment of this professional is a "professional appointment" and therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

**WHEREAS**, the Authority received one proposal from Brown and Connery LLP in accordance with the "open and fair process" required by legislation from the New Jersey Legislature, and said proposal was carefully reviewed.

**NOW, THEREFORE, BE IT RESOLVED** this 12<sup>th</sup> day of April 2016 by the Little Egg Harbor Municipal Utilities Authority as follows:

1 – The Authority hereby makes the following professional appointment effective with the adoption of this Resolution to February 14, 2017:

Brown & Connery LLP as Authority Conflict Attorney, not to exceed \$20,000.00

2 – This is a professional appointment and therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law.

3 – The Authority shall post the appropriate notification of this professional appointment within ten (10) days of its adoption in an official newspaper of the Authority.

4 – The Authority hereby authorizes and directs the Chairman, Secretary, and/or Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12<sup>th</sup> day of April 2016, a quorum being present and voting in the majority.

A handwritten signature in black ink, appearing to read "Richard Crea", is written over a horizontal dashed line.

RICHARD CREA, Secretary

**RESOLUTION NO. 2016 - 22**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY REJECTING THE  
BID SUBMITTED FOR THE WATER TREATMENT PLANT AT MATHISTOWN  
ROAD AND AUTHORIZING THE RECEIPT OF NEW BIDS**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the “Authority”) has authorized the receipt of bids for the Water Treatment Plant at Mathistown Road (the “project”); and

**WHEREAS**, the Authority has solicited bids in conformance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, only one (1) bid was received on February 25, 2016 in response to the invitation to the bidders as follows:

BIDDER	BID TOTAL
Eagle Construction Services, Inc.	\$3,198,514.00

**WHEREAS**, the bid has been reviewed and it has been determined that the Authority wants to substantially revise the specifications for the goods and services.

**WHEREAS**, pursuant to N.J.S.A. 40A:11-13.2 the Authority may reject all bids under the aforesaid circumstances; and

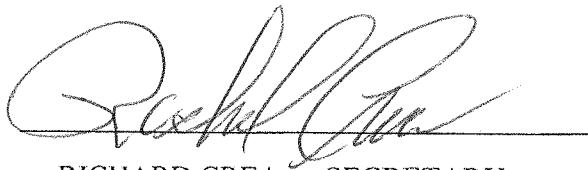
**WHEREAS**, it is the desire of the Authority to reject said bid and to authorize the receipt of new bids for the Water Treatment Plant at Mathistown Road.

**NOW, THEREFORE BE IT RESOLVED** this 12<sup>th</sup> day of April, 2016, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority does hereby reject the bid from Eagle Construction Services, Inc.
2. That the Authority does hereby authorize the receipt of new bids for the Water Treatment Plant at Mathistown Road. The Executive Director shall determine the time, date and place for receipt of bids.
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.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12<sup>th</sup> day of April, 2016, a quorum being presented and voting in the majority.

A handwritten signature in black ink, appearing to read 'Richard Crea', written over a horizontal line.

RICHARD CREA, SECRETARY

PREPARED BY;

BRIAN E. RUMPF, P.C.  
ATTORNEY AT LAW  
11LEIFRIED LANE  
TUCKERTON, NEW JERSEY 08087

RESOLUTION NO. 2016-23

RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY TO APPROVE AND MEMORALIZE AN AMENDMENT TO THE EMERGENCY WATER INTERCONNECTION AGREEMENT BETWEEN THE AUTHORITY AND THE BOROUGH OF TUCKERTON DATED MAY 31, 1995.

**WHEREAS**, the Authority has provided water through its interconnection with the Borough of Tuckerton during a time in which the Borough performed maintenance, replacement and repair to its own system, as well as to the infrastructure owned by the Authority; and

**WHEREAS**, the Authority wishes and intends to waive the fees chargeable to the Borough pursuant to the Interconnection Agreement as a result of repairs and replacement of a portion of the system owned by the Authority; and

**WHEREAS**, it is necessary to amend the original Agreement from 1995 to permit the Authority to waive fees in exchange for the acceptance of improvements to the Authority's infrastructure.

BRIAN E. RUMPF PC

ATTORNEY AT LAW

11 LEIFRIED LANE  
TUCKERTON, N.J. 08087

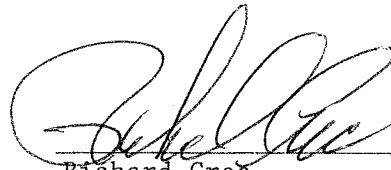
**NOW THEREFORE, BE IT RESOLVED** this 12<sup>th</sup> day of April 2016, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Little Egg Harbor Municipal Utilities Authority hereby consents and agrees to an amendment of the Interconnection Agreement with the Borough of Tuckerton dated

May 31, 1995 and hereby authorizes its Chairperson to execute the amendment to the Agreement which will otherwise remain in full force and effect.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12<sup>th</sup> day of April 2016, a quorum being present and voting in the majority.



Richard Crea, Secretary

Prepared by:

BRIAN E. RUMPF, P.C.  
11 Leifried Lane  
Tuckerton, New Jersey 08087

BRIAN E. RUMPF PC

ATTORNEY AT LAW

11 LEIFRIED LANE  
TUCKERTON, N.J. 08087

ADDENDUM TO AGREEMENT DATED MAY 31, 1995 BETWEEN LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, 823 RADIO ROAD, LITTLE EGG HARBOR, NEW JERSEY 08087 (Authority) and the BOROUGH OF TUCKERTON, 140 E. Main Street, Tuckerton, New Jersey 08087 (Borough).

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (" Authority") and the Borough of Tuckerton ( "Tuckerton") have each benefited from the Agreement for the provision of water service during emergency situations, as the continuation of water service without interruption is essential to the preservation of the public health, safety and welfare; and

WHEREAS, recent experience has shown that emergency water service through the interconnection may serve to be beneficial to each party to the Agreement with respect to replacement, repairs and maintenance to the infrastructure of the systems of each party to the Agreement; and

WHEREAS, the Authority and the Borough each wish to ratify the existing terms of the Agreement while adding a new provision to the Agreement which would contemplate situations in which a deviation from the terms of the Agreement is appropriate; and

WHEREAS, to accomplish the same, a new Paragraph 5 shall be added to the original Agreement to take into account situations warranting a deviation from the original Agreement.

NOW, THEREFORE, the Agreement between the Authority and the Borough under date of May 31, 1995 is hereby amended to add the following new Paragraph:

5. In the event it is determined by and between the parties to this Agreement that replacement of material or the refurbishment, repair or maintenance of any portion of the infrastructure owned by either of the parties should, in the public interest, result in a modification of the terms for the provision of emergency water service, the Agreement may be so modified to permit a

deviation in terms, provided such change or deviation in terms is reflected in the memorialization of an authorizing Resolution by each of the parties to the Agreement.

All other terms of the May 31, 1995 Agreement are hereby reaffirmed.

LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY

BY: Margaret DePergola  
Margaret DePergola CHAIRMAN  
Vice Chairwoman

DATED: 4-12-16

BOROUGH OF TUCKERTON

BY: \_\_\_\_\_

DATED:

**RESOLUTION NO. 2016-24**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING  
THE WAIVER OF FEES**

**WHEREAS**, the Authority is permitted by an amendment to the May 31, 1995 Interconnection Agreement with the Borough of Tuckerton to alter the terms for the provision of emergency water service to the Borough; and

**WHEREAS**, water was recently provided, pursuant to the Agreement to permit the Borough of Tuckerton to perform repairs on its infrastructure and during the course of performing said repairs, repairs, replacement and maintenance were also performed by the Borough of Tuckerton on infrastructure owned and maintained by the Authority, which is of significant value to the Authority and its ratepayers; and

**WHEREAS**, it is the desire of the Authority to waive the fees chargeable to the Borough pursuant to the original Agreement and accept the Borough's contribution to the Authority by virtue of the repairs, modifications and replacement of a portion of the Authority's system, particularly the portion servicing the primary interconnection.

**BRIAN E. RUMPF PC**

ATTORNEY AT LAW

11 LEIFRIED LANE  
TUCKERTON, N.J. 08087



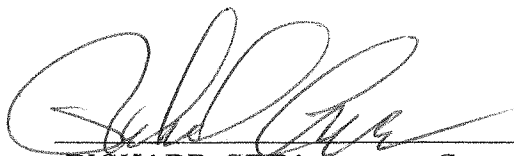
NOW THEREFORE, BE IT RESOLVED on this 12<sup>TH</sup> day of April 2016 by the Little Egg Harbor Municipal Utilities Authority as follows:

1. Pursuant to Paragraph Five of the Amendment to the May 31, 1995 Interconnection Agreement between the Little Egg Harbor Municipal Utilities Authority and the Borough of Tuckerton, all fees for the provision of water to the Borough are hereby waived by the Authority and the Authority gratefully accepts the improvements to the Authority's system as provided by the Borough.

2. The Chairman of the Authority and the Authority's Executive Director and other appropriate personnel, are hereby authorized to execute any necessary documentation to effectuate the terms of this Resolution.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12<sup>th</sup> day of April 2016, a quorum being present and voting in the majority.

  
RICHARD CREA, Secretary

**RESOLUTION NO. 2016-25**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR THE PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the “Authority”) has determined to move forward with the EMEX Reverse Auction in order to procure electricity for the Little Egg Harbor Municipal Utilities Authority.

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c.30) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, the Authority will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX, LLC-1, located at [www.energymarketexchange.com](http://www.energymarketexchange.com); and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction will be conducted pursuant to the Act; and

**NOW THEREFORE, BE IT RESOLVED**, that a certified copy of this Resolution be forwarded by the Authority's Board Secretary to the appropriate parties.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that the Executive Director of the Authority be and is hereby authorized to execute on behalf of the Authority any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12<sup>th</sup> day of April, 2016, a quorum being present and voting in the majority.

  
\_\_\_\_\_  
RICHARD CREA                      SECRETARY

PREPARED BY:  
BRIAN E. RUMPF, P.C.  
11 LEIFRIED LANE  
TUCKERTON, NEW JERSEY 08087

**RESOLUTION #2016-26**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING RECEIPT OF BIDS FOR  
PIPING AND PUMPING EQUIPMENT FOR WELL #14**

**WHEREAS**, it is necessary for the Little Egg Harbor Municipal Utilities Authority (hereinafter "Authority") to advertise for receipt of bids for the Piping and Pumping Equipment for Well #14 ; and

**WHEREAS**, the anticipated cost for the Piping and Pumping Equipment for Well #14 is expected to exceed the bid threshold so as to require public bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq.; and

**WHEREAS**, it is the desire of the Authority to advertise for and receive bids for the Piping and Pumping Equipment for Well #14.

**NOW, THEREFORE, BE IT RESOLVED**, this 12<sup>th</sup> day of April 2016 by the Little Egg Harbor Municipal Utilities Authority as follows:

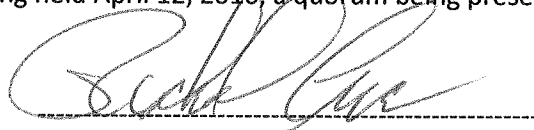
1 – The Authority does hereby authorize receipt of bids for the Piping and Pumping Equipment for Well #14. The Executive Director shall determine the time, date, and place for receipt of said bids.

2 – A Notice to Bidders shall be published in regard to the receipt of bids for the Piping and Pumping Equipment for Well #14 in accordance with specifications prepared by the Authority.

3 – 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.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a regular meeting held April 12, 2016, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

#2016-27

**2016 - 2017 AUTHORITY BUDGET RESOLUTION (WATER)**  
**LITTLE EGG HARBOR MUNICIPAL UTILITIES**

(Name)

**FISCAL YEAR: FROM: JULY 1, 2016 TO: JUNE 30, 2017**

WHEREAS, the Annual Budget and Capital Budget for the Little Egg Harbor Municipal Utilities Authority for the fiscal year beginning, July 1, 2016 and ending, June 30, 2017 has been presented before the governing body of the Little Egg Harbor Municipal Utilities Authority at its open public meeting of April 12, 2016; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 3,155,432.00, Total Appropriations, including any Accumulated Deficit if any, of \$ 3,155,432.00 and Total Unrestricted Net Position utilized of \$ None; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 6,679,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ None; and

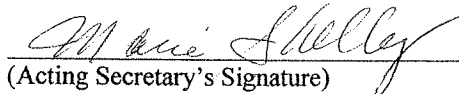
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Little Egg Harbor Municipal Utilities Authority, at an open public meeting held on April 12, 2016 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Little Egg Harbor Municipal Utilities Authority for the fiscal year beginning, July 1, 2016 and ending, June 30, 2017 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Little Egg Harbor Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on June 13, 2016.

  
(Acting Secretary's Signature)

April 12, 2016  
(Date)

<u>Governing Body</u>	<u>Recorded Vote</u>			<u>Absent</u>
<u>Member:</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	
Joseph P. Koptic				X
Margaret DePergola	X			
Richard Crea	X			
Earl Miller	X			
Eugene Kobryn	X			
Richard Robins	X			

Marie Skelly did not participate in the voting

**#2016-28**

**2016 - 2017 AUTHORITY BUDGET RESOLUTION (SEWER)**  
**LITTLE EGG HARBOR MUNICIPAL UTILITIES**

(Name)

**FISCAL YEAR: FROM: JULY 1, 2016 TO: JUNE 30, 2017**

WHEREAS, the Annual Budget and Capital Budget for the Little Egg Harbor Municipal Utilities Authority for the fiscal year beginning, July 1, 2016 and ending, June 30, 2017 has been presented before the governing body of the Little Egg Harbor Municipal Utilities Authority at its open public meeting of April 12, 2016; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 3,962,472.00, Total Appropriations, including any Accumulated Deficit if any, of \$ 4,241,086.00 and Total Unrestricted Net Position utilized of \$ 278,614.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 2,690,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ None; and

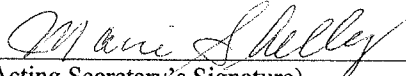
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Little Egg Harbor Municipal Utilities Authority, at an open public meeting held on April 12, 2016 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Little Egg Harbor Municipal Utilities Authority for the fiscal year beginning, July 1, 2016 and ending, June 30, 2017 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Little Egg Harbor Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on June 13, 2016.

  
(Acting Secretary's Signature)

April 12, 2016  
(Date)

<u>Governing Body</u>	<u>Member:</u>	<u>Recorded Vote</u>		
		<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
	Joseph P. Koptic			<u>Absent</u> X
	Margaret DePergola	X		
	Richard Crea	X		
	Earl Miller	X		
	Eugene Kobryn	X		
	Richard Robins	X		

Marie Skelly did not participate in the voting