

**RESOLUTION NO. 2020-01**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
REGARDING COMPENSATION OF NICOLE M. PRINCIOTTI**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") previously appointed Nicole M. Princiotti to the position of Executive Secretary/QPA in accordance with the Authority's Rules and Regulations and Employee Manual; and

**WHEREAS**, the work experience, extreme dedication and excellent performance exhibited by Nicole M. Princiotti has been reviewed by the Personnel Committee and the Executive Director; and

**WHEREAS**, the Personnel Committee has recommended that Nicole M. Princiotti be compensated a salary of \$48.95 per hour beginning January 1, 2020, plus any other benefits provided in the Collective Bargaining Agreement.

**NOW THEREFORE, BE IT RESOLVED**, this 14th day of January 2020, by the Little Egg Harbor Municipal Utilities Authority, as follows:

- 1.** The Authority accepts the recommendations of its Personnel Committee and Executive Director and hereby compensates Nicole M. Princiotti a salary of \$48.95 per hour beginning January 1st, 2020, plus any other benefits provided in the Collective Bargaining Agreement.
- 2.** The Authority 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 hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 14th day of January 2020, a quorum being present and voting in the majority.

  
**EARL MILLER, SECRETARY**

## RESOLUTION #2020-2

### RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENTS 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 various professionals to represent the interests of the Authority, as follows:

A – Brian E. Rumpf, P.C. as Authority Attorney/Solicitor;

B - Remington, Vernick & Vena as Authority Consulting Engineer;

C - Felipe Contreras of Kleinfelder East Inc. as Authority Special Projects Engineer for completion of water tower painting at Radio Road and Holly Lake. In addition to provide full written engineering details, plans and specifications to the Authority for Atlantis Pump Station #7 as previously completed by Mr. Contreras.

D - DeCotiis, FitzPatrick, Cole & Giblin LLP as Authority Bond Counsel;

E - Acacia Financial Group Inc. as Authority Financial Advisor;

F - Suplee, Clooney & Company as Authority Auditor; and

**WHEREAS**, the appointment of these aforementioned professionals are "professional appointments" 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 has received and carefully reviewed proposals from numerous consultants, in accordance with the "open and fair process" required by legislation from the New Jersey Legislature; and

**WHEREAS**, the Authority is familiar with the work of the above listed professionals, and the Authority is satisfied with the services provided by these professionals; and

**WHEREAS**, the Authority has received a request for appointment from each of the above listed professionals.

**NOW, THEREFORE, BE IT RESOLVED** this 11<sup>th</sup> day of February 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1 - The Authority hereby makes the following professional appointments effective with the adoption of this Resolution to February 11, 2020:

A – Brian E. Rumpf, P.C. as Authority Attorney/Solicitor, not to exceed \$50,000;

B - Remington, Vernick & Vena as Authority Consulting Engineer, not to exceed \$400,000;

C - Felipe Contreras of Kleinfelder East Inc. as Authority Special Projects Engineer, not to exceed \$40,000.

D - DeCotiis, FitzPatrick, Cole & Giblin LLP as Authority Bond Counsel, not to exceed \$100,000;

E - Acacia Financial Group Inc. as Authority Financial Advisor, not to exceed \$30,000;

F - Suplee, Clooney & Company as Authority Auditor, not to exceed \$50,000;

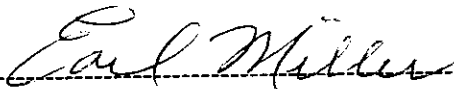
2 - These are professional appointments and therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law.

3 – The Authority shall post the appropriate notification of these professional appointments 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 11<sup>th</sup> day of February 2020, a quorum being present and voting in the majority.

  
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, Secretary

## RESOLUTION #2020-3

### A RESOLUTION OF LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority has determined to move forward with the EMEX Reverse Auction in order to procure electricity for the Little Egg Harbor Municipal Utilities Authority; and

**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 Little Egg Harbor Municipal Utilities 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** this 11<sup>th</sup> day of February 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

- 1- The Authority hereby appoints EMEX, LLC as their representative for the purchase of electricity supply charges.
- 2- 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 11<sup>th</sup> day of February 2020, a quorum being present and voting in the majority.

  
Earl Miller, Secretary

**RESOLUTION NO. 2020-4**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY AWARDING A CONTRACT FOR  
BIDS RECEIVED RELATING TO CIPP LINING OF THE  
SEWER MAINS AND LATERALS ON IOWA COURT.**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids for CIPP lining of sewer mains and laterals on Iowa Court; 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**, four (4) bids have been submitted to the Authority in conformance with the bid specifications, as follows for bid Items #1, #2, #3 and #5 with a rejection of item #4, Concerning Laterals.

<b><u>BIDDER</u></b>	<b><u>BID TOTALS</u></b>
SWERP, Inc.	\$ 87,630.00
North American Pipe	\$ 93,755.00
Standard Pipe Services	\$ 162,395.00
Mobile Dredging & Pipe Video	\$ 197,183.00

**WHEREAS**, sufficient funds have been provided for in the Authority's budget:

**Now, THEREFORE BE IT RESOLVED** this 11<sup>th</sup> day of February 2020, by the Little Egg Harbor Municipal Utilities Authority, as follows:

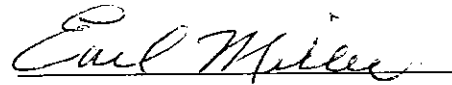
1. Upon thorough review and discussion with the Authority Solicitor, the Authority accepts the recommendations of its Solicitor and awards the contract for the project for bid items #1, #2, #3 and #5. Furthermore, the Authority accepts the Solicitor recommendation to reject item #4 as all bids submitted substantially exceeded the cost estimates for this project when item #4 is included in the bid tabulation totals.
2. The final recommendation is to award the apparent lowest responsible bidder, SWERP, Inc. for bid items #1, #2, #3 and #5 only, and in consideration of the net amount of \$ 87,630.00.
3. A bid tabulation form is attached to accurately breakdown bid items #1, #2, #3, #4 and #5 as submitted. In addition, the tabulation form reflects the bid amount excluded for Item #4.

4. The Authority authorizes and directs the Chairman, Secretary and/or Executive Director to execute all necessary documents 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 11<sup>th</sup> day of February 2020, a quorum being presented and voting in the majority.

**EARL MILLER SECRETARY**

A handwritten signature in cursive script that reads "Earl Miller". The signature is written in black ink and is positioned below the printed name "EARL MILLER SECRETARY".

Little Egg Harbor MUA CIPP IOWA COURT Tabulation of Bids Received 01/30/2020 at 11:00 AM				Mobile Dredging & Pipe Video		SWERP		Standard Pipe Services		North American Pipe	
#	ITEM	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
#1	Mobilization, Cleaning and CCTV	1345	LF	\$11.25	\$15,131.25	\$7.00	\$9,415.00	\$6.00	\$8,070.00	\$9.00	\$12,105.00
#2	Water Cured 8" CIPP	1345	LF	\$64.50	\$86,752.50	\$47.0000	\$63,215.00	\$85.00	\$114,325.00	\$36.00	\$48,420.00
#3	Spot Repairs (If Needed)	50	LF	\$1,900.00	\$95,000.00	\$250.00	\$12,500.00	\$700.00	\$35,000.00	\$644.00	\$32,200.00
#4	CIPP 4" Laterals	19	UN	\$5,950.00	\$113,050.00	\$5,300.00	\$100,700.00	\$4,900.00	\$93,100.00	\$9,816.00	\$186,504.00
#5	Final CCTV	1	LS	\$300.00	\$300.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$1,030.00	\$1,030.00
<b>Total Base Bid</b>					<b>\$310,233.75</b>		<b>\$188,330.00</b>		<b>\$255,495.00</b>		<b>\$280,259.00</b>

Less Rejection of Item #4 (\$113,050.00) (\$100,700.00) (\$93,100.00) (\$186,504.00)

Net Bid Items #1, #2, #3 and #5 \$197,183.75 \$87,630.00 \$162,395.00 \$93,755.00

**Item #4 Rejected as all bids submitted substantially exceeded the cost estimates for this project if Included in Total Bid.**

## RESOLUTION NO 2020-5

### RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING EARL F. SUTTON, JR. AS FUND COMMISSIONER AND JOSEPH KOPTIC AS ALTERNATE FUND COMMISSIONER PURSUANT TO ARTICLE III OF THE BY-LAWS OF THE NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND

**WHEREAS**, Article III of the By-laws of the New Jersey Utility Authorities Joint Insurance Fund requires the appointment of one commissioner and one alternate commissioner to the fund; and

**WHEREAS**, the said By-laws provide that the said commissioner shall be a member of the Authority, or one of its employees.

**NOW, THEREFORE BE IT RESOLVED** this 11<sup>th</sup> day of February 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1. Earl F. Sutton, Jr. shall be and hereby is appointed Fund Commissioner and Joseph Koptic be and is hereby appointed Alternate Fund Commissioner pursuant to and in accordance with Article III of the By-laws of the New Jersey Utility Authorities Joint Insurance Fund.
2. The Authority 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 hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 11<sup>th</sup> day of February 2020, a quorum being present and voting in the majority.

  
Earl Miller, Secretary



**RESOLUTION NO. 2020-6**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY  
CONSENTING TO THE PROPOSED OCEAN COUNTY WATER QUALITY  
MANAGEMENT PLAN AMENDMENT WITH RESPECT TO  
BLOCK 295, LOT 1, LITTLE EGG HARBOR TOWNSHIP,  
OCEAN COUNTY, NEW JERSEY**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") desires to provide for the orderly development of wastewater facilities within the Township of Little Egg Harbor; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved Water Quality Plan; and

**WHEREAS**, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

**WHEREAS**, a proposed WQM plan amendment noticed in the New Jersey Register on November 19, 2019 for the Proposed Ocean County Water Quality Management (WQM) Plan Amendment NJDEP Interest No. 435448AMD180001.

**NOW THEREFORE, BE IT RESOLVED**, on this 11<sup>th</sup> day of February 2020, by the Little Egg Harbor Municipal Utilities Authority, that:

1. The Authority hereby consents to the proposed amendment and publicly noticed on December 18, 2019, prepared by Kristin Wildman, Senior Environmental Scientist of DuBois & Associates, for the purpose of its incorporation into the applicable WQM plan(s).

2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.5(g)6.
3. Sewer service is not guaranteed by adoption of this Resolution since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the sewer service area as a result of the adoption of this Resolution does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, County or municipal review agency with jurisdiction over this project/activity.
4. 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.

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Commission of the Little Egg Harbor Municipal Utilities Authority at a meeting held on February 11, 2020.

  
Earl Miller, Secretary

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

**RESOLUTION #2020-7**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING EARL F. SUTTON JR.,  
PRINCIPAL HUMAN RESOURCE OFFICER (HRO), AND NICOLE M. PRINCIOTTI AND  
MICHAEL S. DIFRANCIA AS SECONDARY HUMAN RESOURCE OFFICERS (HROS)**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") is appointing a Principal Human Resources Officer and two Secondary Human Resources Officers, in order to comply with regulatory requirements imposed per N.J.S.A. 11A:2-6a pertaining to State regulations concerning Domestic Violence.

**WHEREAS**, the Authority, after discussion with its professional staff, believed it appropriate and necessary to create the position of Principal and Secondary Human Resources Officers (HROS) in order to comply with the appropriate regulations, administrative code, and statutory requirements; and

**WHEREAS**, Earl F. Sutton Jr., Executive Director of the Authority, Michael S. DiFrancia, Superintendent and Nicole M. Princiotti, Executive Secretary/R.P.P.O./Q.P.A. have shown the willingness, experience, educational background and competence to serve the Authority and its ratepayers as its Principal and Secondary Human Resource Officers (HROS).

**NOW, THEREFORE, BE IT RESOLVED** this 10th day of March 2020, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1- Effective January 1, 2020, Earl F. Sutton Jr., is appointed Principal Human Resources Officer (HRO) and Nicole M. Princiotti and Michael S. DiFrancia are hereby appointed as Secondary Human Resource Officers (HROS).

2 -The Authority 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 hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 10th day of March 2020, a quorum being present and voting in the majority.

  
Earl Miller, Secretary

## RESOLUTION #2020-8

### RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY ADOPTING A DOMESTIC VIOLENCE POLICY

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") is enrolled as a member of the Municipal Excess Liability ("MEL") Fund and the Joint Insurance Fund ("JIF") (hereinafter referred to as the "Insurance Fund"); and

**WHEREAS**, the Authority has previously adopted a Personnel Policies and Procedures Manual and an Employee Handbook (hereinafter collectively referred to as the "Employee Manuals"); and

**WHEREAS**, the Employee Manuals previously adopted by the Authority have been reviewed and approved by the Insurance Fund as part of the liability coverage provided by the Insurance Fund to the Authority; and

**WHEREAS**, the Insurance Fund has proposed the implementation and adoption of a Domestic Violence Policy in accordance with N.J.S.A. 11A:2-6a; and

**WHEREAS**, the Authority and its Counsel have reviewed the proposed Domestic Violence Policy and find the proposed language, as recommended by the Insurance Fund, to be satisfactory and beneficial to the Authority, its employees and ratepayers; and

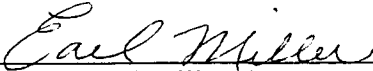
**WHEREAS**, it is the desire of the Authority to adopt the Domestic Violence Policy, in accordance with the recommendation of the Insurance Fund.

**NOW THEREFORE, BE IT RESOLVED**, this 10th day of March 2020, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts and approves the proposed Domestic Violence Policy, copies of which are filed at the Authority office 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.

### 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 10th day of March 2020, a quorum being present and voting in the majority.

  
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Earl Miller, Secretary

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**  
RESOLUTION 2020- 9

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Secretary pursuant to N.J.S.A. 40A: 5A-17, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated by N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each local unit shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Little Egg Harbor Municipal Utilities Authority, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON MARCH 10, 2020.

  
Secretary

STATE OF NEW JERSEY  
COUNTY OF OCEAN

We, the members of the governing body of the Little Egg Harbor Municipal Utilities Authority, in the County of Ocean, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) member of the Board of Commissioners of the Little Egg Harbor Municipal Utilities Authority in the County of Ocean;
2. In the performance of our duties and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Authority Audit filed with the Secretary pursuant to N.J.S.A. 40A:5A-17 for the year 2019;
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) not available Joseph Koptic (L.S.) Margaret DePergola Margaret DePergola

(L.S.) Earl Miller Earl Miller (L.S.) not available Marie Skelly

(L.S.) Kenneth Miller Kenneth Miller (L.S.) Kenneth Laney Kenneth Laney

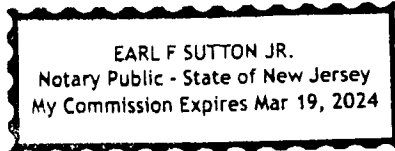
(L.S.) Peter Cicco Peter Cicco (L.S.) \_\_\_\_\_

Earl Miller  
Secretary

Sworn to and subscribed before me this

18<sup>th</sup> Day of March 2020

[Signature]  
Notary Public of New Jersey



The Secretary, Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

SUMMARY OR SYNOPSIS OF 2019 AUDIT REPORT OF THE  
LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY  
FOR THE FISCAL YEARS ENDED JUNE 30, 2019 AND 2018  
AS REQUIRED BY N.J.S.A. 40A:5A-16

COMPARATIVE STATEMENTS OF NET POSITION

	<u>JUNE 30</u>	
	<u>2019</u>	<u>2018</u>
<u>ASSETS</u>		
Cash and Cash Equivalents	\$ 8,184,569	\$ 7,037,152
Receivables	362,273	377,767
Prepaid Expenses	41,264	39,500
NJEIT Loans Receivable	104,942	701,158
Capital Assets Net of Accumulated Depreciation	<u>39,292,442</u>	<u>39,874,708</u>
<u>TOTAL ASSETS</u>	<u>\$ 47,985,489</u>	<u>\$ 48,030,285</u>
<u>DEFERRED OUTFLOWS OF RESOURCES</u>		
Deferred Pension Outflows	\$ 1,181,229	\$ 1,682,528
Deferred OPEB Outflows	<u>180,841</u>	<u>103,941</u>
<u>TOTAL DEFERRED OUTFLOWS OF RESOURCES</u>	<u>\$ 1,362,070</u>	<u>\$ 1,786,469</u>
<u>LIABILITIES</u>		
Accounts Payable	\$ 518,824	\$ 752,174
Advanced Revenue	1,905,342	1,908,342
Compensated Absences	134,487	147,454
Accrued Interest Payable	51,478	14,294
Current Maturities of Long - Term Debt	174,266	154,117
Net Pension Liability	3,616,226	4,460,018
Net OPEB Liability	4,689,489	6,032,253
Unamortized Original Issue Premium		5,552
Prepaid Connection Fees	42,930	45,930
Long - Term Debt	<u>5,105,293</u>	<u>5,288,559</u>
<u>TOTAL LIABILITIES</u>	<u>\$ 16,238,335</u>	<u>\$ 18,808,693</u>
<u>DEFERRED INFLOWS OF RESOURCES</u>		
Deferred Pension Inflows	\$ 1,398,337	\$ 954,100
Deferred OPEB Inflows	<u>2,820,229</u>	<u>1,460,416</u>
<u>TOTAL DEFERRED INFLOWS OF RESOURCES</u>	<u>\$ 4,218,566</u>	<u>\$ 2,414,516</u>
<u>NET POSITION</u>		
Net Investment in Capital Assets	\$ 34,012,883	\$ 34,432,033
Restricted	464,849	603,987
Unrestricted	<u>(5,587,074)</u>	<u>(6,442,475)</u>
<u>TOTAL NET POSITION</u>	<u>\$ 28,890,658</u>	<u>\$ 28,593,545</u>

COMPARATIVE STATEMENTS OF REVENUES,  
EXPENSES AND CHANGES IN FUND NET POSITION

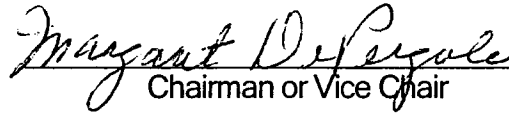
	<u>JUNE 30</u>	
	<u>2019</u>	<u>2018</u>
Operating Revenues:		
Service Fees	\$ 6,632,732	\$ 6,498,559
Connection Fees and Other Operating Revenues	117,260	272,626
<u>Total Operating Revenues</u>	<u>\$ 6,749,991</u>	<u>\$ 6,771,186</u>
Operating Expenses:		
Personnel Services	\$ 2,089,022	\$ 1,992,896
Other Operating Expenses	3,354,378	3,263,250
Depreciation	1,521,014	1,687,716
<u>Total Operating Expenses</u>	<u>\$ 6,964,413</u>	<u>\$ 6,943,862</u>
<u>Operating Income (Loss)</u>	<u>\$ (214,422)</u>	<u>\$ (172,676)</u>
Non-Operating Revenue (Expense):		
Interest	\$ 13,289	\$ 9,854
Interest on Long - Term Debt	(79,601)	(18,175)
Amortization of Debt Issuance Costs	5,552	463
Other Non-Operating Revenues (Expenses)	563,295	39,893
Accounts Payable (Additional)/Canceled		117,404
Adjustment for Uncancelled Portion of Community Disaster Loan		(318,569)
GASB 75 OPEB Adjustment		(7,388,728)
Long - Term Debt Cancelled	9,000	
	<u>\$ 511,535</u>	<u>\$ (7,557,858)</u>
<u>Increase/(Decrease) in Net Position</u>	<u>\$ 297,113</u>	<u>\$ (7,730,534)</u>
Net Position, Beginning of Year	<u>28,593,545</u>	<u>36,324,079</u>
Net Position, End of Year	<u>\$ 28,890,658</u>	<u>\$ 28,593,545</u>



## RECOMMENDATIONS

NONE

The above summary or synopsis was prepared from the report of audit of the Little Egg Harbor Municipal Utilities Authority, County of Ocean, for the year ended June 30, 2019. This report of audit, submitted by Suplee, Clooney & Company, Registered Municipal Accountants and Certified Public Accountants, is on file at the Authority Chairman's office and may be inspected by any interested person.

  
\_\_\_\_\_  
Chairman or Vice Chair

## RESOLUTION #2020-10

### RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, DECLARING AN EMERGENCY REGARDING THE NEEDED REPAIR OF THE SANITARY SEWER LINE ON IOWA COURT

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as "Authority") has been advised by its Consulting Engineer, Remington & Vernick Engineers, of a sanitary sewer line collapse at Iowa Court; and

**WHEREAS**, the Authority has been advised by its Consulting Engineer by letter dated March 24, 2020 that the gravity sewer line between 2 and 6 Iowa Court collapsed and is blocked, and the Authority finds that an emergency must be declared in order to authorize the immediate expenditure of funds to repair the line; and

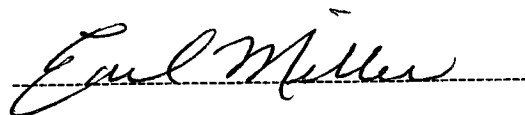
**WHEREAS**, the Authority previously awarded a contract to Mathis Construction Company Inc. for emergency water and sewer repair services after public advertisement and the receipt of formal bids in accordance with the provisions of the "Local Public Contracts Law", N.J.S.A. 40A:11-1 et seq.

**NOW, THEREFORE, BE IT RESOLVED** this 7<sup>th</sup> day of April, 2020 by the Little Egg Harbor Municipal Utilities Authority, County of Ocean, State of New Jersey as follows:

- 1 - The Authority accepts the recommendation of its Consulting Engineer and declares an emergency regarding the repair of the sanitary sewer line in order to immediately repair the sanitary sewer line to avoid the potential adverse effects to the health, safety, and welfare of the residents.
- 2 - The Authority authorizes its Executive Director to undertake the necessary work with Mathis Construction Company Inc. in accordance with the unit prices for labor and materials previously adopted by the Authority.
- 3 - The Authority authorizes and directs its 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 April 7, 2020, a quorum being present and voting in the majority.



EARL MILLER SECRETARY

**RESOLUTION NO. 2020-11**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,  
COUNTY OF OCEAN, STATE OF NEW JERSEY AWARDING A CONTRACT  
FOR WATER AND SEWER IMPROVEMENTS KNOWN AS PHASE I**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the “Authority”) has solicited bids for water and sewer improvements known as Phase I (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**, five (5) bids have been submitted to the Authority in conformance with the bid specifications and inclusive of Alternate Bid No. 1, as follows:

MSP Construction Corporation	\$ 2,269,861.00
Mathis Construction Company, Inc.	\$ 2,963,637.00
Mount Construction Company, Inc.	\$ 3,926,860.00
Underground Utilities Corp.	\$ 3,989,859.90
Earle Asphalt Company	\$ 4,100,613.13

**WHEREAS**, the bid documentation submitted by the apparent lowest bidder, MSP Construction Corporation., has been reviewed by the Authority and found to be acceptable as to form and content; and

**WHEREAS**, sufficient funds have been provided for in the Authority’s budget.

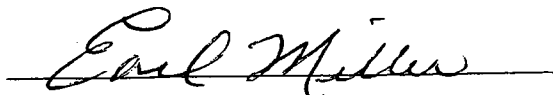
**NOW, THEREFORE BE IT RESOLVED** this 7th day of April 2020, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority recommends and awards the contract for the project to the apparent lowest responsible bidder, MSP Construction Corporation for and in consideration of \$2,269,861.00, based upon the recommendation of the Authority's Consulting Engineer, Alan B. Dittenhofer, P.E., P.P., C.M.E., dated April 6, 2020.

2. The Authority authorizes and directs the Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement to 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 7th day of April 2020, a quorum being presented and voting in the majority.

  
**EARL MILLER, SECRETARY**

#2020-12

RESOLUTION

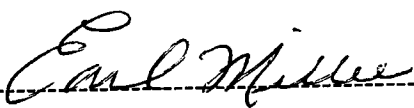
WHEREAS, pursuant to the Open Public Meetings Act, Section 7b, The Authority has determined that the public should be excluded from that portion of the meeting of the Authority which concerns itself with

NOW, THEREFORE BE IT RESOLVED by the Little Egg Harbor Municipal Utilities Authority as follows:

1. The Authority hereby determines pursuant to Section 7b of the Open Public Meetings Act, Chapter 231, P.L. 1975, that it is necessary to discuss
2. The circumstances under which the discussion conducted in closed session can be disclosed to the public will be upon determination of whether litigation will ensue or negotiations to avoid litigation are successful.

CERTIFICATION

I certify that the foregoing resolution was duly adopted at the regular meeting of the said Authority held on the 7<sup>th</sup> day April, 2020.

  
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Secretary

RESOLUTION NO. 2020-13

RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY  
CONSENTING TO THE PROPOSED OCEAN COUNTY WATER QUALITY  
MANAGEMENT PLAN AMENDMENT WITH RESPECT TO  
BLOCK 173, PORTION OF LOT 3.02, LITTLE EGG HARBOR TOWNSHIP,  
OCEAN COUNTY, NEW JERSEY

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority) desires to provide for the orderly development of wastewater facilities within the Township of Little Egg Harbor; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved Water Quality Plan; and

**WHEREAS**, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

**WHEREAS**, a proposed WQM plan amendment noticed in the New Jersey Register on December 16, 2019 for the Proposed Ocean County Water Quality Management (WQM) Plan Amendment NJDEP Interest No. 435448., Activity AMD190004, prepared by Bruce A. Jacobs, PE, PP, CME, Gravatt Consulting Group.

**NOW THEREFORE, BE IT RESOLVED**, on this 12<sup>th</sup> day of May 2020, by

The Little Egg Harbor Municipal Utilities Authority, that:

1. The Authority hereby consents to the proposed amendment and publicly noticed on December 16, 2019, prepared by Bruce A. Jacobs, PE, PP, CME, Gravatt Consulting Group, for the purpose of its incorporation into the applicable WQM plan(s).

2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.5(g)6.
3. Sewer service is not guaranteed by adoption of this Resolution since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the sewer service area as a result of the adoption of this Resolution does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, County or municipal review agency with jurisdiction over this project/activity.
4. 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.

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Commission of the Little Egg Harbor Municipal Utilities Authority at a meeting held on May 12, 2020.



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Earl Miller, Secretary

**RESOLUTION #2020-14**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE  
AUTHORITY TO ACCEPT ELECTRONIC CLAIMANT SIGNATURES ON  
PURCHASE ORDERS**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") seeks authorization to accept electronic Claimant signatures on purchase orders; and

**WHEREAS**, Local Finance Notice No. 2018-13 discusses adoption of substantial changes to N.J.A.C. 5:30-9A and 5:31-4, implementing N.J.A.C. 5:30-9A.6 as well as 5:31-4.1, allowing local units greater flexibility regarding terms of claimant certification requirements; and

**WHEREAS**, subsection of N.J.A.C. 5:30-9A.6 as well as 5:31-4.1 clarify that certification may be executed by a vendor or claimant by signature stamp, facsimile signature or electronic signature in addition to a "wet" signature; and

**WHEREAS**, after the review of the changes made to N.J.A.C. 5:30-9A and 5:31-4, the Authority believes authorization of this change is beneficial to both the Authority and Vendor.

**NOW, THEREFORE BE IT RESOLVED** this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1 – The Little Egg Harbor Municipal Utilities Authority authorizes adoption of the changes noted in Local Finance Notice 2018-13 as it relates to N.J.A.C. 5:30-9A.6 as well as 5:31-4.1 granting execution of Claimant certifications by way of signature stamp, facsimile signature, or electronic signature, in addition to a "wet" signature.

2 - The Authority 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 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 May 2020, a quorum being present and voting in the majority.

  
Earl Miller, Secretary



**RESOLUTION NO. 2020-15**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY GRANTING A THIRTY (30) DAY EXTENSION TO ALLIED PAINTING INCORPORATED TO COMPLETE THE PAINTING OF THE RADIO ROAD 0.3 MG STANDPIPE PROJECT**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the ("Authority")) has received a request from Allied Painting Incorporated for a thirty (30) day extension to complete the painting of the Radio Road 0.3 MG standpipe project.

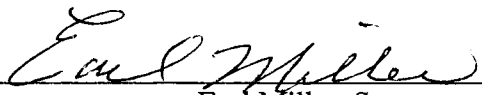
**NOW THEREFORE, BE IT RESOLVED** on this 12<sup>TH</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

The Little Egg Harbor Municipal Utilities Authority hereby grants Allied Painting Incorporated a thirty (30) day extension, until June 15, 2020 to complete the painting of the Radio Road 0.3 MG standpipe project.

1. The Authority 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 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 May 2020, a quorum being present and voting in the majority.

  
\_\_\_\_\_  
Earl Miller, Secretary

## Resolution 2020-16

### **RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,925,000 TOWNSHIP SERVICE CONTRACT SUBORDINATE BONDS OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH FOR THE AUTHORITY'S MYSTIC ISLAND SEWER AND WATER MAINS PROJECTS**

**WHEREAS**, The Little Egg Harbor Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey (the "State") located in the Township of Little Egg Harbor in the County of Ocean (the "Township"), has determined that there exists a need to acquire, construct, renovate, install or refinance certain Projects (each, a "Project" and, collectively, the "Projects"), as described herein and as shall be further defined each of those certain Loan Agreements (each, an "I-Bank Loan Agreement" and collectively, the "I-Bank Loan Agreements") to be entered into by and between the Authority and the New Jersey Infrastructure Bank (f/k/a the New Jersey Environmental Infrastructure Trust) (the "I-Bank") and each of those certain Loan Agreements (each, a "Fund Loan Agreement" and collectively, the "Fund Loan Agreements" and, together with the I-Bank Loan Agreements, the "Loan Agreements") to be entered into by and between the Authority and the State acting by and through the New Jersey Department of Environmental Protection all pursuant to the New Jersey Water Bank Financing Program (the "Program"); and

**WHEREAS**, the Authority has determined to finance or refinance the acquisition, construction, renovation or installation of the Projects with the proceeds of loans to be made by each of the I-Bank (each an "I-Bank Loan" and collectively, the "I-Bank Loans") and the State (each, a "Fund Loan" and collectively, the "Fund Loans", and, together with the I-Bank Loans, the "Loans") pursuant to the I-Bank Loan Agreements and the Fund Loan Agreements, respectively;

**WHEREAS**, to evidence the Loans, each of the I-Bank and the State require the Authority to authorize, execute, attest and deliver the Authority's Township Service Contract Subordinate Bonds to the State (each, a "State Loan Bond" and collectively, the "State Loan Bonds") and Township Service Contract Subordinate Bonds to the I-Bank (each an "I-Bank Loan Bond" and collectively, the "I-Bank Loan Bonds", and, together with the State Loan Bonds, the "Authority Subordinate Bonds") pursuant to the terms of the Municipal and County Utilities Authorities Law of the State, constituting Chapter 14B of Title 40 of the Revised Statutes of the State (the "Utilities Authorities Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, the I-Bank and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Authority Subordinate Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of certain Escrow Agreements (each, an "Escrow Agreement" and collectively, the "Escrow Agreements") to be entered into by and among the I-Bank, the State, the escrow agent or agents named therein and the Authority; and

**WHEREAS**, N.J.S.A. Section 40:14B-27 of the Utilities Authorities Law allows for the sale of the I-Bank Loan Bonds and the Fund Loan Bonds to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. Section 58:11B-9(a) allows for the sale of the I-Bank Loan Bonds to the I-Bank without any public offering, all under the terms and conditions set forth

in the following resolution; and

**WHEREAS**, the Authority has heretofore issued revenue bonds pursuant to a resolution of the Authority adopted on June 17, 1977, entitled: "Resolution Authorizing the Issuance of Revenue Bonds of The Little Egg Harbor Municipal Utilities Authority", as amended and supplemented (the "General Bond Resolution"), whereunder, all the Revenues of the Authority's Sewerage System and Water System, as defined and provided for therein, have been pledged to the payment of the principal of, redemption price, if any, and interest on any revenue bonds heretofore or hereafter issued by the Authority under the General Bond Resolution (the "Revenue Bonds"), to the extent and in the manner provided in the General Bond Resolution; and

**WHEREAS**, the provisions of Section 615 of the General Bond Resolution authorize the Authority to issue subordinate bonds payable out of or secured by amounts which may be withdrawn from the General Fund created and established by the General Bond Resolution, all in accordance with and upon the terms and conditions set forth in the General Bond Resolution and, in particular, Section 511(2) thereof; and

**WHEREAS**, bonds, notes or other evidences of indebtedness of the Authority at any time outstanding may be designated by the Authority as entitled to receive the benefits of the Service Contract (as defined in the General Bond Resolution); and

**WHEREAS**, the Authority is desirous that the Authority Subordinate Bonds be entitled to the benefits of the Service Contract; and

**WHEREAS**, Section 202 of the Service Contract provides that certain conditions may need to be satisfied prior to the Authority constructing any extension of a water main or a sewer main as an extension of the System (as defined in the Service Contract); and

**WHEREAS**, the Projects (as defined herein and as described in Section 1 hereof) are not an extension of the System (as defined in the Service Contract); and

**WHEREAS**, the Authority is desirous of authorizing the issuance of the Authority Subordinate Bonds as subordinate bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**, and the members or commissioners thereof, AS FOLLOWS:

**Section 1.** Determination to Undertake the Projects. The Authority does hereby determine to undertake the Projects which shall consist of:

- (a) sewer main rehabilitation throughout Mystic Island in the Township, as said project is more particularly described in the application filed with the I-Bank and identified by the I-Bank as project number S340579-03 and project name "Little Egg Harbor Sewer Main Replacement" (the "Mystic Island Sewer Main Project"), together with all necessary and incidental equipment, apparatus, structures and appurtenances and including all real property or rights-of-way, easements and other interests therein and all personal property necessary or desirable for the efficient construction and operation of the Mystic Island

Sewer Main Project, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Authority and with the State, as such plans and specifications may be amended or modified from time to time; and

- (b) water main rehabilitation throughout Mystic Island in the Township, as said project is more particularly described in the application filed with the I-Bank and identified by the I-Bank as project number 1516001-005 and project name "Little Egg Harbor Water Improvements Phases I" (the "Mystic Island Water Main Project"), together with all necessary and incidental equipment, apparatus, structures and appurtenances and including all real property or rights-of-way, easements and other interests therein and all personal property necessary or desirable for the efficient construction and operation of the Mystic Island Water Main Project, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Authority and with the State, as such plans and specifications may be amended or modified from time to time.

**Section 2. Estimated Cost of the Projects.** The estimated maximum costs of the Projects, as defined in the Utilities Authorities Law, are \$2,925,000, consisting of:

- (a) An estimated maximum cost of \$1,800,000 for the Mystic Island Sewer Main Project; and
- (b) An estimated maximum cost of \$1,125,000 for the Mystic Island Water Main Project.

**Section 3. Authorization of Authority Subordinate Bonds.** In accordance with Section 25 of the Utilities Authorities Law and subject to and pursuant to the provisions of this resolution, bonds of the Authority (herein referred to as the Authority Subordinate Bonds) are hereby authorized to be issued in the principal amount not to exceed \$2,925,000 for the purpose of raising funds to pay the costs of the Projects, including the funding of any required or desirable reserves, capitalized interest and costs of issuance.

**Section 4. Payment of Authority Subordinate Bonds.** The Authority does hereby determine that the Authority Subordinate Bonds shall be and constitute subordinate bonds and shall be payable from amounts in the General Fund established and created by the General Bond Resolution in the manner and upon the terms and conditions set forth in the General Bond Resolution and this resolution.

**Section 5. Applicability of Service Contract.** The Authority Subordinate Bonds shall be issued by the Authority fully within the coverage of the Service Contract (as defined in the General Bond Resolution).

**Section 6. Award of Authority Subordinate Bonds.** In accordance with N.J.S.A. §40:14B-27 of the Utilities Authorities Law and N.J.S.A. §58:11B-9(a), the Authority hereby sells and awards its (a) I-Bank Loan Bonds to the I-Bank in accordance with the provisions of this resolution and (b) Fund Loan Bonds to the State in accordance with the provisions of this resolution.

**Section 7. Basic Terms of Authority Subordinate Bonds; Delegation of Power to**

Make Certain Determinations. The chair or vice chair of the Authority (the "Chair") and the Executive Director of the Authority are each hereby authorized to determine, in accordance with the Utilities Authorities Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions of this resolution, the following items with respect to the I-Bank Loan Bonds and the Fund Loan Bonds:

- (a) The aggregate principal amount of the I-Bank Loan Bonds to be issued and the aggregate principal amount of the Fund Loan Bonds to be issued, which amounts in the aggregate shall not exceed \$2,925,000;
- (b) The maturity or maturities and annual or semi-annual principal installments of the Authority Subordinate Bonds, which maturity or maturities shall not exceed thirty (30) years;
- (c) The date or dates of the Authority Subordinate Bonds;
- (d) The interest rates of the Authority Subordinate Bonds, provided that the effective cost of the I-Bank Loan Bonds of each series does not exceed eight per centum (8%) and that the interest rate on the Fund Loan Bonds of each series is zero per centum (0%);
- (e) The purchase price for the Authority Subordinate Bonds;
- (f) The terms and conditions under which the Authority Subordinate Bonds shall be subject to redemption prior to their stated maturities; and
- (g) Such other matters with respect to the Authority Subordinate Bonds as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof, including issuing each Authority Subordinate Bond in the form of multiple subordinate bonds from time to time or upon initial issuance if the Project are funded in more than one installment by the Program or if the Subordinate Bonds are issued under more than 1 category (such as with or without loan forgiveness or under the Authority's NANO program or other category) within the Program.

**Section 8. Determinations Conclusive.** Any determination made by the Chair or the Executive Director pursuant to the terms of this resolution shall be conclusively evidenced by the execution and attestation of the Authority Subordinate Bonds by the parties authorized under Section 9(c) of this resolution.

**Section 9. Further Terms of Authority Subordinate Bonds.** The Authority hereby determines that certain terms of the Authority Subordinate Bonds shall be as follows:

- (a) Each Fund Loan Bond shall be issued in a single denomination and shall be numbered as determined by the Chair or the Executive Director. Each I-Bank Loan Bond shall be issued in a single denomination and shall be numbered as determined by the Chair or the Executive Director;

- (b) The Authority Subordinate Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America;
- (c) The Authority Subordinate Bonds shall be executed by the manual or facsimile signature of the Chair or the Executive Director, and the Secretary or the Assistant Secretary of the Authority (the "Secretary"), by manual signature, shall attest to the execution of the Authority Subordinate Bonds and shall affix, imprint, engrave or reproduce thereon the corporate seal of the Authority; and
- (d) In order to distinguish the Authority Subordinate Bonds from other bonds of the Authority, the Authority Subordinate Bonds shall have such letters and/or numbers incorporated in their titles as shall be determined by the Chair or the Executive Director.

**Section 10. Forms of Authority Subordinate Bonds.** The Fund Loan Bonds and the I-Bank Loan Bonds shall be substantially in the forms set forth in Exhibit A and Exhibit B hereto, respectively, with such changes, insertions and omissions as may be approved by the Chair or the Executive Director, such approval to be evidenced by the signature of the Chair or the Executive Director on the Authority Subordinate Bonds.

**Section 11. Authorized Parties.** The law firm of DeCotiis FitzPatrick, Cole & Giblin, LLP, bond counsel to the Authority, is hereby authorized to arrange for the printing of the Authority Subordinate Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Authority auditor and financial advisor are hereby authorized to prepare the financial information, if any, necessary in connection with the issuance of the Authority Subordinate Bonds. The Chair, the Treasurer, the Executive Director and the Secretary (collectively, the "Authorized Authority Officers") are hereby severally authorized to execute any certificates necessary or desirable in connection with the financial and other information.

**Section 12. Report to the Authority.** Each of the Chair and the Executive Director (collectively, the "Authorized Authority Officers") are hereby directed to report in writing to the Authority at the meeting of the Authority next following the closing with respect to the Authority Subordinate Bonds as to the terms of the Authority Subordinate Bonds authorized to be determined by the Authorized Authority Officers pursuant to and in accordance with the provisions of this resolution.

**Section 13. Delivery of Authority Subordinate Bonds.** Each Authorized Authority Officer and the Secretary is hereby authorized to execute any certificate or document necessary or desirable in connection with the sale of the Authority Subordinate Bonds and is hereby further authorized to deliver same to the I-Bank and the State upon delivery of the Authority Subordinate Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 14. Execution of Agreements.** Each I-Bank Loan Agreement, Fund Loan Agreement and Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be manually executed and delivered on behalf of the Authority by the Chair or the Executive Director in substantially the forms required and traditionally used by the I-Bank and the State

(which forms are available from the I-Bank and the State), with such changes as the Chair or the Executive Director, in his or her sole discretion, after consultation with counsel, bond counsel and any other advisors to the Authority (the "Authority Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants" and, together with the Authority Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by the Chair or the Executive Director. The Secretary is hereby authorized, if necessary, to attest by manual signature to the execution of the Financing Documents by the Chair or the Executive Director and to affix, imprint, engrave or reproduce the corporate seal of the Authority to such Financing Documents.

**Section 15. Authorized Actions.** The Authorized Authority Officers are each hereby further severally authorized to (i) manually execute and deliver and the Secretary is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Authority to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Authority Officers or the Secretary, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the Authority Subordinate Bonds and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate and (ii) perform such other actions as the Authorized Authority Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 16. Subordinate Nature of Authority Subordinate Bonds.**

- (a) In the event of any insolvency or bankruptcy proceedings, or any receivership, liquidation, reorganization or other similar proceedings in connection therewith, relative to the Authority or to its property, or in the event of any proceedings for voluntary liquidation, dissolution or other winding up of the Authority, whether or not involving insolvency or bankruptcy, the holders of all Revenue Bonds shall be entitled to receive payment in full of all payments on such Revenue Bonds before the holders of all outstanding Authority Subordinate Bonds are entitled to receive any payment from the Revenues.
- (b) In the event that any of the Authority Subordinate Bonds are declared due and payable before their expressed maturity because of the occurrence of a default (under circumstances when the provisions of (A) above shall not be applicable), the holders of all Revenue Bonds at such time outstanding shall be entitled to receive payment in full of all payments then due on such Revenue Bonds before the holders of such Authority Subordinate Bonds are entitled to receive any accelerated payment from the Revenues of principal or interest upon such Authority Subordinate Bonds. Any event of default with respect to the Authority Subordinate Bonds shall not in itself create the right to declare an event of default with respect to the Revenue Bonds.
- (c) If any event of default with respect to the Revenue Bonds shall have occurred and be continuing (under circumstances when the provisions of (A) above shall not be

applicable), the holders of all Revenue Bonds then outstanding shall be entitled to receive payment in full of all payments on all such Revenue Bonds before the holders of the Authority Subordinate Bonds are entitled to receive any accelerated payment from the Revenues of principal or interest on such Authority Subordinate Bonds.

- (d) No holder of any Revenue Bonds shall be prejudiced in such holder's right to enforce subordination of the Authority Subordinate Bonds by any act or failure to act on the part of the Authority.
- (e) The Subordinate Bonds shall be secured by the pledge of amounts which may be withdrawn from the General Fund pursuant to paragraph (2) of Section 511 of the General Bond Resolution and shall recite on their face that such pledge of said amounts shall in all respects be subordinate to the provisions of the General Bond Resolution and the lien and pledge created by the General Bond Resolution.
- (f) The provisions of (a), (b), (c), (d) and (e) above are solely for the purpose of defining the relative rights of the holders of the Revenue Bonds on the one hand and the holders of the Authority Subordinate Bonds on the other hand, and nothing herein shall impair, as between the Authority and the holders of the Authority Subordinate Bonds, the duty of the Authority, which is unconditional and absolute, to pay to the holders of the Authority Subordinate Bonds, the principal thereon and premium, if any, and interest thereon in accordance with their terms, nor shall anything herein prevent the holders of the Authority Subordinate Bonds from exercising all remedies otherwise permitted by applicable law upon default under the General Bond Resolution, subject to the rights under (a), (b), (c), (d) and (e) above of the holders of the Revenue Bonds to receive cash, property or securities otherwise payable or deliverable to the holders of the Authority Subordinate Bonds.

**Section 17. Withdrawals from the General Fund.** In accordance with Section 511(2) of the General Bond Resolution and provided that the amounts on deposit in the Bond Service Fund, the Sinking Fund, the Bond Reserve Fund and the Renewal and Replacement Fund (as those terms are defined in the General Bond Resolution) equals or exceeds the amounts specified in subsections (a), (b), (c), and (d) of Section 511(2) of the General Bond Resolution, and the Authority is not in default in the payment of principal or Redemption Price (as defined in the General Bond Resolution) of or interest on any of the Revenue Bonds, the trustee under the General Bond Resolution is hereby authorized and directed to withdraw from the General Fund from time to time amounts necessary to satisfy the debt service payments with respect to the Authority Subordinate Bonds. A certified copy of this resolution shall constitute the "resolution of the Authority" referred to in Section 511(2) of the General Bond Resolution.

**Section 18. Covenant to Pay Authority Subordinate Bonds.** The Authority hereby particularly covenants and agrees with the holders of the Authority Subordinate Bonds and makes provisions which shall be a part of its contract with such holders, that the Authority will pay or cause to be paid the principal of every Authority Subordinate Bond and the interest thereon at the date and place and in the manner mentioned in such Authority Subordinate Bond according to the true intent and meaning thereof and will carry out and perform all of the acts and things required of



it by the terms of this resolution.

**Section 19. Resolution Constitutes Contract.** In consideration of the purchase and acceptance of the Authority Subordinate Bonds by those who shall hold the same from time to time, the provisions of this resolution shall be deemed to be and shall constitute contracts between the Authority and the holders from time to time of the Authority Subordinate Bonds.

**Section 20. No Recourse.** No recourse shall be had for the payment of the principal or redemption price, if any, of or the interest on the Authority Subordinate Bonds or for any claim based thereon or on this resolution against any member or other officer of the Authority or any person executing the Authority Subordinate Bonds. The Authority Subordinate Bonds are not and shall not be in any way a debt or liability of the State or of any county or municipality, and do not and shall not create or constitute any indebtedness, liability or obligation of the State or of any county or municipality, either legal, moral or otherwise.

**Section 21. Authorization for Resolution.** This resolution is adopted by virtue of the Utilities Authorities Law and pursuant to its provisions, and the Authority has ascertained and hereby determines that adoption of this resolution is necessary to carry out the powers, purposes and duties expressly provided in the Utilities Authorities Law and that each and every matter and thing as to which provision is made in this resolution is necessary in order to carry out and effectuate the purposes of the Authority in accordance with the Utilities Authorities Law.

**Section 22. Multiple Document Sets.** Notwithstanding any other provision of this resolution to the contrary, if in connection with the participation of the Authority in the Program, the State and the I-Bank require that the Authority execute more than one set of documents, the provisions of this resolution shall be deemed to apply to the Authority Subordinate Bonds and the Financing Documents related to each set of documents; provided, however, that in no event may the aggregate principal amount of all Authority Subordinate Bonds issued and delivered pursuant to the provisions of this resolution be in excess of the amount authorized in Section 3 hereof.

**Section 23. Construction Financing.** In anticipation of the issuance of the Authority Subordinate Bonds, the Authority hereby authorizes: short-term loans to the Authority to be made by the I-Bank pursuant to the Water Bank Construction Financing Program of the I-Bank, the issuance, sale and award to the I-Bank of the Authority's "Note Relating to the Water Bank Construction Financing Loan Program of the New Jersey Infrastructure Bank" (each, a "Construction Financing Program Project Note" and collectively, the "Construction Financing Program Project Notes") pursuant to the I-Bank's Water Bank Construction Financing Program and the delivery of the Construction Financing Program Project Notes to the I-Bank and the performance by the Authority of the terms of the Construction Financing Program Project Notes. The Construction Financing Program Project Notes shall be substantially in the form provided by the I-Bank from time to time for use by authorities in the I-Bank's Water Bank Construction Financing Program. The execution and delivery of the Construction Financing Program Project Notes shall be in the same manner as herein prescribed with respect to the Authority Subordinate Bonds. An Authorized Authority Officer is hereby authorized to determine, pursuant to the terms and conditions established by the I-Bank and the State under the I-Bank's Water Bank Construction Financing Program and the terms and conditions of this resolution, the following items with respect to each Construction Financing Program Project Note: (a) the principal amount of each Construction Financing Program Project Note to be issued, which

amount shall not exceed \$2,925,000 in the aggregate for all outstanding Construction Financing Program Project Notes and all outstanding Authority Subordinate Bonds;; (b) the maturity of each Construction Financing Program Project Note, which shall be no later than the last day of the fifth succeeding State fiscal year following the date of issuance of such Construction Financing Program Project Note; (c) the date of the Construction Financing Program Project Note; (d) the interest rate of the Construction Financing Program Project Note, which shall not exceed 4% per annum; (e) the purchase price for the Construction Financing Program Project Note; and (f) such other matters with respect to the Construction Financing Program Project Note as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof. The Authorized Authority Officers are hereby further severally authorized to manually execute and deliver and the Secretary is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Authority to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Authority Officers or the Secretary, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of each Construction Financing Program Project Note and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate.

**Section 24. Filing of Resolution.** The Executive Director or the Secretary is hereby authorized and directed to cause copies of this resolution to be filed for public inspection in the following places: in the office of the Township Clerk of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, at the Municipal Building in said Township, and in the office of the Authority at 823 Radio Road, in said Township.

**Section 25. Publication of Notice.** The Executive Director or the Secretary is hereby authorized and directed to cause to be published, after completion of filing of copies of this resolution as directed in the preceding Section, in the "Atlantic City Press" and the "Asbury Park Press", legally qualified public newspapers circulating in the district of the Authority, a notice in substantially the form attached as Exhibit C hereto and by this reference incorporated as if set forth in full herein.

**Section 26. Capitalized Terms.** All capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

**Section 27. Official Intent.**

- (a) The Authority reasonably expects to reimburse its expenditure of costs of the Projects paid prior to the issuance of the Authority Subordinate Bonds with proceeds of the Authority Subordinate Bonds.
- (b) This resolution is intended to be and hereby is a declaration of the Authority's official intent to reimburse the expenditure of the costs of the Projects paid prior to the issuance of the Authority Subordinate Bonds with the proceeds of the Authority Subordinate Bonds in accordance with Treasury Regulations § 150-2.


- (c) As set forth in Section 2 hereof, the maximum principal amount of the Authority Subordinate Bonds, including amounts to be used to reimburse the expenditure of the costs of the Projects which are paid prior to the issuance of the Authority Subordinate Bonds, is \$2,925,000 in the aggregate.
- (d) The costs of the Projects to be reimbursed with the proceeds of the Authority Subordinate Bonds will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.
- (e) No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Code. The proceeds of the Authority Subordinate Bonds used to reimburse the Authority for the costs of the Project, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of the Authority Subordinate Bonds or another issue of debt obligations of the Authority, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1).
- (f) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Authority Subordinate Bonds is paid, or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

**Section 28. Effective Date.** This resolution shall take effect immediately.

Adopted: May 12, 2020

The foregoing is a true copy of a resolution adopted by the governing body of The Little Egg Harbor Municipal Utilities Authority at a meeting thereof duly called and held on May 12, 2020.

**THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**

  
\_\_\_\_\_  
Earl Miller, Secretary

Dated: May 12<sup>th</sup> 2020

**EXHIBIT A**  
**Form of Fund Loan Bond**

**THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**  
**TOWNSHIP SERVICE CONTRACT SUBORDINATE BOND (SERIES 202\_\_)**

No. RA-\_\_  
Principal Amount: \$ \_\_\_\_\_  
Dated Date: \_\_\_\_\_, 202\_\_

THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY (the "Authority"), a public body corporate and politic organized and existing under and by virtue of the laws of the State of New Jersey (the "State"), acknowledges itself indebted and for value received hereby promises to pay to the order of the State the principal amount stated above, or such lesser amount as shall be determined in accordance with Section 3.01 of the loan agreement dated as of \_\_\_\_\_, 202\_\_ by and between the State, acting by and through the New Jersey Department of Environmental Protection and the Authority (the "Loan Agreement"), at the times and in the amounts determined as provided in the Loan Agreement, plus any other amounts due and owing under the Loan Agreement at the times and in the amounts as provided therein. The Borrower irrevocably pledges its full faith and credit for the punctual payment of the principal of, and all other amounts due under, this bond and the Loan Agreement according to their respective terms.

This bond is issued in consideration of the loan made under the Loan Agreement (the "Loan") to evidence the payment obligations of the Authority set forth in the Loan Agreement. Payments under this bond shall, except as otherwise provided in the Loan Agreement, be made directly to the Trustee (as defined in the Loan Agreement) for the account of the State. This bond is subject to assignment or endorsement in accordance with the terms of the Loan Agreement. All of the terms, conditions and provisions of the Loan Agreement are, by this reference thereto, incorporated herein as part of this bond.

Pursuant to the Loan Agreement, disbursements shall be made by the State to the Authority upon the receipt by the State of requisitions from the Authority executed and delivered in accordance with the requirements set forth in Section 3.02 of the Loan Agreement.

This bond is entitled to the benefits and is subject to the conditions of the Loan Agreement. The obligations of the Authority to make the payments required hereunder shall be absolute and unconditional, without any defense or right of setoff, counterclaim or recoupment by reason of any default by the State under the Loan Agreement or under any other agreement between the Authority and the State or out of any indebtedness or liability at any time owing to the Authority by the State or for any other reason.

This bond is subject to optional prepayment under the terms and conditions, and in the amounts, provided in Section 3.07 of the Loan Agreement. To the extent allowed by applicable law and the Subordinate Resolution (as hereinafter defined), this bond may be subject to acceleration under the terms and conditions, and in the amounts, provided in Section 5.03 of the Loan Agreement.

The Authority acknowledges that payments made hereunder may be used by the Trustee referred to above to satisfy loan repayments then due and payable on the Authority's I-Bank Loan (as defined in the Loan Agreement).

This bond is a direct and general obligation of the Authority and is one of the subordinate bonds of the Authority issued or to be issued under and by virtue of the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957, of the State of New Jersey, approved August 22, 1957, and the acts amendatory thereof and supplemental thereto (collectively, the "Act"), and under and pursuant to a resolution of the Authority adopted May 12, 2020 and entitled: "RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,925,000 TOWNSHIP SERVICE CONTRACT SUBORDINATE BONDS OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH FOR THE AUTHORITY'S MYSTIC ISLAND SEWER AND WATER MAINS PROJECTS" (the "Subordinate Resolution").

Pursuant to the Act, the Authority has heretofore authorized and issued and has outstanding revenue bonds (the "Revenue Bonds") pursuant to a resolution of the Authority adopted June 17, 1977, entitled: "Resolution Authorizing the Issuance of Revenue Bonds of The Little Egg Harbor Municipal Utilities Authority", as amended and supplemented (the "General Bond Resolution"), where under, all the Revenues of the Authority, as defined and provided for therein, have been pledged to the payment of the principal of, redemption price, if any, and interest on the Revenue Bonds and any additional bonds hereafter issued under the General Bond Resolution, to the extent and in the manner provided in the General Bond Resolution. **This bond is secured by the pledge of amounts which may be withdrawn from the General Fund pursuant to paragraph (2) of Section 511 of the General Bond Resolution and such pledge of said amounts shall in all respects be subordinate to the provisions of the General Bond Resolution and the lien and pledge created by the General Bond Resolution.** This bond is payable from amounts in the General Fund established and created by the General Bond Resolution in the manner and upon the terms and conditions set forth in the General Bond Resolution and the Subordinate Resolution.

The Act provides that neither the members of the Authority nor any person executing bonds of the Authority shall be liable personally on said bonds by reason of the issuance thereof.

This bond is not and shall not be in any way a debt or liability of the State or of any county or municipality and does not and shall not create or constitute any indebtedness, liability or obligation of the State or of any county or municipality, either legal, moral or otherwise.

To the extent provided by law, this bond is junior and subordinate in all respects to any bonds of the Authority to be issued to the New Jersey Infrastructure Bank, on or prior to the date that is one year after the date hereof, as to lien on, and source and security for payment from, the

amounts in the General Fund established and created by the General Bond Resolution in the manner and upon the terms and conditions set forth in the General Bond Resolution and the Subordinate Resolution of the Authority.

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IN WITNESS WHEREOF, THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY has caused this bond to be signed in its name and on its behalf by the manual or facsimile signature of its Chairman or Vice Chairman, or its Executive Director, and its corporate seal to be affixed, imprinted or reproduced hereon and attested by the manual signature of its Secretary or Assistant Secretary, all as of the Dated Date hereinabove mentioned.

THE LITTLE EGG HARBOR  
MUNICIPAL UTILITIES AUTHORITY

By Margaret De Regale  
Margaret De Regale, Vice Chair

(SEAL)

ATTEST:

Earl Miller  
Earl Miller, Secretary



**EXHIBIT B**  
**Form of I-Bank Loan Bond**

**THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**  
**TOWNSHIP SERVICE CONTRACT SUBORDINATE BOND (SERIES 202\_)**

No. RB-1

Principal Amount: \$ \_\_\_\_\_

Dated Date: \_\_\_\_\_, 202\_

**THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY** (the "Authority"), a public body corporate and politic organized and existing under and by virtue of the laws of the State of New Jersey (the "State"), acknowledges itself indebted and for value received hereby promises to pay to the New Jersey Infrastructure Bank (the "I-Bank") (i) the principal amount stated above, or such lesser amount as shall be determined in accordance with Section 3.01 of the loan agreement dated as of \_\_\_\_\_ 1, 202\_ by and between the I-Bank and the Authority (the "Loan Agreement"), at the times and in the amounts determined as provided in the Loan Agreement, (ii) Interest on the Loan constituting the Interest Portion, the Administrative Fee (as such terms are defined in the Loan Agreement) and any late charges incurred under the Loan Agreement in the amount calculated as provided in the Loan Agreement, payable on the days and in the amounts and as provided in the Loan Agreement, which principal amount and Interest Portion of the Interest on the Loan shall, unless otherwise provided in the Loan Agreement, be payable on the days and in the amounts as also set forth in Exhibit A attached hereto under the column headings respectively entitled "Principal" and "Interest", plus (iii) any other amounts due and owing under the Loan Agreement at the times and in the amounts as provided therein. The Authority irrevocably pledges its full faith and credit for the punctual payment of the principal of and the Interest on this bond and for the punctual payment of all other amounts due under this bond and the Loan Agreement according to their respective terms.

This bond is issued in consideration of the loan made under the Loan Agreement (the "Loan") to evidence the payment obligations of the Authority set forth in the Loan Agreement. This bond has been assigned to \_\_\_\_\_, as trustee (the "Trustee") under the Indenture of Trust, dated as of \_\_\_\_\_, 202\_, by and between the I-Bank and the Trustee, with respect to the I-Bank's Environmental Infrastructure Bonds, Series 202\_-, as the same may be amended and supplemented in accordance with the terms thereof (the "Bond Indenture"), and payments hereunder shall, except as otherwise provided in the Loan Agreement, be made directly to the Trustee for the account of the I-Bank pursuant to such assignment. Such assignment has been made as security for the payment of the I-Bank Bonds (as defined in the Loan Agreement) issued to finance or refinance the Loan and as otherwise described in the Loan Agreement. This bond is subject to further assignment or endorsement in accordance with the terms of the Bond Indenture and the Loan Agreement.

All of the terms, conditions and provisions of the Loan Agreement are, by this reference thereto, incorporated herein as part of this bond. Pursuant to the Loan Agreement, disbursements shall be made by the Trustee to the Authority, in accordance with written instructions of the I-Bank, upon receipt by the I-Bank and the Trustee of requisitions from the Authority executed and delivered in accordance with the requirements set forth in Section 3.02 of the Loan Agreement.

This bond is entitled to the benefits and is subject to the conditions of the Loan Agreement. The obligations of the Authority to make the payments required hereunder shall be absolute and unconditional without any defense or right of setoff, counterclaim or recoupment by reason of any default by the I-Bank under the Loan Agreement or under any other agreement between the Authority and the I-Bank or out of any indebtedness or liability at any time owing to the Authority by the I-Bank or for any other reason.

This bond is subject to optional prepayment under the terms and conditions, and in the amounts, provided in Section 3.07 of the Loan Agreement. To the extent allowed by applicable law and the Subordinate Resolution (as hereinafter defined), this bond may be subject to acceleration under the terms and conditions, and in the amounts, provided in Section 5.03 of the Loan Agreement.

This bond is a direct and general obligation of the Authority and is one of the subordinate bonds of the Authority issued or to be issued under and by virtue of the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957, of the State of New Jersey, approved August 22, 1957, and the acts amendatory thereof and supplemental thereto (collectively, the "Act"), and under and pursuant to a resolution of the Authority adopted May 12, 2020 and entitled: "RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,925,000 TOWNSHIP SERVICE CONTRACT SUBORDINATE BONDS OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH FOR THE AUTHORITY'S MYSTIC ISLAND SEWER AND WATER MAINS PROJECTS" (the "Subordinate Resolution").

Pursuant to the Act, the Authority has heretofore authorized and issued and has outstanding revenue bonds (the "Revenue Bonds") pursuant to a resolution of the Authority adopted June 17, 1977, entitled: "Resolution Authorizing the Issuance of Revenue Bonds of The Little Egg Harbor Municipal Utilities Authority", as amended and supplemented (the "General Bond Resolution"), where under, all the Revenues of the Authority, as defined and provided for therein, have been pledged to the payment of the principal of, redemption price, if any, and interest on the Revenue Bonds and any additional bonds hereafter issued under the General Bond Resolution, to the extent and in the manner provided in the General Bond Resolution. **This bond is secured by the pledge of amounts which may be withdrawn from the General Fund pursuant to paragraph (2) of Section 511 of the General Bond Resolution and such pledge of said amounts shall in all respects be subordinate to the provisions of the General Bond Resolution and the lien and pledge created by the General Bond Resolution.** This bond is payable from amounts in the General Fund established and created by the General Bond Resolution in the manner and upon the terms and conditions set forth in the General Bond Resolution and the Subordinate Resolution.

The Act provides that neither the members of the Authority nor any person executing bonds of the Authority shall be liable personally on said bonds by reason of the issuance thereof.

This bond is not and shall not be in any way a debt or liability of the State or of any county or municipality and does not and shall not create or constitute any indebtedness, liability or obligation of the State or of any county or municipality, either legal, moral or otherwise.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State or the Subordinate Resolution to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that this bond, together with all other indebtedness of the Authority, is within every debt and other limit prescribed by said Constitution or statutes.

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IN WITNESS WHEREOF, THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY has caused this bond to be signed in its name and on its behalf by the manual or facsimile signature of its Chairman or Vice Chairman, or its Executive Director, and its corporate seal to be affixed, imprinted or reproduced hereon and attested by the manual signature of its Secretary or Assistant Secretary, all as of the Dated Date hereinabove mentioned.

THE LITTLE EGG HARBOR  
MUNICIPAL UTILITIES AUTHORITY

By Margaret DePergola  
Margaret DePergola Vice Chair

(SEAL)

ATTEST:

Earl Miller  
Earl Miller, Secretary

New Jersey Infrastructure Bank (f/k/a the New Jersey Environmental Infrastructure Trust) hereby assigns the foregoing Borrower Bond to \_\_\_\_\_ (the "Trustee"), as the I-Bank's Trustee under the Indenture of Trust, dated as of \_\_\_\_\_, 202\_, by and between the I-Bank and the Trustee, with respect to the I-Bank's Environmental Infrastructure Bonds, Series 202\_-\_, as the same may be amended and supplemented in accordance with the terms thereof (the "Bond Indenture"), all as of the date of this Borrower Bond, as security for the I-Bank Bonds issued or to be issued under the Bond Indenture to finance or refinance the Project Fund (as defined in the Bond Indenture)..

**NEW JERSEY INFRASTRUCTURE BANK**

[SEAL]

By: \_\_\_\_\_

\_\_\_\_\_  
[Vice] Chairman

ATTEST:

\_\_\_\_\_

\_\_\_\_\_  
[Assistant] Secretary

**Notice of Adoption of Bond Resolution**  
**THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**  
**NOTICE OF ADOPTION OF BOND RESOLUTION**

**PUBLIC NOTICE** is hereby given that a resolution entitled: “RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,925,000 TOWNSHIP SERVICE CONTRACT SUBORDINATE BONDS OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN AGREEMENTS IN CONNECTION THEREWITH FOR THE AUTHORITY’S MYSTIC ISLAND SEWER AND WATER MAINS PROJECTS” (the “2020 NJIB Mystic Island Subordinated Bond Resolution”) was adopted by the Little Egg Harbor Municipal Utilities Authority (the “Authority”) on May 12, 2020. A copy of said resolution has been filed and is available for public inspection in the office of the Township Clerk of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, at the Municipal Building in said Township at 665 Radio Road, and in the office of the Authority at 823 Radio Road, in said Township.

Any action or proceeding of any kind or nature in any court questioning the validity of the creation or establishment of the Authority, or the validity or proper authorization of bonds provided for by the 2020 NJIB Mystic Island Subordinated Bond Resolution, or validity of any covenants, agreements or contract provided for by the 2020 NJIB Mystic Island Subordinated Bond Resolution, shall be commenced within twenty (20) days after the first publication of this notice, which was first published this 18<sup>th</sup> day of May 2020.

THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY

By: Earl F. Sutton, Jr., Executive Director

**RESOLUTION #2020-17**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
REFUND TO LITTLE EGG HARBOR TOWNSHIP**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") was notified by the homeowner of 48 Lake Michigan Drive (account #7038-0) that a payment in the amount of \$571.00 was mistakenly processed by the Authority; and

**WHEREAS**, the payment made on behalf of the homeowner by their banking institution was applied to the homeowner's Water and Sewer Utility Account #7038-0 in error; and


**WHEREAS**, the Authority is obligated to return these funds to the Little Egg Harbor Township Tax Collector in the amount of \$571.00.

**NOW THEREFORE BE IT RESOLVED** on the 12<sup>th</sup> day of May 2020, by the Little Egg Harbor Municipal Utilities Authority as follows:

1. The Authority authorizes and approves reimbursement to the Little Egg Harbor Township Tax Collector in the amount of \$571.00.
2. The Authority authorizes and directs the Chairman, Secretary and/or the 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 May 2020, a quorum being present and voting in the majority.

  
Earl Miller

## RESOLUTION #2020-18

### RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING CHANGE ORDER NO. 2 FOR T.K.T CONSTRUCTION CO., WITH REGARD TO THE WATER TREATMENT PLANT AT MATHISTOWN ROAD

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has previously awarded a contract to T.K.T. Construction, Co., Inc. (hereinafter referred to as the "Contractor") for the Water Treatment Plant at Mathistown Road (hereinafter referred to as the "Project"); and

**WHEREAS** the Authority has received a letter from its Consulting Engineer, Remington and Vernick dated April 27, 2020 for the Project, recommending approval of said change order representing various additions and modifications as referenced in the modification proposal for a net increase in the amount of \$88,747.95; and

**WHEREAS**, the Authority believes that the recommendation of its Consulting Engineer is appropriate and in accordance with the contract awarded to the Contractor; and

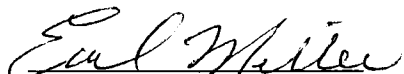
**WHEREAS**, it is the desire of the Authority to authorize this change order.

**NOW THEREFORE BE IT RESOLVED** this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1. The Authority accepts the recommendations of its Consulting Engineer and approves Change Order No. 2 to the Contract with T.K.T. Construction Co, Inc. for the Water Treatment Plant at Mathistown Road representing various additions and modifications set forth in in the modification proposal for a net increase of \$88,747.95.
2. The Authority authorizes and directs the Chairman, Secretary and/or Executive Director to execute any necessary documents in order to implement the intent 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 May 2020, a quorum being present and voting in the majority.

  
Earl Miller, Secretary



**RESOLUTION #2020-19**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING  
FINAL PAYMENT AND RELEASE OF THE PERFORMANCE BOND FOR SWERP,  
INC., IN REGARD TO THE CIPP LINING OF SANITARY SEWER MAINS  
ON IOWA COURT**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has completed their contract with SWERP, Inc., (the "Contractor") as it relates to the CIPP Lining of the Sanitary Sewer Mains on Iowa Court; and

**WHEREAS**, the Authority is satisfied with the work completed by the Contractor on Iowa Court; and

**WHEREAS**, it is recommended that the final payment and release of the performance bond be granted; and

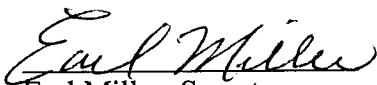
**WHEREAS**, it is recommended that due the fact that there was no requirement to perform a follow up video of the sewer main, the posting of a maintenance bond be waived.

**NOW THEREFORE BE IT RESOLVED** this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1. The Authority accepts the recommendation and approves final payment and the release of the performance bond to SWERP, Inc. in regard to the CIPP Lining of the Sanitary Sewer Main on Iowa Court.
2. The Authority accepts the recommendation to waive the positing of the maintenance bond by SWERP, Inc., in regard to the CIPP Lining of the Sanitary Sewer Main on Iowa Court.
3. The Authority authorizes and directs the Chairman, Secretary, and/or the Executive Director to execute any and all necessary documents in order to implement the intent 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 May 2020, a quorum being present and voting in the majority.

  
Earl Miller, Secretary

**RESOLUTION #2020-20**  
**2020-2021 AUTHORITY BUDGET RESOLUTION (WATER)**  
**LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**

**FISCAL YEAR: FROM: July 1, 2020 TO: June 30, 2021**

WHEREAS, the Annual Budget and Capital Budget for the Little Egg Harbor Municipal Utilities Authority for the fiscal year beginning, July 1, 2020 and ending, June 30, 2021 has been presented before the governing body of the Little Egg Harbor Municipal Utilities Authority at its open public meeting of May 12, 2020; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 3,314,298, Total Appropriations, including any Accumulated Deficit if any, of \$ 3,470,287 and Total Unrestricted Net Position utilized of \$ 155,989; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$5,435,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ None; and

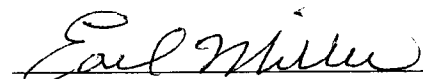
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for 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 May 12, 2020 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, 2020 and ending, June 30, 2021 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 9, 2020.

  
 Earl Miller, Secretary

May 12, 2020

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Joseph P. Koptic	✓			
Margaret DePergola	✓			
Earl Miller	✓			
Marie Skelly	✓			
Kenneth Miller	✓			
Kenneth Laney				
Peter Cicco				

**RESOLUTION #2020-21**  
**2020-2021 AUTHORITY BUDGET RESOLUTION (SEWER)**  
**LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**

**FISCAL YEAR: FROM: July 1, 2020 TO: June 30, 2021**

WHEREAS, the Annual Budget and Capital Budget for the Little Egg Harbor Municipal Utilities Authority for the fiscal year beginning, July 1, 2020 and ending, June 30, 2021 has been presented before the governing body of the Little Egg Harbor Municipal Utilities Authority at its open public meeting of May 12, 2020; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 4,298,344, Total Appropriations, including any Accumulated Deficit if any, of \$ 4,475,454 and Total Unrestricted Net Position utilized of \$177,110; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 4,850,000 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 May 12, 2020 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, 2020 and ending, June 30, 2021 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 9, 2020.

  
 Earl Miller, Secretary

May 12, 2020

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Joseph P. Koptic	✓			
Margaret DePergola	✓			
Earl Miller	✓			
Marie Skelly	✓			
Kenneth Miller	✓			
Kenneth Laney				
Peter Cicco				

RESOLUTION #2020-22

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING  
CHEMICAL CONTRACT NO. 1 THROUGH NO. 6**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter “Authority”) authorized the receipt of bids of Chemicals to be delivered to various locations; and

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

**WHEREAS**, numerous bids were submitted to the Authority for the proposed Chemical Contracts; and

**WHEREAS**, the bids for the various Chemical Contracts are in conformance with the Authority’s budget constraints; and

**WHEREAS**, the Authority’s Qualified Purchasing Agent has reviewed the documentation submitted on behalf of each bidder and finds it to be acceptable;

**NOW, THEREFORE BE IT RESOLVED** this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts the recommendation of Nicole Princiotti, Executive Secretary, R.P.P.O., Q.P.A. and awards Contracts for the various Chemical Contracts as follows:

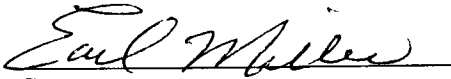
Contract No. 1 – Miracle Chemical Company	\$ 11,857.50
Contract No. 2 – George S. Coyne Chemical	\$ 4,035.20
Contract No. 3 – Univar USA, Inc.	\$ 24,000.00
Contract No. 4 – Reed & Perrine	\$ 13,830.00
Contract No. 5 – George S. Coyne Chemical	\$ 9,352.90
Contract No. 6 – GP Jager	\$ 15,324.00

A tabulation/spreadsheet of each proposal is attached hereto and made part thereof.

2. The Authority 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 adopted by the Little Egg Harbor Municipal Utilities Authority at a regular meeting held on May 12<sup>th</sup>, 2020, a quorum being present and voting in the majority.

  
Secretary

Little Egg Harbor MUA Chemical Supplies Tabulation of Bids Received 05/08/2020 at 11:00 AM				Univar USA, Inc. 532 East Emaus Street Middletown, PA 17057		Coyne Chemical 3015 State Road Croydon, PA 19021-6997		Miracle Chemical 1151 B HIGHWAY #33 Farmingdale, NJ 07727		GP Jager 143 Miller Road Kinnelon, NJ 07405		Reed & Perrine PO Box 100, 393 Main Street Tennent, NJ 07763	
#	ITEM	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
Contract #1	Sodium Hypochlorite Bulk Delivery Liquid	4500	GALS		\$0.00		\$0.00	\$2.635	\$11,857.50		\$0.00		\$0.00
Contract #2	Sodium Chloride Brine 50 Pound Bags	400	UN		\$0.00	\$10.0880	\$4,035.20		\$0.00		\$0.00	\$0.00	\$0.00
Contract #3	Sodium Chloride Bulk Delivery	160	TONS	\$150.00	\$24,000.00		\$0.00		\$0.00		\$0.00		\$0.00
Contract #4	Hydrated Lime 50 Pound Bags	1500	UN		\$0.00	\$11.6900	\$17,535.00		\$0.00		\$0.00	\$9.22	\$13,830.00
Contract # 5	Ferrous Chloride Bulk Delivery	1000	GALS		\$0.00	\$9.3529	\$9,352.90		\$0.00		\$0.00		\$0.00
Contract #6	Dry Calcium Hypochlorite 50 Pound Pails Briquettes	120	UN		\$0.00		\$0.00		\$0.00	\$127.70	\$15,324.00		\$0.00
Base Bid Total					\$24,000.00		\$9,352.90		\$11,857.50		\$15,324.00		\$13,830.00
Total Base Bid					\$24,000.00		\$9,352.90		\$11,857.50		\$15,324.00		\$13,830.00

**Low Bidder**

**RESOLUTION #2020-23**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AWARDING A  
CONTRACT FOR EMERGENCY REPAIRS OF WATER AND SANITARY SEWER  
MAINS AND SERVICES**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids for the Emergency Repairs of Water and Sanitary Sewer Mains and Services (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**, bids were submitted to the Authority in conformance with the specifications, as follows:

<u>BIDDER</u>	<u>BID TOTAL</u>
Mathis Construction Company	\$ 60,116.90
Arthur R. Henry, Inc.	\$ 65,922.48
Crest Construction Group, Inc.	\$ 92,636.00
Earle Asphalt Company	\$105,275.00

A tabulation/spreadsheet of each proposal is attached and made part thereof.

**WHEREAS**, the bid documentation submitted by the apparent lowest responsive and responsible bidder, Mathis Construction Company, Inc. has been reviewed by the Authority's Qualified Purchasing Agent and found to be acceptable; and

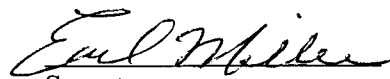
**WHEREAS**, sufficient funds have been provided for in the Authority's budget.

**NOW, THEREFORE BE IT RESOLVED** this 12<sup>th</sup> day of May 2020, by the Little Egg Harbor Municipal Utilities Authority as follows:

1. The Authority accepts the recommendation of Nicole Princiotti, R.P.P.O., Q.P.A. and awards the contract for the project to the apparent lowest responsive and responsible bidder, Mathis Construction Company, Inc., for and in consideration of \$60,116.90.
2. The Authority 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 on the 12<sup>th</sup> day of May 2020, a quorum being present and voting in the majority.

  
Secretary

<b>Little Egg Harbor MUA</b> <b>Emergency Repairs of Water and</b> <b>Sanitary Sewer Mains and Services</b> <b>Tabulation of Bids Received</b> <b>05/08/2020 at 11:30 AM</b>	<b>Mathis Construction Co., Inc.</b> <b>1510 Route 539-Suite 1</b> <b>Little Egg Harbor, NJ 08087</b>	<b>Arthur R. Henry, Inc.</b> <b>3031 Ocean Heights Avenue</b> <b>Egg Harbor Twp., NJ 08234</b>	<b>Crest Construction Group, LLC</b> <b>PO Box 1035</b> <b>Barnegat, NJ 08005</b>
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<b>BID SECURITY</b>									
#	ITEM	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	20	UN	\$0.01	\$0.20	\$0.01	\$0.20	\$605.00	\$12,100.00
2A	Four Wheel Utility Tractor	60	HRS	\$128.00	\$7,680.00	\$107.00	\$6,420.00	\$25.00	\$1,500.00
2B	Dump Truck	60	HRS	\$126.00	\$7,560.00	\$93.00	\$5,580.00	\$186.00	\$11,160.00
2C	Diaphram or Trash Pump	60	HRS	\$15.00	\$900.00	\$25.00	\$1,500.00	\$25.00	\$1,500.00
2D	Portable Compressor	60	HRS	\$10.00	\$600.00	\$10.00	\$600.00	\$37.00	\$2,220.00
2E	Manually Guided Compactor	60	HRS	\$10.00	\$600.00	\$0.01	\$0.60	\$25.00	\$1,500.00
2F	10-Ton Three Wheel Roller	60	HRS	\$0.01	\$0.60	\$0.01	\$0.60	\$61.00	\$3,660.00
2G	8-Ton Tandem Roller	60	HRS	\$0.01	\$0.60	\$0.01	\$0.60	\$85.00	\$5,100.00
2H	Backhoe	16	HRS	\$135.00	\$2,160.00	\$200.00	\$3,200.00	\$49.00	\$784.00
2I	Well Point Dewatering	2	UN	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$1,815.00	\$3,630.00
2J	Trench Box	2	UN	\$0.01	\$0.02	\$500.00	\$1,000.00	\$1,815.00	\$3,630.00
2K	0-3 Foot Wheel Trencher	24	UN	\$0.01	\$0.24	\$0.01	\$0.24	\$49.00	\$1,176.00
2L	0-6 Foot Wheel Trencher	24	UN	\$0.01	\$0.24	\$0.01	\$0.24	\$49.00	\$1,176.00
3A	Foreman	60	HRS	\$140.00	\$8,400.00	\$175.00	\$10,500.00	\$147.00	\$8,820.00
3B	Operator	60	HRS	\$140.00	\$8,400.00	\$168.00	\$10,080.00	\$159.00	\$9,540.00
3C	Laborers	120	HRS	\$127.00	\$15,240.00	\$152.00	\$18,240.00	\$147.00	\$17,640.00
4	Materials Plus Markup	1	LS	\$7,575.00	\$7,575.00	\$7,800.00	\$7,800.00	\$7,500.00	\$7,500.00

<b>Base Bid Total</b>	<b>\$60,116.90</b>	<b>\$65,922.48</b>	<b>\$92,636.00</b>
<b>Total Base Bid</b>	<b>\$60,116.90</b>	<b>\$65,922.48</b>	<b>\$92,636.00</b>
<b>Overtime</b>	<b>1.75</b>	<b>1.50</b>	<b>1.50</b>

**Little Egg Harbor MUA  
Emergency Repairs of Water and  
Sanitary Sewer Mains and Services  
Tabulation of Bids Received  
05/08/2020 at 11:30 AM**

**Earle Asphalt Company  
PO Box 556  
Farmingdale, NJ 07727**

**BID SECURITY**

#	ITEM	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mobilization	20	UN	\$1,515.00	\$30,300.00		\$0.00
2A	Four Wheel Utility Tractor	60	HRS	\$100.00	\$6,000.00		\$0.00
2B	Dump Truck	60	HRS	\$50.25	\$3,015.00		\$0.00
2C	Diaphragm or Trash Pump	60	HRS	\$8.00	\$480.00		\$0.00
2D	Portable Compressor	60	HRS	\$10.00	\$600.00		\$0.00
2E	Manually Guided Compactor	60	HRS	\$5.00	\$300.00		\$0.00
2F	10-Ton Three Wheel Roller	60	HRS	\$15.00	\$900.00		\$0.00
2G	8-Ton Tandem Roller	60	HRS	\$15.00	\$900.00		\$0.00
2H	Backhoe	16	HRS	\$100.00	\$1,600.00		\$0.00
2I	Well Point Dewatering	2	UN	\$2,250.00	\$4,500.00		\$0.00
2J	Trench Box	2	UN	\$380.00	\$760.00		\$0.00
2K	0-3 Foot Wheel Trencher	24	UN	\$15.00	\$360.00		\$0.00
2L	0-6 Foot Wheel Trencher	24	UN	\$15.00	\$360.00		\$0.00
3A	Foreman	60	HRS	\$225.00	\$13,500.00		\$0.00
3B	Operator	60	HRS	\$195.00	\$11,700.00		\$0.00
3C	Laborers	120	HRS	\$175.00	\$21,000.00		\$0.00
4	Materials Plus Markup	1	LS	\$9,000.00	\$9,000.00		\$0.00

**Base Bid Total** **\$105,275.00** **\$0.00**

**Total Base Bid** **\$105,275.00** **\$0.00**

**Overtime** **1.50** **1.50**



**RESOLUTION #2020-25**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDED A  
CONTRACT FOR THE SUPPLY OF SEWER PLANT SUPPLIES**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids and prices for the supply of sewer plant supplies; and

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

**WHEREAS**, bids have been submitted on an itemized basis to the Authority in conformance with the bid specifications by Core and Main, Water Works Supply, and Raritan Group, an itemization of which is attached hereto and made part hereof as Schedule "A"; and

**WHEREAS**, the Authority has determined that each of the bids submitted on behalf of the bidders is acceptable to form and content, and it is in the best interest of the Authority and its ratepayers that the lowest price for each item be accepted by the Authority from that respective supplier.

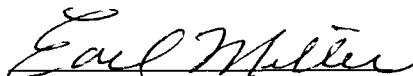
**NOW, THEREFORE, BE IT RESOLVED** this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1 – The Authority authorizes and awards the bid on an itemized basis from each of the respective bidders, Core and Main, Water Works Supply and Raritan Group in accordance with the lowest bid supplied by the respective bidder, as set forth in the attached itemization.

2 – The Authority 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 May 2020, a quorum being present and voting in the majority.

  
Secretary

**RESOLUTION #2020-24**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AWARDING A  
CONTRACT FOR THE SUPPLY OF WATER PLANT SUPPLIES**

**WHEREAS**, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited bids and prices for the supply of water plant supplies; and

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

**WHEREAS**, bids have been submitted on an itemized basis to the Authority in conformance with the bid specifications by Core and Main, Water Works Supply, and Raritan Group, an itemization of which is attached hereto and made part hereof as Schedule "A"; and

**WHEREAS**, the Authority has determined that each of the bids submitted on behalf of the bidders is acceptable to form and content, and it is in the best interest of the Authority and its ratepayers that the lowest price for each item be accepted by the Authority from that respective supplier.

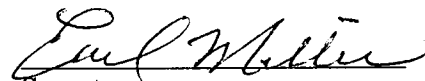
**NOW, THEREFORE, BE IT RESOLVED** this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority as follows:

1 – The Authority authorizes and awards the bid on an itemized basis from each of the respective bidders, Core and Main, Water Works Supply, and Raritan Group in accordance with the lowest bid supplied by the respective bidder, as set forth in the attached itemization.

2 – The Authority 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 May 2020, a quorum being present and voting in the majority.

  
Secretary

**RESOLUTION #2020-26**

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, REJECTING BIDS  
SUBMITTED FOR THE MISCELLANEOUS SUPPLIES**

**WHEREAS**, the Little Egg Harbor Municipal Utilities Authority (hereinafter "Authority") has solicited bids and prices for the supply of water plant supplies; and

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

**WHEREAS**, bids have been submitted on an itemized basis to the Authority in conformance with the bid specifications from Mathis Construction and AE Stone an itemization of which is attached hereto and made part hereof as Schedule "A"; and

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

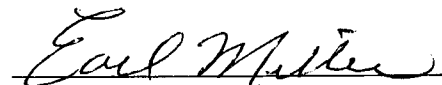
**WHEREAS**, it is the desire of the Authority to reject said bids of miscellaneous supplies.

**NOW, THEREFORE BE IT RESOLVED**, this 12<sup>th</sup> day of May 2020 by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority does hereby reject the bids from Mathis Construction and AE Stone.
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 adopted by the Little Egg Harbor Municipal Utilities Authority at a regular meeting held on May 12<sup>th</sup>, 2020, a quorum being present and voting in the majority.

  
Secretary

<p align="center"><b>Little Egg Harbor MUA</b>  <b>Misc. Supplies, Stone, Sand, Topsoil and Cold Patch</b>  <b>Tabulation of Bids Received</b>  <b>05/08/2020 at 12:00 Noon</b></p>				<p align="center"><b>Mathis Construction Co., Inc.</b>  <b>1510 Route 539-Suite 1</b>  <b>Little Egg Harbor, NJ 08087</b></p>		<p align="center"><b>A.E. Stone, Inc.</b>  <b>1435 Doughty Road</b>  <b>Egg Harbor Township, NJ 08234-</b>  <b>2229</b></p>	
<b>BID SECURITY</b>							
#	ITEM	QUANTITY & UNITS		UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	3/4" Clean Crushed Stone	1	Ton	\$34.50	\$34.50	\$35.25	\$35.25
2	3/8" Clean Crushed Stone	1	Ton	\$55.00	\$55.00	\$0.00	\$0.00
3	1 1/2" Clean Crushed Stone	1	Ton	\$37.25	\$37.25	\$0.00	\$0.00
4	Bank Run Sand	1	Ton	\$21.00	\$21.00	\$0.00	\$0.00
5	Screened Topsoil	1	Ton	\$25.00	\$25.00	\$0.00	\$0.00
6	3/4" DGC	1	Ton	\$24.50	\$24.50	\$17.75	\$17.75
7	3/4" DGA	1	Ton	\$24.50	\$24.50	\$14.25	\$14.25
8	UPM High Performance Cold Patch	1	HRS	\$0.00	\$0.00	\$171.75	\$171.75

**Low Bidder**