

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION AUTHORIZING THE EXECUTION OF A BILL OF SALE FOR THE ACCEPTANCE OF A FIRE SUPPRESSION SYSTEM IN CONNECTION WITH AN AGREEMENT BETWEEN RIVERDALE QUARRY COMPANY, INC., THE TOWNSHIP OF HARDYSTON AND THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR COMPLETION AND TRANSFER OF THE FIRE SUPPRESSION SYSTEM IN THE NORTH CHURCH TECHNICAL CENTER AND SATISFACTION OF ALL OBLIGATIONS UNDER THE 1990 AGREEMENT BETWEEN THE AUTHORITY AND RIVERDALE QUARRY COMPANY, INC.

WHEREAS, the Hardyston Township Municipal Utilities Authority (hereinafter “Authority”) owns and operates a wastewater conveyance system servicing the residents of Hardyston Township (hereinafter “System”); and

WHEREAS, in 1990, Riverdale Quarry Company, Inc. (hereinafter “Riverdale”) and the Authority entered into a written agreement regarding the construction, operation and ownership of a fire protection system servicing the North Church Technical Center (hereinafter “1990 Agreement”); and

WHEREAS, Riverdale’s obligations pursuant to the 1990 Agreement have not been completed; specifically the fire suppression system in the north Church Technical Center development has not been completed, nor has the fire suppression system or its accompanying easements been properly transferred to, or accepted by, the Authority; and

WHEREAS, Riverdale, the Township of Hardyston and the Authority, entered into an agreement whereby Riverdale provided access to the Township to complete the fire suppression system pursuant to the terms of the September 1, 2016 proposal (hereinafter “Proposal”); and

WHEREAS, the Township completed the work outlined in the Proposal and shall establish a special assessment, pursuant to state statute, against the affected properties in the North Church Technical Center development to cover the cost of the Proposal; and

WHEREAS, the Authority has inspected the completed fire suppression system and is willing to accept conveyance of the fire suppression system from Riverdale; and

WHEREAS, after acceptance of the system the Authority will operate and maintain the fire suppression system and shall allocate the costs of operation and management through the development and application of a special billing rate; and

WHEREAS, to effect the transfer of the system the parties have prepared a Bill of Sale form attached hereto as **Exhibit A**; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Hardyston Township Municipal Utilities Authority as follows:

1. That the Authority’s Administrator is authorized and directed to, with the advice and counsel of the Authority’s General Counsel and Engineer, to execute the Bill of Sale in a form substantially similar to the form attached hereto as **Exhibit A**, provided that the Bill of Sale shall not be executed prior to the Authority receiving a title report from Riverdale and a descriptive map of the system from the Authority’s Consulting Engineer.

2. That the Authority’s Administrator is authorized and directed to work with the Authority’s technical, legal and financial advisors to generate a proposed special fire suppression rate for the Board’s consideration and potential adoption in accordance with all applicable legal processes.

3. This Resolution shall take effect immediately

	YES	NO	ABSTAIN	ABSENT
Chairman Cicerale	X			
Vice Chairman Kula	X			
Secretary Marples	X			
Treasurer Kaminski				X
O’Grady				X
Van Allen (alt)	X			
Bazelewich (alt)	X			

Certified to be a true copy of the Resolution adopted by the HTMUA at a meeting held on September 14, 2020

Patty Egan,

Secretary

Exhibit A

Shared Services Agreements