

APRIL 24, 2019

Public comments will be permitted for those specific resolutions to be removed from consent approval.

Please read the synopsis of the resolutions, which have been prepared by the Authority's Staff. Each is informative and self-explanatory. However, if you wish to address a specific resolution, the Board will entertain questions on it.

RESOLUTIONS

1. Resolution of Adoption of the 2019 Sewer Rates - **#41-19**
2. Resolution of Adoption of Linden Bulk Transportation Industrial Discharge Permit Renewal - **#42-19**
3. Resolution Approving an Escrow Agreement with JVM Sales - **#43-19**
4. Resolution Approving Monitoring Well Permit & Encroachment License Agreement - **#44-19**
5. Resolution Approving Carlin & Ward, P.C. Michael Ash, Esq. to serve as conflict counsel to the Authority for matters involving Accordia Realty Ventures, LLC (Tremley Point Tie-In) - **#45-19**
6. Resolution Accepting NuStar 1994 Easement Extension Agreement for one Eighteen Inch and one Twelve Inch Pipeline - **#46-19**
7. Resolution Accepting NuStar 1995 Easement Extension Agreement for a one Twelve inch Pipeline - **#47-19**
8. Resolution Approving Declaration of Official Intent Under Treasury Regulation Section 1.150-2 to Reimburse Prior Expenditures Related to Various System Improvements - **#48-19**
9. Resolution Awarding a contract to Furnish and Deliver Jet Mixing Pump to Reiner Pump Systems, Inc. in the amount of \$48,750.00 - **#49-19**
10. Amending Resolution #36-19 Authorizing purchase of Electricity Supply Services for Public use on an Auction Website - **#50-19**
11. Amending Resolution #32-19 Establishing a pool of Multiple Contractors to provide Emergency and Scheduled Underground Utility Repairs - **#51-19**
12. Resolution Awarding a Contract for Professional Engineering Services for Contract Administration and Construction Observation Services for the Building Improvements Project Phase V to T&M Engineering in the sum not to exceed \$174,400 - **#52-19**

APPROVAL FOR PAYMENTS

1. By Motion and "O&M Resolution", there is an Operating Fund Payment in the total amount of **\$513,290.61**
2. By Motion and "R&R Resolution", there are payments from the Authority's Renewal and Replacement Fund totaling of **\$13,376.50**

**RENEWAL AND REPLACEMENT "R&R" BILLS
SUMMARY**

Meeting of April 24, 2019

PROJECT	PAYEE	AMOUNT
Engineering Services: Bar Screen Replacement & Screenings Conveyance/Improvements Project In March	Remington & Vernick Engineers, Inc.	\$13,376.50
	TOTAL	\$13,376.50

THE LINDEN ROSELLE SEWERAGE AUTHORITY

2019 RATE RESOLUTION #41-19

WHEREAS, the Authority at its October 24, 2018 meeting reviewed its budget for 2019 and approved the same for State review and approval; and

WHEREAS, the Authority obtained such approval on November 27, 2018 and adopted said budget December 18, 2018;

WHEREAS, the Authority allocates debt service, operating costs, maintenance expenses and fund requirements to the City of Linden and the Borough of Roselle based upon a report entitled "User Charge and Industrial Cost Recovery," dated May 1979, as revised by the "2018 User Charge System Report". Prepared by CDM Smith, Boston, Massachusetts and adopted April 25, 2018; and

WHEREAS, the Authority has agreed with the City of Linden to adopt rates for, and bill users in the City directly.

NOW, THEREFORE, BE IT RESOLVED that the Authority hereby:

(1) Approves an estimated amount of \$4,870,018 for 2019 to be collected at a rate of **\$3.56** per one hundred cubic feet of water consumption measured or estimated for the year 2018 which shall be charged against all Residential and Small Industrial properties connected to the City of Linden's sewer system, except Major Industrial Users. Provided however, there shall be a minimum use of **30 hundred cubic feet** charged against all such properties, regardless of the amount of water actually consumed, as a facilities charge;

(2) Approves the following estimated amount of \$505,409 for 2019 to be collected from **Major Industrial Users Class A:**

- (a) **\$4,758.00** per million gallons of wastewater;
- (b) **\$1,008.00** per ton of biochemical oxygen demand (BOD);
- (c) **\$2,102.00** per ton of suspended solids (TSS);

(3) Approves an estimated amount of \$1,293,004 for 2019 to be collected from **Major Industrial Users Class B: \$1,124.00** per million gallons of wastewater. Capacity fee billing at \$429 per million gallons per year of Reserved Capacity would apply if 80% of flow limits are not met.\

(4) Authorizes the City of Linden through its Tax Collector to collect payments of non-major users in the City and place the same in a bank account for the Authority;

(5) Adopts **June 30, 2019, and September 30, 2019** as the dates for payments by all users in the City of Linden and adopts an interest charge of **one and one half percent (1.5%) per month** for unpaid balances remaining after **30 days**.

(6) Charges to the Borough of Roselle the amount of \$2,913,992 (payable quarterly) in accordance with the Municipal Agreement; and

(7) Directs the Executive Director to immediately transmit to the Director, Division of Local Government, Department of Community Affairs and the Municipalities certified copies of this Resolution, together with all relevant information and documentation prescribed in applicable regulations or as may be required by the Director.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a Board meeting on April 24, 2019.


Derek Armstead, Secretary



THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #42

ISSUE AN INDUSTRIAL DISCHARGE PERMIT MODIFICATION TO:

Linden Bulk Transportation, LLC

Linden, NJ 07036

WHEREAS, the above industrial user of the Linden Roselle Sewerage Authority's facilities has applied for an Industrial Discharge Permit renewal in accordance with the requirements of the Authority's Rules and Regulations; and

WHEREAS, the Authority has given proper public notice of the application for renewal and for the proposed issuance of such permit by the Authority, in accordance with the applicable State and Federal regulations; and

WHEREAS, the Authority has addressed any comments from the public as a result of such notice; and

WHEREAS, the Authority's Staff has recommended the issuance of such permit as set forth in the attached memorandum dated April 12, 2019 attached hereto and made part of this Resolution.

NOW THEREFORE, BE IT RESOLVED, that the Industrial Discharge Permit, as set forth in the attached memorandum, upon the terms and conditions contained in the permit be issued to Linden Bulk Transportation, LLC effective May 1, 2019.

I certify the above to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.



Derek Armstead, Secretary



LRSA MEMORANDUM

To: LRSA Board Members

From: David G. Brown II, Executive Director 
Edward Majeski, Environmental Compliance Manager 

Cc: Jeff Williams, Superintendent

Date: April 12, 2019

Re: Linden Bulk Transportation – Recommendation for Industrial
Discharge Permit #017 Renewal

Linden Bulk Transportation Company, Inc. applied for a renewal of their industrial discharge permit #017 with LRSA. Located at 4200 Tremley Point Road, they operate a trucking service terminal which is used for the maintenance and washing of the tanker trucks. Their current permit expires April 30, 2019.

Wastewater is generated from the tanker washing activities, which is regulated under the federal Transportation Equipment Cleaning Rule (TEC) in addition to the LRSA Rules and Regulations. As provided for in the federal regulations, in lieu of meeting the federal categorical numerical standards, Linden Bulk has adopted a Pollution Management Plan. This plan addresses all associated wastes generated at their facility, its use, treatment, disposal, and record keeping. Any waste that is non-compatible to LRSA is separated and disposed off site.

In addition, Linden Bulk Transportation is subject to LRSA local limits with the exception of BOD, COD, TSS, and Oil and Grease. For these parameters, they have been granted a modification to the LRSA local limits.

This draft permit was subject to a 30 day public comment period commencing March 07 through April 05, 2019. No comments were received.

We hereby recommend that the permit renewal for the Linden Bulk Transportation Company be adopted at the April 24, 2019 Board Meeting. The permit renewal is scheduled to take effect May 01, 2019.

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #43-19

APPROVAL OF AN ESCROW AGREEMENT WITH JVM SALES

WHEREAS, the Linden Roselle Sewerage Authority ("LRSA" or "Authority") has approved in concept a request from J.V.M. Sales Corp. ("JVM") to construct two buildings and a bridge/loading dock on its property located at Lot 5.02, Block 522 in the City of Linden (the "JVM Property"). The bridge/loading dock for which permission has been requested by JVM is located over an existing easement held by the LSRA (the "Easement") on the JVM Property containing a main sewer line owned by the LSRA; and

WHEREAS, JVM's proposal and initial concept design documents have been reviewed by the Authority's management and professionals and a resolution (the "Resolution") approving the design ("Concept Design") containing certain conditions, was approved by the LSRA by voice vote at their regular meeting on March 27, 2019; and

WHEREAS, one of the conditions of the Resolution was that an escrow account (the "Escrow") be established by JVM with the LSRA and that all costs incurred by the LSRA shall be borne by JVM and payable from the Escrow;

WHEREAS, a draft of an escrow agreement (the "Escrow Agreement") between the LSRA and JVM Sales is annexed hereto as Exhibit A, and requires an initial Escrow of Twenty-Five Thousand 00/100 Dollars (\$25,000.00) be provided by JVM; and

WHEREAS, JVM has approved of the form and substance of the Escrow Agreement.

NOW, THEREFORE, BE IT RESOLVED, the Escrow Agreement is approved in form and substance by the LSRA, and the Chairman of the LSRA is authorized to execute the Escrow Agreement in substantially similar form and substance to the Escrow Agreement annexed hereto.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #44-19

**APPROVAL OF MONITORING WELL PERMIT AND ENCROACHMENT LICENSE
AGREEMENT**

WHEREAS, the Linden Roselle Sewerage Authority ("LRSA" or "Authority") is the owner of real property located at Block 587, Lot 21 (the "LSRA Property") as shown and designated on the tax map of the City of Linden, County of Union, State of New Jersey; and

WHEREAS, NuStar Terminals Operations Partnership, L.P., a Delaware limited partnership with offices at 19003 I-10 West, San Antonio, Texas 78257 (hereinafter referred to as "PERMITTEE"), is the owner of real property at 3700 South Wood Avenue, Linden, New Jersey ("PERMITTEE'S real property") which is adjacent to the LSRA Property; and

WHEREAS, in a letter dated January 15, 2019 directed to the LSRA (the "Request Letter"), PERMITTEE'S consultant Geosyntec Consultants, requested permission, in accordance with and pursuant to the terms and conditions set forth in N.J.S.A. 58:10B-16 and N.J.A.C. 7:26C-8.1 et seq., to install and monitor a monitoring well on the LSRA Property. A copy of the January 15, 2019 letter from Geosyntec Consultants attached hereto as Exhibit A; and

WHEREAS, while the Request Letter included a draft agreement entitled Third Party Property Access Agreement to allow Permittee to install the monitoring well on the LSRA Property, a review of the Agreement by counsel to the LSRA determined the Agreement to be insufficient to protect the LSRA's interests; and

WHEREAS, counsel to the LSRA drafted a Monitoring Well Encroachment Permit and License Agreement (the "Agreement"), which provides the Permittee the right to install and monitor

the monitoring well subject to certain terms and conditions, including adherence to N.J.S.A. 58:10B-16 and N.J.A.C. 7:26C-8.1 et seq. A copy of the Agreement is annexed hereto as Exhibit B; and

WHEREAS, the LSRA has reviewed the Agreement, and at the advice of counsel has determined that it adequately protects the LSRA's interests while also ensuring that the LSRA adheres to its obligations pursuant to N.J.S.A. 58:10B-16 and N.J.A.C. 7:26C-8.1 et seq. that require it to provide access to its property for remediation of environmental hazardous substances contaminating the property but caused by adjacent land owners.

NOW, THEREFORE, BE IT RESOLVED, that the Linden Roselle Sewerage Authority hereby grants an Encroachment Permit and License to NuStar Terminals Operations Partnership, L.P. and its agents and consultants, in accordance with and pursuant to the terms and conditions set forth in the Monitoring Well Encroachment and License Agreement annexed hereto and pursuant to N.J.S.A. 58:10B-16 and N.J.A.C. 7:26C-8.1 et seq., to install monitoring wells on the Authority's property known as Block 587, Lot 21 on the Tax Map of the City of Linden, ("Authority's Property").


Such approval of the Agreement and the specific location of the monitoring well is conditioned upon the final location of the wells being subject to the approval of the LSRA's Environmental Compliance Manager and LSRA's professionals, including its consultant engineers, CDM Smith, in their sole discretion. All terms and conditions of the Agreement must be strictly adhered to by the Permittee, including the Permittee's adherence to the requirements N.J.S.A. 58:10B-16 and N.J.A.C. 7:26C-8.1 et seq.

The Executive Director of the LSRA is hereby authorized to sign the Agreement in substantially similar form and substance once an executed copy of the Agreement is received from

the Permittee. The Executive Director shall not execute the Third Party Access Agreement included as part of the Request Letter unless and until further authorization is provided by the LSRA.

The PERMITTEE shall cause the fully executed Agreement to be recorded in the Union County Clerk's Office against its real property located at 3700 South Wood Avenue, Linden, New Jersey within 60 days of it being provided the fully executed Agreement. The recorded Agreement shall be provided to the LSRA after confirmation of recording has been provided to the PERMITTEE.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #45-19

APPROVAL OF CARLIN & WARD, P.C. (Michael Ash, Esq.) TO SERVE AS CONFLICT COUNSEL TO THE AUTHORITY FOR MATTERS INVOLVING ACCORDIA REALTY VENTURES, LLC (Tremley Point Tie-In)

WHEREAS, the Linden Roselle Sewerage Authority ("LRSA" or "Authority") on February 27, 2019, approved a contract for legal services to be provided to the LSRA by the law firm of Bertone Piccini, LP, lead counsel Sean R. McGowan, Esq., for a term of one year; and

WHEREAS, Accordia Realty Ventures, LLC ("Accordia") owns or is the contract purchaser of real property at 4050 Tremley Point Road, Linden, New Jersey 07036, Lot 16.01 in Block 587, as shown and designated on the official tax maps of the City of Linden (hereinafter referred to as the "Project") on which it intends to develop a warehouse and truck terminal; and

WHEREAS, to facilitate the development of the truck terminal, Accordia desires a private sewer connection that would tie-in to LRSA's Main Interceptor Sewer, located on property owned by the LSRA known as Lot 21 in Block 587, as shown and designated on the official tax maps of the City of Linden, so that Accordia will be able to discharge its wastewater into LRSA's Manhole No. 1 on the Main Interceptor Sewer (the "Accordia Tie-in Project"); and

WHEREAS, the Accordia Tie-in Project will require legal services; and

WHEREAS, Bertone Piccini, LP has a conflict-of-interest with Accordia; and

WHEREAS, at the recommendation of Sean R. McGowan, Esq., the LSRA desires to hire the law firm of Carlin & Ward, P.C., lead counsel Michael J. Ash, Esq. ("Conflict Counsel") to serve as its legal counsel for the Accordia Tie-in Project; and

WHEREAS, Conflict Counsel has agreed to serve as counsel to the LSRA for the Accordia Tie-in Project at the same rate at which the LSRA compensates Bertone Piccini, LLP; and

WHEREAS, it is expected that Conflict Counsel will provide legal services to the LSRA with regards to the drafting of an escrow agreement, an access agreement, an easement, an approval of the Accordia Tie-in Project, and/or associated resolutions and agreements (collectively, the “Tie-in Project Work”); and

WHEREAS, it is expected that the total cost of the Tie-in Project Work by Conflict Counsel will be within the limits of the LSRA’s Executive Director’s discretionary spending and that due to the nature of the services to be provided a request for proposals or an opportunity for the public to bid is not required; and

NOW, THEREFORE, BE IT RESOLVED, the LSRA shall hire Carlin & Ward, P.C., Michael J. Ash, Esq. as lead counsel, to provide legal services to it with regards to the Accordia Tie-in Project, and the Executive Director has the authority to execute a retainer letter or contract with Conflict Counsel for Conflict Counsel to provide legal services for the Accordia Tie-in Project at the same rate as the LSRA’s contract with Bertone Piccini, LP. The total amount to be paid to Conflict Counsel shall be less than the limit of the discretionary spending limits of the LSRA’s Executive Director.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #46-19

**NUSTAR 1994 EASEMENT EXTENSION FOR ONE EIGHTEEN INCH
AND ONE TWELVE INCH PIPELINE**

WHEREAS, the Linden Roselle Sewerage Authority ("LRSA" or "Authority") is the owner of real property located at Block 587, Lot 21 (the "LSRA Property") as shown and designated on the tax map of the City of Linden, County of Union, State of New Jersey; and

WHEREAS, on June 22, 1994, the LSRA signed an easement agreement (the "Easement Agreement") with Northville Industries Corp. ("Northville") that provided for an easement for the benefit of Northville on the LSRA Property allowing Northville to install one (1) eighteen (18) inch diameter pipeline and one (1) twelve (12) inch diameter pipeline for petroleum products. The Easement Agreement was for a duration of twenty years and contained two five-year options that could be exercised by Northville. A copy of the Easement Agreement is annexed hereto as Exhibit A;

WHEREAS, on October 30, 1998, Northville Industries Corp. assigned the above-mentioned Easement Agreement to ST Linden Terminal, LLC; and

WHEREAS, on February 14, 2014, ST Linden Terminal, LLC gave written notice to the LSRA of its desire to exercise its option to extend Easement Agreement for another five years from July 1, 2014 to July 1, 2019. A copy of the February 14, 2014 notice is annexed hereto as Exhibit B;

WHEREAS, on March 22, 2019, the LSRA received notice from NuStar Energy, the parent company of ST Linden Terminal, LLC, exercising its option to extend the Easement Agreement from July 1, 2019 to July 1, 2024, and such notice is annexed hereto as Exhibit C; and

WHEREAS, the Easement Agreement requires that the holder of the Easement provide compensation to the LSRA in the amount of \$1,000 per year (the “Easement Fee(s)”), with increases to take effect every five years on the basis of the percentage change in the Producer Price Index (“PPI”).

NOW, THEREFORE, BE IT RESOLVED, that upon receipt of all outstanding Easement Fees, the LSRA shall accept the extension of the Easement Agreement for the period beginning on July 1, 2019 to July 1, 2024. Upon receipt of all outstanding Easement Fees, the Executive Director or Counsel to the LSRA is directed to confirm by way of letter to NuStar that the LSRA has accepted the extension of the Easement Agreement, and such letter shall state, after reviewing the PPI, the amount of the annual Easement Fee for the period beginning on July 1, 2019 to July 1, 2024.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.



Derek Armstead, Secretary



THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #47-19

NUSTAR 1995 EASEMENT EXTENSION FOR ONE TWELVE INCH PIPELINE

WHEREAS, the Linden Roselle Sewerage Authority ("LRSA" or "Authority") is the owner of real property located at Block 587, Lot 21 (the "LSRA Property") as shown and designated on the tax map of the City of Linden, County of Union, State of New Jersey; and

WHEREAS, on January 25, 1995, the LSRA signed an easement agreement (the "Easement Agreement") with Northville Industries Corp. ("Northville") that provided for an easement for the benefit of Northville on the LSRA Property allowing Northville to install one (1) twelve (12) inch diameter pipeline for petroleum products. The Easement Agreement was for a duration of twenty years and contained two five-year options that could be exercised by Northville. A copy of the Easement Agreement is annexed hereto as Exhibit A;

WHEREAS, on October 30, 1998, Northville Industries Corp. assigned the above-mentioned Easement Agreement to ST Linden Terminal, LLC; and

WHEREAS, on September 17, 2014, ST Linden Terminal, LLC gave written notice to the LSRA of its desire to exercise its option to extend Easement Agreement for another five years from February 1, 2015 to February 1, 2020. A copy of the September 17, 2014 notice is annexed hereto as Exhibit B;

WHEREAS, on March 22, 2019, the LSRA received notice from NuStar Energy, the parent company of ST Linden Terminal, LLC, exercising its option to extend the Easement Agreement from February 1, 2020 to February 1, 2025, and such notice is annexed hereto as Exhibit C; and

WHEREAS, the Easement Agreement requires that the holder of the Easement provide compensation to the LSRA in the amount of \$1,250 per year (the “Easement Fee(s)”), with increases to take effect every five years on the basis of the percentage change in the Producer Price Index (“PPI”).

NOW, THEREFORE, BE IT RESOLVED, that upon receipt of all outstanding Easement Fees, the LSRA shall accept the extension of the Easement Agreement for the period beginning on February 1, 2020 to February 1, 2025. Upon receipt of all outstanding Easement Fees, the Executive Director or Counsel to the LSRA is directed to confirm by way of letter to NuStar that the LSRA has accepted the extension of the Easement Agreement, and such letter shall state, after reviewing the PPI, the amount of the annual Easement Fee for the period beginning on February 1, 2020 to February 1, 2025.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #48-19

PROVIDING FOR THE DECLARATION
OF OFFICIAL INTENT UNDER TREASURY REGULATION SECTION 1.150-2
TO REIMBURSE PRIOR EXPENDITURES RELATED TO
VARIOUS SYSTEM IMPROVEMENTS

Adopted: April 24, 2019

WHEREAS, the Linden Roselle Sewerage Authority (the “Authority”) intends to issue debt obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and that will be used to finance various capital improvements to its sewer system, specifically (i) improvements to various existing buildings (Phase V) within its sewage treatment facility, including but not limited to (a) removal and replacement of existing roofing, (b) replacement of the brick facade, (c) installation of high pressure water effluent piping and yard hydrants, and (d) various roadway and site improvements, and (ii) capital improvement projects, including but not limited to (a) flood protection hardening, (b) gravity thickener upgrade, (c) install automated screening conveyors at screen house, (d) UV disinfection facility upgrade and (e) replace electrical switchgear/install automatic transfer switch (the debt obligations herein referred to as “Project Debt Obligations” herein referred to as the “Project”);

WHEREAS, the Authority intends to finance the Project, in part, with the Project Debt Obligations but may pay for certain costs of the Project (“Project Costs”) prior to the issuance of the Project Debt Obligations with funds of the Authority which are not borrowed funds;

WHEREAS, the Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141-150 of the Code.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Authority as follows:

Section 1. The Authority reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Authority’s official intent to reimburse the Authority for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations, in accordance with Treasury Regulation Section 150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$15,300,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulation Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Project Debt Obligations used to reimburse the Authority for Project Costs, 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 Regulation Section 1.148-1) of the Project Debt Obligations or another issue of debt obligations of the Authority, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulation Section 1.148-1).

Section 6. 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 Project Debt Obligations is paid; or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulation Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution will take effect immediately.

Governing Body Member:	Aye	Recorded Vote		
		Nay	Abstain	Absent
Ralph Strano, Chairman	✓			
Jamel C. Holley, Vice Chairman				✓
Derek Armstead, Secretary	✓			
Edward Mikolajczyk, Treasurer	✓			
Reginald Atkins, Alternate	✓			
James Moore, Alternate	✓			

The foregoing is a true and complete copy of a resolution adopted by the governing body of Linden Roselle Sewerage Authority at a meeting thereof duly called and held on April 24, 2019.



Derek Armstead, Secretary
[SEAL]

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #49-19

AWARDING A CONTRACT TO FURNISH AND DELIVER JET MIXING PUMP

WHEREAS, the Linden Roselle Sewerage Authority issued a request for bids to Furnish and Deliver One (1) Jet Mixing Pump as Manufactured by Sulzer or equivalent, to be publicly opened and read aloud on April 16, 2019 at 11 A.M. prevailing time; and

WHEREAS, 1 bid was received, and it was determined that the bid submission from Reiner Pump Systems, Inc. in the amount of \$48,750.00 was both responsible and responsive; and

WHEREAS, the Members have reviewed a memorandum recommending the award of a contract to Reiner Pump Systems, Inc on its bid of \$48,750.00; and

WHEREAS, the Certifying Finance Officer has certified that sufficient funds are available in the Authority's Renewal and Replacement Fund as evidenced by the attached Certification of Funds.

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority that a contract to Furnish and Deliver One (1) Jet Mixing Pump as Manufactured by Sulzer or equivalent, be and the same is hereby awarded to Reiner Pump Systems, Inc., in the sum of \$48,750.00 and the Executive Director is authorized to execute a Purchase Order for the same.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.



Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for a contract with Reiner Pump Systems, Inc. in the sum of \$48,750.00 now pending approval.

Dated: April 24, 2019



David G. Brown II
Certifying Finance Officer

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #50-19

**AMENDING A RESOLUTION AUTHORIZING THE PURCHASE OF
ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN
ONLINE AUCTION WEBSITE**

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorized the purchase of energy generation service for public use through the use of an online auction service; and

WHEREAS, the Linden Roselle Sewerage Authority as the Lead Agency of the Linden Roselle Sewerage Authority Cooperative Pricing System (LRSACPS-ID#204) has determined to utilize a reverse auction in order to procure electricity through the online auction services of Taurus Advisory Group, an approved vendor pursuant to the Act, located at www.TaurusAG.com; thereby amending Resolution #36-19, which authorized these services to be provided by EMEX, LLC; and

WHEREAS, Taurus Advisory Group shall be compensated for all services rendered in connection with the Reverse Auction by the successful supplier to which a contract is awarded; and

WHEREAS, the Reverse Auction shall be conducted pursuant to the terms of the Act.

NOW THEREFORE BE IT RESOLVED, by the Linden Roselle Sewerage Authority that the utilization of a Reverse Auction to be conducted by Taurus Advisory Group to procure electricity for the LRSACPS is hereby authorized; and

BE IT FURTHER RESOLVED, that the Executive Director be and is hereby authorized to execute on behalf of the Linden Roselle Sewerage Authority Cooperative Pricing System any electricity contract proffered by the participating supplier that submits the winning bid in the Taurus Advisory Group Reverse Auction if the auction achieves a price that is determined to be in the best interest of the Cooperative.

I certify that the foregoing is a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #51-19

**AMENDING A RESOLUTION ESTABLISHING A POOL OF MULTIPLE
CONTRACTORS TO PROVIDE EMERGENCY AND SCHEDULED
UNDERGROUND UTILITY REPAIRS**

WHEREAS, by Resolution #32-19, a pool of Contractors to provide emergency and scheduled underground utility repairs was established and two contractors, Messercola Excavating Inc., 549 East Third Street, Plainfield, NJ and Montana Construction Corp., 80 Contant Avenue, Lodi, NJ, were qualified to provide this service to the Authority for a one year period commencing April 1, 2019; and

WHEREAS, the Members have reviewed a memorandum, recommending that in addition, J. Fletcher Creamer & Son, Inc., 101 East Broadway, Hackensack, NJ be qualified and added to the established Contractor pool to provide this service to the Authority; and

WHEREAS, the Certifying Finance Officer has certified that sufficient funds are available as needed in the Authority's Renewal and Replacement Fund as evidenced by the attached Certification of Funds.

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority that J. Fletcher Creamer & Son, Inc., are qualified to provide this service and are added to the pool of Contractors that has been established for this purpose. The Executive Director is hereby authorized to execute contracts for emergency and scheduled utility repairs on such basis as necessary with Messercola Excavating Inc., Montana Construction Corp. and J. Fletcher Creamer & Son, Inc., in accordance with the Authority's Purchasing Policies and Procedures.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for contract(s) with Messercola Excavating Inc, Montana Construction Corp. and J. Fletcher Creamer & Son, Inc., on an as needed basis for Underground Utility Repairs now pending approval.

DATED: April 24, 2019

A handwritten signature in blue ink, appearing to read "David G. Brown II", written over a horizontal line.

David G. Brown II
Certifying Finance Officer

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #52-19

**AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL ENGINEERING
SERVICES FOR CONTRACT ADMINISTRATION AND CONSTRUCTION
OBSERVATION FOR THE BUILDING IMPROVEMENTS
PROJECT PHASE V**

WHEREAS, in accordance with N.J.S.A. 40A:11-2(6), the Linden Roselle Sewerage Authority, a body politic and corporate of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the Authority pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20; and

WHEREAS, pursuant to the fair and open process, the Authority solicited proposals and by resolution at its February 2019 Organizational Meeting qualified and approved engineering firms to provide consulting services by separate resolution approving each individual specific contract to be considered by the Members of the Authority; and

WHEREAS, there exists a need for the Authority to retain the services of a Consulting Engineer to provide Bidding, Contract Administration and Construction Observation Services for the Building Improvements Project Phase V; and

WHEREAS, the Authority requested a proposal from T&M Associates for said services and the Executive Director recommends that the best interests of the Authority are served by the selection of T&M Associates to provide these services for a sum not to exceed \$174,400.00; and

WHEREAS, the Linden Roselle Sewerage Authority has further resolved to pursue funding to cover all costs of the Building Improvements Project Phase V, including the aforementioned T&M Associates contract for Bidding, Contract Administration and Construction Observation Services, through application to the New Jersey Infrastructure Bank (NJIB); and

WHEREAS, sufficient funds are available in the Authority's Renewal and Replacement Fund (Account No. 2574000681), as evidenced by the Certification of Funds attached; and

WHEREAS, the Local Public Contract Law (N.J.S.A.11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" and the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority as follows:

1. The Linden Roselle Sewerage Authority authorizes the execution of an Agreement to retain T&M Associates as Consulting Engineers to provide Bidding, Contract Administration and Construction Observation Services for the Building Improvements Project Phase V; and
2. The Chairman is hereby authorized and directed to sign the Agreement.
3. This contract is awarded without competitive bidding as a "Professional Service"; in accordance with N.J.S.A. 40:11-5(1)(A) of the Local Public Contracts Law.
4. A Notice of this action shall be printed once in the Local Source.
5. This contract is awarded pursuant to a fair and open process as set forth and in accordance with the provisions of N.J.S.A. 19:44A-20.4 et seq. and a copy of a resolution of qualification is attached hereto.

I certify that the foregoing is a true and exact copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on April 24, 2019.


Derek Armstead, Secretary



LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for a contract award to T&M Associates in an amount not to exceed \$174,400.00 now pending approval, to be reimbursed from the proceeds of a loan from the New Jersey Infrastructure Bank (NJIB)

Dated: April 24, 2019



David G. Brown II
Certifying Finance Officer