

Township of West Milford

Passaic County, New Jersey

~ Resolution 2017 – 245 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD FOR THE CONDITIONAL DISSOLUTION OF THE TOWNSHIP OF WEST MILFORD MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Mayor and Council of the Township of West Milford did authorize by Resolution 2017-174 on May 3, 2017 the issuance of a Request for Proposal ("RFP") for the sale of the assets of the Township of West Milford Municipal Utilities Authority ("Authority") pursuant to N.J.S.A. 40:62.3, due to severe deterioration of the Authority's infrastructure over time, resulting in the need for significant repairs, and the Authority's resulting inability to continue operations as currently structured; and

WHEREAS, the Township issued the RFP in accordance with N.J.S.A. 40A:11-4.4, which was advertised for six (6) consecutive weeks as required by N.J.S.A. 40:62-4, with the proposals received no later than June 27, 2017; and

WHEREAS, a proposal was received from Suez Water New Jersey, Inc. ("Suez") and the proposal was vetted by a subcommittee, which made a recommendation to the Mayor and Council to award a contract for the sale of the Authority's assets to Suez; and

WHEREAS, the Township desires to enter into an Agreement of Sale ("Agreement") with Suez, subject to the conditions set forth in the Agreement, approval by the legal voters of the Township pursuant to N.J.S.A. 40:62-5, approval by the New Jersey Department of Environmental Protection ("NJDEP"), the New Jersey Department of Community Affairs, and the New Jersey Board of Public Utilities; and the dissolution of the Authority pursuant to N.J.S.A. 40A:5A-20 to -21, which requires the review and approval of the Local Finance Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, and State of New Jersey, that the making of an application to the Local Finance Board for the conditional dissolution of the Township of West Milford Municipal Utilities Authority is hereby approved and the Township Administrator, along with the Township Attorney and other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto; and

BE IT FURTHER RESOLVED that the Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to publish notice of this Resolution as required by law.

This Resolution shall take effect immediately.

Adopted: August 2, 2017

Adopted this 2nd day of August, 2017
and certified as a true copy of an original.


Antoinette Battaglia, Township Clerk