

**Township of West Milford**  
Passaic County, New Jersey

**~ Resolution 2017 – 275 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF WEST MILFORD AND SUEZ WATER NEW JERSEY, INC. PROVIDING FOR THE SALE OF THE ASSETS 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 Proposals (“RFP”) for the sale of the assets of the Township of West Milford Municipal Utilities Authority (“Authority”); and

**WHEREAS**, the Township of West Milford (“Township”) did issue 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; and

**WHEREAS**, a proposal was received by the bid proposal due date from Suez Water New Jersey, Inc. (“SUEZ”); and

**WHEREAS**, following a review of the proposal by the Township Attorney, an evaluation of the proposal and a determination that the proposal was the highest responsible bid by a subcommittee established by the Mayor and Township Council; and

**WHEREAS**, the Mayor and Council did approve by Ordinance 2017-009 on August 16, 2017 an Agreement of Sale between the Township and SUEZ; and

**WHEREAS**, the Township now desires to enter into the Agreement of Sale with SUEZ, subject to approval of the sale by a majority of legal voters within the Township at the November 7, 2017 General Election, satisfaction of the conditions set forth in the contract, and approval of the sale by the New Jersey Department of Environmental Protection, 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. 40A5A-20 to 21.

**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 Mayor and Township Clerk are hereby authorized to execute an Agreement of Sale with SUEZ, subject to the following:

1. Approval of the sale by a majority of legal voters within the Township at the November 7, 2017 General Election.
2. Satisfaction of the conditions set forth in the contract.
3. Approval of the sale by the New Jersey Department of Environmental Protection, the New Jersey Department of Community Affairs, and the New Jersey Board of Public Utilities.
4. Dissolution of the Authority pursuant to N.J.S.A. 40A5A-20 to -21.

This Resolution shall take effect immediately.

Adopted: September 6, 2017

Adopted this 6th day of September, 2017  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk