

RESOLUTION NO. 68-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL  
UTILITIES AUTHORITY AUTHORIZING  
PAYMENT OF BILLS

WHEREAS, a Monthly Bills List, a copy of which is attached hereto, has been presented to the Authority by the Authority's Chief Financial Officer for payment; and

WHEREAS, the Authority has reviewed the Bills List and has authorized payment; and

WHEREAS, funds for this purpose are available as set forth in the Certification of Funds of the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Chief Financial Officer is hereby authorized to pay the items set forth on the Monthly Bills List which is attached hereto and made a part hereof.

3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.



CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 69-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
RATIFYING TEMPORARY UTILIZATION OF CERTAIN FUNDS  
FROM THE SEWER RENEWAL & REPLACEMENT FUND

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, on August 14, 1997, the Authority adopted a Resolution authorizing the issuance of Sewer Revenue Bonds, which Resolution was subsequently supplemented and amended (the "Sewer Resolution"); and

WHEREAS, pursuant to the Sewer Resolution, the Authority established a Sewer Renewal and Replacement Fund; and

WHEREAS, Section 510(2) of the Sewer Resolution requires the Trustee to withdraw funds from the Sewer Renewal and Replacement Fund in amounts as requisitioned by the Authority for the reasonable and necessary expenses of the Authority with respect to the Sewer System for, among other things, operating expenses; and

WHEREAS, "operating expenses" are defined in the Sewer Resolution to include among other things, all amounts (excluding the Revenue Sharing Percentage) payable by the Authority with respect to the Sewer System pursuant to the Interlocal Agreement; and

WHEREAS, Section 203(a) of the Interlocal Agreement between the Authority and the City requires the Authority to make a lease payment to the City on June 1 of each year; and

WHEREAS, on June 1, there were insufficient funds for the Authority to timely make the lease payment to the City from operating funds; and

WHEREAS, in order for the Authority to make payment to the City for the lease payment required under the Interlocal Agreement, the Authority had to utilize funds from the Sewer Renewal and Replacement Fund in the amount of \$1,546,000; and

WHEREAS, utilization of such funds from the Sewer Renewal and Replacement Fund is permitted under the Sewer Resolution as an operating expense; and

WHEREAS, it is the intent of the Authority to repay the full amount so transferred to the Sewer Renewal and Replacement Fund in the third and fourth quarter 2010 billing cycles; and

WHEREAS, the Authority desires to ratify the transfer of said funds, in order to make a timely payment to the City.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby ratifies the transfer of funds from the Sewer Renewal and Replacement Fund in the amount of \$1,546,000 to the Authority's Sewer Operating Account that were utilized by the Authority for timely payment of the lease payment to the City as required under the Interlocal Agreement.

3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.



\_\_\_\_\_  
CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 70-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
RATIFYING PAYMENT OF A SETTLEMENT AGREEMENT  
WITH THE PLAINFIELD HOUSING AUTHORITY

**WHEREAS**, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

**WHEREAS**, the Plainfield Housing Authority (the "PHA") owed the Authority \$172,000 for certain services provided by the Authority, to all of their location and properties; and

**WHEREAS**, the Authority and the PHA entered into an agreement which provided for the amount owed to be paid over time with interest; and

**WHEREAS**, the PHA made payment in full one year ahead of the due date to the Authority to satisfy its payment obligation; and

**WHEREAS**, as set forth in the Memorandum of the Authority's Chief Financial Officer, the full payment was made for a consideration of partial interest credit in the amount of \$6,000; and

**WHEREAS**, the Authority desires to ratify the payment settlement as discussed by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby ratifies the payment settlement with the Plainfield Housing Authority as set forth by the Chief Financial Officer in his August 9, 2010 Memorandum and as discussed herein by the Chief Financial Officer.

3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.



CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 71-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
AUTHORIZING THE AWARD OF A CONTRACT  
FOR CERTAIN SPECIAL LEGAL SERVICES  
RELATING TO LABOR/EMPLOYMENT  
WITH EDWARDS ANGELL PALMER & DODGE, LLP  
PURSUANT TO N.J.S.A. 19:44A-20.5

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., (the "MUA Law") and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority desires to contract for special legal services on an as needed basis for a one year term, from Edwards, Angell, Palmer & Dodge, LLP related to labor and employment matters pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are not subject to competitive bid under the Local Public Contracts Law, as a professional service; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing, that the value of the special legal services will exceed \$17,500; and

WHEREAS, the contract shall be for a one year term; and

WHEREAS, as set forth by the Authority's Qualified Purchasing Agent, the costs of the services to be provided by the Company shall be applied against the Authority's 2010 budget limit for legal services generally; and

WHEREAS, Edwards Angell Palmer & Dodge, LLP have completed and submitted a Business Entity Disclosure Certification which certifies that the company has not made any reportable contributions to a political or candidate

committee in the City of Plainfield or with the elected officials in the previous one year; and

**WHEREAS**, as required by law, the contract with Edwards Angell Palmer Dodge, LLP will prohibit the company from making any such reportable contributions through the term of the contract; and

**WHEREAS**, as set forth in the Certification of Funds from the Authority's Chief Financial Officer, funds are available for this purpose; and

**WHEREAS**, the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq. requires that the Resolution authorizing the award of a contract for professional services without competitive bid and the contract itself be available for public inspection and that notice of such award be published.

**NOW, THEREFORE, BE IT RESOLVED** by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby authorizes the award of a Contract for Special Legal services with Edwards Angell Palmer & Dodge, LLP for a one year term on an as needed basis for labor and employment matters.

3. The Business Disclosure Entity Certification and the Determination of Value shall be maintained on file with this Resolution.

4. Notice of this contract shall be published in accordance with law.

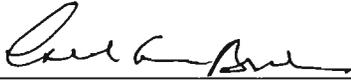
5. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

6. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.



CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 72-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
AUTHORIZING THE AWARD OF A CONTRACT FOR  
TRANSFER STATION SCALE REPAIR SERVICES  
WITH GERHART SCALE CORPORATION  
PURSUANT TO N.J.S.A. 19:44A-20.5

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority desires to procure certain transfer station scale repair services from Gerhart Scale Corporation pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such services are not subject to competitive bid under the Local Public Contracts Law because the cost of the proposed contract is under the bid limit. However, quotations were obtained as set forth in the August 10, 2010 Memorandum of the Superintendent of the Transfer Station; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing that the value of the services will however exceed \$17,500; and

WHEREAS, as set forth by the Authority's Qualified Purchasing Agent, the services to be provided by Gerhart Scale Corporation shall not exceed \$36,000; and

WHEREAS, as further set forth in the July 30, 2010 Memorandum of the Authority's Qualified Purchasing Agent, Gerhart Scale Corporation has completed and submitted a Business Entity Disclosure Certification which certifies that the Company has not made any reportable contributions to a political or candidate committee in the City of Plainfield with the elected officials in the previous one year, and that the contract will prohibit the Company from making any reportable contributions through the term of the contract; and

WHEREAS, as set forth in the Certification of Funds of the Authority's Chief Financial Officer, adequate funds are available for this purpose.

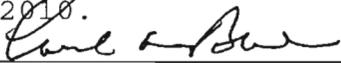
NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby authorizes the award of a Contract pursuant to N.J.S.A. 19:44A-20.5 to Gerhart Scale Corporation for transfer station scale repair services as directed by the Authority.
3. The contract award to this Company shall be published as required by law.
4. The Business Disclosure Entity Certification and the Determination of Value shall be maintained on file with this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

**RECORDED VOTE:**

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)					X

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.

  
 \_\_\_\_\_  
 CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 73-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
AUTHORIZING THE AWARD OF A CONTRACT FOR  
HEAVY DUTY TRACTORS FOR HAULING ON EMERGENCY BASIS  
WITH DILEX TRUCKING, INC.  
PURSUANT TO N.J.S.A. 19:44A-20.5

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, by Resolution No. 29-2010 of the Authority adopted on February 16, 2010, the Authority awarded a contract to DiLex Trucking, Inc. ("DiLex") in an amount not to exceed \$17,500 involving the use of heavy duty tractors for hauling on an emergency basis when needed; and

WHEREAS, the costs of this contract will be approaching the \$17,500 limit shortly and the Authority desires to continue to procure these services on an emergency basis when needed from DiLex and desire to do so at this time pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing that the continued value of the services will exceed \$17,500 but is not expected to exceed \$36,000 and therefore, the Qualified Purchasing Agent has determined that these services do not need to be competitively bid at this time. However, should it appear that the contract will exceed \$36,000, the Qualified Purchasing Agent will take action prior to reaching such limit to obtain these services by competitive bid; and

WHEREAS, as set forth by the Authority's Qualified Purchasing Agent, DiLex Trucking, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the Company has not made any reportable contributions to a political or candidate committee in the City of Plainfield with the elected officials in the previous one year, and that the contract will prohibit the Company from making any reportable contributions through the term of the contract; and

WHEREAS, as set forth in the Certification of Funds of the Authority's Chief Financial Officer, adequate funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby authorizes the award of a Contract with DiLex Trucking, Inc. for services involving the use of heavy duty tractors for hauling on an emergency basis when needed by the Authority as set forth herein.
3. The contract award to this Company shall be published as required by law.
4. The Business Disclosure Entity Certification and the Determination of Value shall be maintained on file with this Resolution.
5. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

**RECORDED VOTE:**

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.

  
 \_\_\_\_\_  
 CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 75-2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
AUTHORIZING THE AWARD OF A CONTRACT FOR  
PAVING AND CONSTRUCTION SERVICES  
WITH ROBINSON PAVING & CONSTRUCTION, LLC  
PURSUANT TO N.J.S.A. 19:44A-20.5

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority desires to procure certain paving and construction services from Robinson Paving & Construction, LLC as set forth in the August 11, 2010 Memorandum of the Authority's Maintenance Manager pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Authority's Qualified Purchasing Agent has determined and certified in writing that the value of the services will exceed \$17,500 but will not exceed \$36,000 and therefore, the Qualified Purchasing Agent has determined that these services do not need to be competitively bid; and

WHEREAS, quotes were obtained and Robinson provided the lowest quote; and

WHEREAS, the Authority's Qualified Purchasing Agent has advised that Robinson Paving & Construction, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the Company has not made any reportable contributions to a political or candidate committee in the City of Plainfield with the elected officials in the previous one year, and that the contract will prohibit the Company from making any reportable contributions through the term of the contract; and

WHEREAS, as set forth in the Certification of Funds of the Authority's Chief Financial Officer, adequate funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby authorizes the award of a Contract with Robinson Paving & Construction, LLC for certain paving and construction services as set forth by the Authority's Qualified Purchasing Agent.

3. The contract award to this Company shall be published as required by law.

4. The Business Disclosure Entity Certification and the Determination of Value shall be maintained on file with this Resolution.

5. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

**RECORDED VOTE:**

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.



CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 76- 2010

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY  
ADOPTING A REVISED REGULAR MEETING SCHEDULE  
FOR THE REMAINDER OF CALENDER YEAR 2010  
AND PART OF 2011

BE IT RESOLVED by the Plainfield Municipal Utilities Authority (the "Authority"), that the following matters are hereby determined in accordance with the provisions of the "Open Public Meetings Act", N.J.S.A. 10:4-6 et seq.

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey, was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and was given the responsibility to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, by Resolution No. 22-201 on February 16, 2010, the Authority adopted a Regular Meeting Schedule for Calendar Year 2010 and part of 2011 until its Reorganization meeting; and

WHEREAS, that Meeting Schedule set forth the time of the Regular Meetings at 7:00 p.m. except for the months of June, July and August wherein the meeting time was set at 6:00 p.m.; and

WHEREAS, the Authority desires to continue its meetings at the 6:00 p.m. meeting schedule for its Regular Meetings commencing at its September 9, 2010 meeting through its Reorganization meeting of February 15, 2011, in lieu of the 7:00 p.m. time; and

WHEREAS, the Authority shall publish the change in the time of its Regular Meetings from 7:00 p.m. to 6:00 p.m. in the appropriate designated newspapers as required by law and post said change with the city Clerk and any other place as required.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

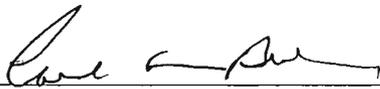
2. The Authority hereby approves and authorizes the change in its meeting time for its Regular Meetings from 7:00 p.m. to 6:00 p.m. commencing with its September 9, 2010 meeting through its February 15, 2011 Reorganization Meeting.

3. Notice of the change in the time for the meetings shall be published in the designated newspapers and posted accordingly as required by law.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
David Beck	X				
Carol Ann Brokaw	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Rev. Tracey Brown (#1)	X				
Eugene Dudley (#2)				X	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, August 17, 2010.

  
 \_\_\_\_\_  
 CAROL ANN BROKAW, SECRETARY