

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**A RESOLUTION OF THE  
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
AUTHORIZING THE EXECUTION OF AN EMERGENCY INTERCONNECTION  
AGREEMENT AND BILL OF SALE WITH AQUA NEW JERSEY INC., IN  
CONNECTION WITH RIDGEFIELD COMMONS EMERGENCY  
INTERCONNECTION FACILITY**

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

**WHEREAS**, Pottersville Properties Development, LLC and the Authority previously entered into an Agreement for Emergency Water Interconnection, dated April 13, 2006 (the “Interconnection Agreement”); and

**WHEREAS**, Pottersville Properties Development, LLC has been succeeded by SMS Hardyston LLC (“SMS”); and

**WHEREAS**, the Emergency Interconnection Facilities were completed in accordance with the requirements of the Interconnection Agreement; and

**WHEREAS**, SMS, through its predecessor, also entered into an Easement Agreement, dated April 13, 2006, with the Hardyston Township Fire Department for easement across Lot 50, Block 67 (the “Easement”); and

**WHEREAS**, SMS and Hardyston Township Fire Department have entered into an Amended and Restated Easement Agreement for an easement across Lot 50, Block 67 (the “Amended and Restated Easement”) to accurately reflect the location of the Emergency Interconnection Facility; and

**WHEREAS**, SMS and the Authority executed a Bill of Sale in March 2019 pursuant to which the Authority purchased all of SMS’s rights, title and interest in the Emergency Interconnection Facilities in order to properly operate and maintain the Emergency Interconnection Facilities; and

**WHEREAS**, AQUA New Jersey, Inc. (“AQUA”) now owns and operates the water supply system connected to the Emergency Interconnection Facilities;

**WHEREAS**, AQUA and the Authority desire to enter into formal agreements governing the operation and ownership of the Emergency Interconnection Facilities; and

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

1. That the Authority Administrator is hereby authorized and directed, with the advice and input of the Authority's General Consulting Engineer and the Authority's General Counsel, to execute an Agreement for the Emergency Water System Interconnection and a Bill of Sale for the Emergency Interconnection Facility in a form substantially similar to the form attached hereto and made a part hereof as **Exhibit A**.
2. That a final copy of the executed Bill of Sale shall be presented to the Board at the Board's next regularly scheduled board meeting following execution of same.
3. Notice of this Resolution and the contract award shall be posted in the appropriate newspapers and the Authority's website.
4. That this Resolution shall take effect immediately.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Kaminski	X			
O'Grady (alt)				
Van Allen (alt)	X			

Certified as a true copy of the Resolution adopted by the Hardyston Township Municipal Utilities Authority at its regular meeting held on October 7, 2019.

*Patty Egan*  
Recording Secretary