

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**A RESOLUTION OF THE
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
ACKNOWLEDGING THAT A TWO-YEAR MAINTENANCE PERIOD HAS
ELAPSED WITH RESPECT TO THE FACILITIES TRANSFERRED FROM
BEAZER HOMES, LLC IN CONNECTION WITH THE INDIAN FIELD, PHASE
III DEVELOPMENT**

WHEREAS, the Hardyston Township Municipal Utilities Authority (the “Authority”) owns and operates a water supply system and a wastewater conveyance system servicing the residents of Hardyston Township (collectively the “Systems”); and

WHEREAS, a development known as Indian Field was constructed in Hardyston Township (the “Township”) in phases over the course of multiple years (“Indian Field Development”)

WHEREAS, Phase III of the Indian Field Development was constructed and is currently owned by Beazer Homes, LLC (the “Developer”); and

WHEREAS, as a condition of approvals received from the Township the Developer was required to post certain performance security to ensure that the construction of the developments would be completed in accordance with Township approvals and that the water and sewer facilities associated with Indian Field Phase III (the “Facilities”) would be properly transferred to the Authority; and

WHEREAS, as a condition of approvals received from the Township the Developer was required to transfer the Facilities as well as certain easements to the Authority upon the completion of the development; and

WHEREAS, pursuant to a Resolution dated June 5, 2017, the Authority declared that the Indian Field Phase III development was complete and that the Developer fulfilled its obligations to the Authority with respect to providing a final inspection of the Facilities, and as-built drawings of the Facilities; and

WHEREAS, the Developer was unable to transfer the necessary easements and Facilities to the Authority as required due to a title issue which issue is now resolved; and

WHEREAS, the Developer has requested that the Authority acknowledge that the time that has passed from 2017 to now be accepted as the maintenance period and that the Developer not be required to post a maintenance bond for an additional two-year period; and

WHEREAS, the Authority’s General Consulting Engineer has provided a memorandum attached hereto as **Exhibit A** in which the Engineer notes that he has no objection to the Developer’s request; and

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

1. The Administrator is hereby authorized and directed to advise Beazer Homes, LLC that its request not to post a maintenance bond for the transferred Facilities is granted.

2. Upon execution of all necessary and appropriate documents the Authority's Engineer is authorized and directed to recommend to the Township that it reduce the Beazer Homes, LLC Performance Bond No. 104307972 and associated cash escrow by \$164,904.00.

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

Certified to be a true copy of the Resolution adopted by the HTMUA at a meeting held on December 7, 2020.

Patty Egan

Recording Secretary

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
RESOLUTION**

**A Resolution Authorizing an Agreement with MuniPay Nationwide Payment Solutions for the Purpose of
Accepting Electronic Receipt Transactions for Water and Sewer Charges**

WHEREAS, N.J.A.C. 5:30-9.1 et seq. permits municipal authorities to accept electronic receipt transactions such as credit cards and debit cards as a means of collecting municipal obligations; and

WHEREAS, the Hardyston Township Municipal Utilities Authority (Authority) desires to accept credit cards, debit cards and e-checks for the collection of water and sewer payments; and

WHEREAS, the acceptance of credit cards, debit cards e-checks by the Authority will make payment easier and more efficient; and

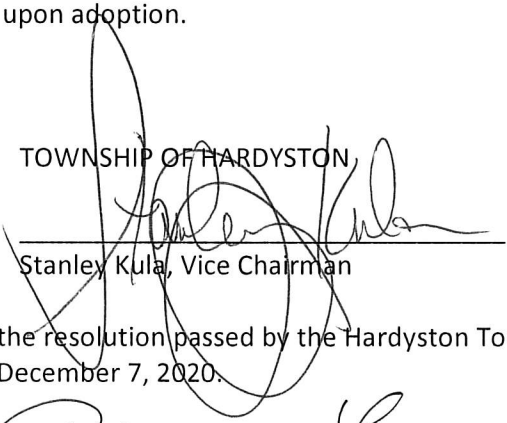
WHEREAS, the Authority will not incur any fees associated with the use of credit cards or e-checks for tax payments since the fee is assessed to each individual user, and the Utility Billing Specialist will post the charge for credit card or e-check use on the website and at the municipal building;

WHEREAS, the Authority now desires to enter into an Agreement with MuniPay Nationwide Payment Solutions as the most reasonable and least expensive provider of electronic receipting.

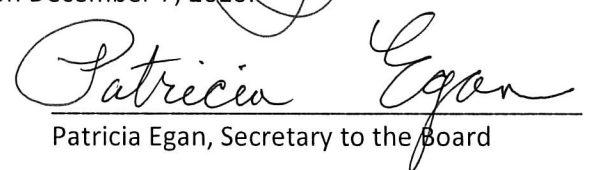
NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Hardyston Township Municipal Utilities Authority, in the County of Sussex, State of New Jersey, that the MUA Administrator is hereby authorized to execute an Agreement with MuniPay Nationwide Payment Solutions.

This Resolution shall take effect immediately upon adoption.

TOWNSHIP OF HARDYSTON


Stanley Kula, Vice Chairman

I hereby certify the above to be a true copy of the resolution passed by the Hardyston Township Municipal Utilities Authority at a duly convened meeting held on December 7, 2020.


Patricia Egan, Secretary to the Board