

STATEWIDE INSURANCE FUND

RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Hardyston Township MUA (HTMUA) ("LOCAL UNIT") has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2021** terminating on **January 1, 2024** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) :

Workers' Compensation & Employer's Liability	_____
Comprehensive General Liability	_____
Automobile Liability and Physical Damage	_____
Public Officials and Employment Practices Liability	_____
Property	_____
Inland Marine Boiler and Machinery	_____
Crime-Faithful Performance and Fidelity	_____
Pollution Liability	_____
Cyber Liability	_____
Non Owned Aircraft	_____

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Name of Member Entity:

Hardyston Township MUA (HTMUA)

ATTEST:

By: 

Carrine Piccolo-Kaufer

Print Name

Title: Administrator


Recording Secretary

This Resolution agreed to the 4th day of October, 2021, by a vote of:

5 Affirmative Abstain Negative Absent

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

A RESOLUTION OF THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND ASSOCIATED WITH CRYSTAL SPRINGS BUILDERS, LLC OAKS EAST AND WENTWORTH DEVELOPMENTS

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, Crystal Springs Builders, L.L.C., a New Jersey limited liability company, having its principal office at 3621 Route 94, Hamburg, New Jersey 07419 ("CSB") is the developer of certain real property located in Hardyston Township, Sussex County, New Jersey, designated on the Hardyston Township Tax Map as Block 16.22 Lots 1-5 as depicted on a Final Subdivision Plat entitled "THE WENTWORTH" – Phase 2 and "THE OAKS", BLOCK 16.22- LOT 1, BLOCK 16.02- LOTS: 1 & 30, CRYSTAL SPRINGS ROAD, TOWNSHIP OF HARDYSTON, SUSSEX COUNTY, NEW JERSEY," prepared by Dykstra Walker Design Group, P.A., dated March 31, 2005 and last revised to May 3, 2005 and filed with the Sussex County Clerk's Office on May 26, 2005 as Registered Map # 1394 , and otherwise referred to in a deed into CSB from Crystal Springs Acquisition, L.L.C., dated September 24, 2004, recorded October 20, 2004 in the Clerk's Office of the County of Sussex, New Jersey, in Deed Book 3243, page 48, and a deed into CSB from Crystal Springs Acquisition, L.L.C., dated June 2, 2005, recorded June 7, 2005 in the Clerk's Office of the County of Sussex, New Jersey, in Deed Book 2935, page 306 (the "Oaks East" and "Wentworth"); and

WHEREAS, CSB has completed and/or installed the sanitary sewer collection system improvements, water system improvements and equipment (hereinafter referred to as the "Completed Improvements") and as shown on a Plan entitled , "AS BUILT PLAN OF THE OAKS, BLOCK 16.22, LOTS 1-5, WHITE OAK COURT, TOWNSHIP OF HARDYSTON, SUSSEX COUNTY, NEW JERSEY"; dated June 29, 2006 and last revised to November 4, 2009, AND "HTMUA UTILITY EASEMENT PLAN, THE OAKS, BLOCK 16.22, LOTS 1-5 & 30" dated March 13, 2020, prepared by Dykstra Walker Design Group, P.A., needed to serve the housing units in the Oaks (also referred to as Oaks East) section of the Crystal Springs development and Authority has inspected and approved the Completed Improvements; and

WHEREAS, CSB has completed and/or installed the sanitary sewer collection system improvements, water system improvements and equipment (hereinafter referred to as the "Completed Improvements") as described on a Plan entitled, "AS BUILT PLAN OF THE WENTWORTH, BLOCK 16.22, LOTS 6-27, WENTWORTH COURT AND BRAMBLE COURT, TOWNSHIP OF HARDYSTON, SUSSEX COUNTY, NEW JERSEY"; dated June 29, 2006 and last revised to February 12, 2020, prepared by Dykstra Walker Design Group, P.A. needed to serve the housing units in the Wentworth section of the Crystal Springs development and the Authority has inspected and approved the Completed Improvements; and

WHEREAS, CSB has conveyed the Completed Improvements and perpetual rights of access to and egress from, and rights to maintain, repair, replace, alter, improve and modify the Completed Improvements for both the Oaks East and the Wentworth to the Authority for \$1.00 and the Authority has accepted same via Resolutions; and

WHEREAS, in connection with the Oaks East and Wentworth developments, CBS posted performance security in the form of a Performance Bond and a cash amount; and

WHEREAS, now that the Authority has declared the Oaks East and Wentworth developments complete, CSB has requested that the Authority release the Performance Bond; and

WHEREAS, the Authority and CSB agree that the cash amount will remain held by the Authority until such time as the sewer main force main discharge manhole is cleaned, repaired and coated to the satisfaction of the Authority's General Consulting Engineer; and

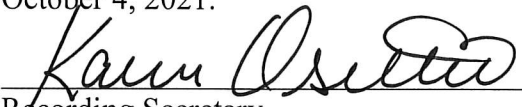
WHEREAS, the Authority's General Consulting Engineer has provided a letter attached hereto as **Exhibit A** in which the Engineer notes that he has no objection to CSB's request; and

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

1. The Administrator is authorized and directed, based upon the General Consulting Engineer's letter, to release the Performance Bond provided by CSB in connection with the Oaks East and Wentworth.
2. The Administrator is directed to retain the cash portion of the CSB performance security associated with the Oaks East and the Wentworth until such time as CSB addresses the cleaning, repair and coating of the sewer forcemain discharge manhole to the satisfaction of the Authority's General Consulting Engineer.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Leatham				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
October 4, 2021.



Recording Secretary