

AGENDA
CUMBERLAND COUNTY UTILITIES AUTHORITY
DECEMBER 15, 2011
4:30 P.M.

1. CALL TO ORDER
2. ANNOUNCEMENT THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN ACCORDANCE WITH CHAPTER 231, P.L. 1975 (THE OPEN PUBLIC MEETINGS ACT)
3. FLAG SALUTE
4. ROLL CALL
5. MOTION TO OPEN THE MEETING TO THE PUBLIC FOR THE PURPOSE OF PRESENTING QUESTIONS OR COMMENTS RELATIVE TO ANY PROPOSED AMENDMENTS TO THE SEWER USE RULES AND REGULATIONS
6. MOTION TO CLOSE THE PUBLIC HEARING ON ANY AMENDMENTS TO THE SEWER USE RULES AND REGULATIONS
7. MOTION TO OPEN THE MEETING TO THE PUBLIC FOR THE PURPOSE OF PRESENTING QUESTIONS OR COMMENTS RELATIVE TO THE ADOPTION OF A SUPPLEMENTAL RESOLUTION AUTHORIZING BONDS RELATED TO THE CONSTRUCTION OF CERTAIN FACILITIES
8. MOTION TO CLOSE THE PUBLIC HEARING ON THE SUPPLEMENTAL BOND RESOLUTION
9. MOTION TO RETURN TO REGULAR MEETING
10. MINUTES OF REGULAR MEETING OF NOVEMBER 17, 2011
11. REPORTS
 - A. DIRECTOR
 - B. ENGINEER
 - C. AUDITOR
 - D. GENERAL COUNSEL
 - E. COMMITTEES
 - (1) COMMUNITY RELATIONS – Commissioner A. Edwards
 - (2) EMPLOYEE RELATIONS – Vice-Chairman Jones
 - (3) FACILITIES EXPANSION/CONSTRUCTION - Commissioner Olbrich
 - (4) FINANCE AND BUDGET - Commissioner Hill
 - (5) INDUSTRIAL WASTE - Commissioner Friedman
 - (6) INSURANCE – Commissioner T. Edwards
 - (7) OPERATIONS - Commissioner Wasserman
 - (8) AD HOC – Commissioner Boutros
12. RESOLUTIONS
 - A. RESOLUTION TO AMEND THE 2012 APPROVED BUDGET
 - B. RESOLUTION ADOPTING THE 2012 BUDGET FOR CUMBERLAND COUNTY UTILITIES AUTHORITY FISCAL YEAR PERIOD JANUARY 1, 2012 TO DECEMBER 31, 2012
 - C. RESOLUTION AUTHORIZING THE TRUSTEE TO TRANSFER EXCESS FUNDS IN THE RENEWAL AND REPLACEMENT FUND TO THE REVENUE FUND IN ACCORDANCE WITH THE REQUIREMENT OF THE GENERAL BOND RESOLUTION
 - D. RESOLUTION DESIGNATING OFFICIAL BANKS FOR DEPOSITORY AND TRANSACTION OF CUMBERLAND COUNTY UTILITIES AUTHORITY BANKING BUSINESS
 - E. RESOLUTION TO CONTINUE, ESTABLISH AND MAINTAIN ACCOUNTS WITH SUSQUEHANNA BANK AND TD WEALTH MANAGEMENT BANK AND SPECIFYING THE NUMBER AND TITLES OF AUTHORIZED SIGNATURES FOR THE TRANSACTIONS OF BUSINESS FOR THESE ACCOUNTS
 - F. RESOLUTION APPROVING AND ADOPTING REVISIONS TO THE CUMBERLAND COUNTY UTILITIES AUTHORITY CASH MANAGEMENT PLAN

- G. RESOLUTION APPROVING AMENDMENTS TO EXHIBIT B, USER RATE STRUCTURE OF THE SEWER USE RULES AND REGULATIONS
 - H. RESOLUTION AUTHORIZING TO WITHDRAW A PORTION OF THE PLANT RECONSTRUCTION OR REPLACEMENT FUNDS FOR CAPITAL PROJECTS
 - I. RESOLUTION APPOINTING PATTI MCALLISTER AS THE CUMBERLAND COUNTY UTILITIES AUTHORITY'S COMPLIANCE OFFICER
 - J. RESOLUTION TO ENTER INTO A CONTRACT WITH PTP CONSULTING, INC. FOR PROFESSIONAL SERVICES RELATED TO HEALTH AND SAFETY PROGRAM, TRAINING AND INSPECTION
 - K. SUPPLEMENTAL BOND RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY SUPERCEDING AND REPLACING THE RESOLUTION OF THE AUTHORITY ADOPTED ON AUGUST 19, 2010, ENTITLED "SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED SEWER SYSTEM REVENUE BONDS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY" AS AMENDED, AUTHORIZING ADDITIONAL BONDS AND MAKING VARIOUS OTHER DETERMINATIONS IN RELATION THERETO
 - L. RESOLUTION APPOINTING PATTI MCALLISTER AS ASSISTANT SECRETARY/TREASURER OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - M. RESOLUTION APPOINTING THELMA D. SCOTT AS SECRETARY OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - N. RESOLUTION APPOINTING JAMES QUINN AS TREASURER OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - O. RESOLUTION APPOINTING THE HARDENBERGH INSURANCE GROUP AS RISK MANAGEMENT CONSULTANTS
 - P. RESOLUTION APPOINTING ROSE RELATIONS AS PUBLIC INFORMATION CONSULTANT TO THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - Q. RESOLUTION APPOINTING ROMANO, HEARING, TESTA AND KNORR AS ACCOUNTANTS AND AUDITORS FOR THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - R. RESOLUTION APPOINTING ADAMS, REHMANN & HEGGAN AS CONSULTING ENGINEER OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - S. RESOLUTION APPOINTING ROBERT J. O'DONNELL AS GENERAL COUNSEL FOR THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - T. RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING THE EXECUTION OF A POWER PURCHASE AGREEMENT AND A SITE LICENSE AGREEMENT IN CONNECTION WITH THE AUTHORITY'S RENEWABLE ENERGY PROGRAM
- 13. TREASURER'S REPORT
 - A. CASH POSITION OF THE AUTHORITY
 - B. RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS
 - C. A RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND
 - 14. CHAIRMAN'S REMARKS
 - 15. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
 - 16. PUBLIC PORTION
 - 17. ADJOURNMENT

Happy Holidays

REGULAR MEETING
CUMBERLAND COUNTY UTILITIES AUTHORITY
December 15, 2011

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday, December 15, 2011 in the Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey.

Representing the CCUA:

Nancy Sungenis, Chairperson
Albert Jones, Vice Chairman
Sam Boutros, Commissioner
Angelia Edwards, Commissioner
Todd Edwards, Commissioner
Kenneth Hill, Commissioner
Donald Olbrich, Commissioner
Keith Wasserman, Commissioner
Steve Testa, Auditor
Ronald Curcio, Engineer
Robert O'Donnell, General Counsel
Thelma D.Scott, Secretary
Theodore Propert, Director
Michael Fernandez, Deputy Director
Robert Rose, Public Relations
Sandy Acevedo, Business Administrator
Patti McAllister, Assistant Secretary – Treasurer

Chairperson Sungenis called the meeting to order, announced that adequate notice of this meeting has been given in accordance with Chapter 231, P.L. (THE OPEN PUBLIC MEETING ACT) and led in the flag salute.

Secretary Scott called the roll and a quorum was present. Commissioner Harvey Friedman and Treasurer James Quinn recorded as an excused absence **with Commissioner Keith Wasserman being excused at 5:30 p.m.**

Chairperson Sungenis called for a motion to open the meeting to the public for the purpose of presenting questions or comments relative to any proposed amendments to the Sewer Use Rules and Regulations. Motion was offered by Commissioner Albert Jones, seconded by Commissioner Don Olbrich and carried unanimously at roll call.

There being no questions or comments from the public, Chairperson Sungenis called for a motion to close the public hearing on any amendments to the Sewer Use Rules and Regulations. Motion was offered by Commissioner Hill and seconded by Commissioner Albert Jones and carried unanimously at roll call.

Chairperson called for a motion to open the meeting to the public for the purpose of presenting questions or comments relative to the adoption of a supplemental resolution authorizing bonds related to the construction of certain facilities. Motion was offered by Commissioner Don Olbrich, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

There being no questions or comments from the public, Chairperson Sungenis called for a motion to close the public hearing **on** the adoption of a supplemental resolution authorizing Bonds related to the construction of certain facilities. Motion was offered by Commissioner Don Olbrich, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

Chairperson Sungenis called for a motion to return to the Regular Meeting. Motion was offered by Commissioner Angelia Edwards, seconded by Commissioner Todd Edwards.

Chairperson Sungenis called for a motion to approve the minutes of the Regular Monthly Meeting of November 17, 2011. It was motioned by Commissioner Albert Jones, seconded by Commissioner Angelia Edwards, with Commissioner Donald Olbrich abstaining.

REPORTS

Director

Director Propert submitted the November Discharge Monitoring Report (DMR) for inclusion in the minutes of this meeting. He stated that **there were no incidents** for the month of November and all parameters were met. **To date, it's been a very good year.**

Director Propert stated that the resolutions on the agenda are standard **for the end of the year** with many normal appointments. **Giving a quick review of the resolutions, the Director stated** that Resolution A **is to amend the introduced** 2012 Budget; Resolution B **adopts** the 2012 Budget; Resolution C **authorizes** the Trustee to transfer funds from the **Renewal** and Replacement Fund to the Revenue Fund; Resolution G **approves** amendments to "Exhibit B" **in the Sewer Use Rules and Regulations**. **He further explained that the "Exhibit B" rates, being adopted, shows a slight change over the preliminary ones sent out to customers as proposed. The change in the flow cost increased about a dollar per million, but the other categories decreased.** Resolution H authorizes to withdraw monies from the Reconstruction or Replacement Funds for Capital Projects; Resolution I and L appoint Patti McAllister as Compliance Officer and the Assistant Secretary/Treasurer; Resolution J is to enter into a contract with PTP for safety consulting services; Resolutions M and N appoint Thelma D. Scott as Secretary and James Quinn as Treasurer; Resolution O and P appoint Hardenbergh Insurance Group as Risk Consultant and Rose Relations as Public Information Consultant.

Director Propert further reported that the Budget and Finance Committee met earlier this week to review the RFQ's for professional services. **Their** recommendations are in Resolutions Q, R and S. The Committee was also informed of the meeting he, Sandy and Mike had with the Director of **GCUA** to look at their "flow based" billing procedures. Director Propert pointed out that this was something that they would really like to pursue this coming year.

The Facilities **Expansion** Committee had a meeting this week to discuss Aeration Tank Upgrades and **CCIA's proposal to enter into a Solar PPA agreement along with other county agencies**. This is Resolution "T" on the agenda tonight.

In conclusion Director Propert read a card from retiree, John Healy. He wished everyone a Merry Christmas and thanked the Board for their participation in the Annual Bike Drive. Twenty-five bikes and helmets have been purchased to be donated to the Salvation Army for kids this Christmas, from monies donated by employees, retirees, members of the Board and Professional Staff. Director Propert stated that the bikes were still in the garage, if anyone wished to see them.

Engineer

Mr. Curcio reported that the Gas Company completed their work on the next phase of soil remediation, which included excavation work in the intersection of Vine and Water Streets. That includes all of the work involved with the infrastructure.

Mr. Curcio further stated that they are working on the Aeration System Upgrade project and is working with the manufacturer to obtain alternatives for replacements.

Auditor

Mr. Testa reported that the State of NJ Division of Local Government Services reviewed the introduced 2012 Budget as required, and suggested that the Authority amend the introduced budget, basically to re-characterize the capital assets being acquired with Plant Reconstruction and Replacement Funds. The State has given its approval to amend the introduced budget prior to adoption. The Authority has prepared the amendment and it is appropriate to adopt Resolution A, a resolution amending the introduced budget at this time.

Resolution B is a resolution adopting the 2012 Budget. The State has given approval to adopt the 2012 Budget, as amended. The Authority held its public hearing on the 2012 Budget at the November Meeting and it is appropriate to adopt the Budget at this time.

Mr. Testa further reported that Resolution C is an annual Resolution which directs the Trustee to transfer the interest earned in the Renewal and Replacement Fund to the Revenue Fund, as required by the Authority's Bond Resolution. Resolutions D, E and F are done each year regarding official banks and depositories and banking business, as well as updating the Authority's Cash Management Plan as required. Resolution H authorizes the Authority to utilize a portion of the Plant Reconstruction or Replacement Funds to fund the costs of certain Capital Projects included in the 2012 Budget.

Mr. Testa stated that he worked with Staff and Bond Counsel with respect to the Supplemental Bond Resolution for the Series 2010 NJEIT Bonds, which was the subject of one of the public hearings today. As previously discussed, this resolution, which is Resolution K, authorizes the Authority to replace the existing Series 2010 NJEIT Bonds, which were issued as second lien bonds, with new senior lien bonds. This will enable the Authority to fund a debt service fund and a bond service reserve fund for these bonds, similar to all of the Authority's Bonds rather than hope the Authority has enough revenues to flow to the General Fund to pay these bonds.

In conclusion, Mr. Testa stated that he noted the resolution on the agenda reappointing their firm for 2012 and he truly appreciates the Authority's continued confidence in the firm and looks forward to serving the Authority.

General Counsel

Mr. O'Donnell stated that he reviewed all the RFQ's for the professional services to ensure they conformed to requirements. All those being suggested in the Resolutions, provided appropriate proposals.

Mr. O'Donnell remarked that he received the proposed Power Purchase Agreement (PPA) and Cumberland County Improvement Authority agreement for the Renewal Energy Program, yesterday. He stated that he would have preferred more than 24 hours to review the documents, but with the time permitted, they are acceptable with the understanding that the opinions regarding cost savings and fees or costs paid to the Improvement Authority are not addressed by General Counsel. They are addressed by the appropriate Committees and Commissioners.

Commissioner Boutros raised a question to General Counsel on concerns he had pertaining to time limits and the cost of the operation and maintenance of this project. General Counsel responded by stating that Sections 3.1 and 4.1, in the agreement addressed those issues and read those sections out loud.

Committees

The Facilities Expansion Committee met on December 12, 2011 to discuss the aeration tank upgrades and entering into a PPA with the CCIA. Minutes of the meeting are in the Commissioners packages for review. Committee Chairman Olbrich briefly spoke about the proposed solar agreement and the anticipated savings, further stating that this agreement would help other county entities that were considering or signing in with the

project. He further stated that Committee approval was not unanimous, but recommended that a resolution be put on the agenda for this meeting. Committee Chairman Olbrich also asked General Counsel several questions pertaining to the agreement and the information that have been given to Director Propert. The main concerns of the Board were the cost for installation, land permits and any other costs to the Authority. Extensive discussion followed between the Commissioners, General Counsel and Donald Rainear, CCIA's Director and Energy Consultant Ken Esser of Gabel Associates, who were both in attendance. Due to the lengthily discussion that continued, Chairman Sungenis recommended that they commence with the rest of the meeting at this time and continue any discussion on this resolution in its time.

The Finance and Budget Committee met on December 12, 2011 to go over the Professional RFQ's. Minutes of the meeting are in the Commissioners folders for review. Commissioner Angelia Edwards inquired as to the amount of monies paid to the professionals when they are entering into contract. Director Propert stated that this is done in the Committee meeting and upon public advertisement. General Counsel O'Donnell suggested that the amounts be put in the minutes of the Committee meetings in the future. He further stated that the amounts are advertised when the Professional appointments are published.

RESOLUTIONS

RESOLUTION (2436) TO AMEND THE 2012 APPROVED BUDGET, offered by Commissioner Albert Jones, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2437) ADOPTING THE 2012 BUDGET FOR CUMBERLAND COUNTY UTILITIES AUTHORITY FISCAL YEAR PERIOD JANUARY 1, 2012 TO DECEMBER 31, 2012, offered by Commissioner Ken Hill, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2438) AUTHORIZING THE TRUSTEE TO TRANSFER EXCESS FUNDS IN THE RENEWAL AND REPLACEMENT FUND TO THE REVENUE FUND IN ACCORDANCE WITH THE REQUIREMENT OF THE GENERAL BOND RESOLUTION, offered by Commissioner Ken Hill, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2439) DESIGNATING OFFICIAL BANKS FOR DEPOSITORY AND TRANSACTION OF CUMBERLAND COUNTY UTILITIES AUTHORITY BANKING BUSINESS, offered by Commissioner Albert Jones, seconded by Commissioner Ken Hill and carried unanimously at roll call.

RESOLUTION (2440) TO CONTINUE, ESTABLISH AND MAINTAIN ACCOUNTS WITH SUSQUEHANNA BANK AND TD WEALTH MANAGEMENT BANK AND SPECIFYING THE NUMBER AND TITLES OF AUTHORIZED SIGNATURES FOR THE TRANSACTIONS OF BUSINESS FOR THESE ACCOUNTS, offered by Commissioner Albert Jones, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2441) APPROVING AND ADOPTING REVISIONS TO THE CUMBERLAND COUNTY UTILITIES AUTHORITY CASH MANAGEMENT PLAN, offered by Commissioner Ken Hill, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2442) APPROVING AMENDMENTS TO EXHIBIT B, USER RATE STRUCTURE OF THE SEWER USE RULES AND REGULATIONS, offered by Commissioner Ken Hill, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2443) AUTHORIZING TO WITHDRAW A PORTION OF THE PLANT RECONSTRUCTION OR REPLACEMENT FUNDS FOR CAPITAL PROJECTS, offered by Commissioner Albert Jones, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2444) APPOINTING PATTI MCALLISTER AS THE CUMBERLAND COUNTY UTILITIES AUTHORITY'S COMPLIANCE OFFICER, offered by Commissioner Ken Hill, seconded by Commissioner Don Olbrich and carried unanimously at roll call.

RESOLUTION (2445) TO ENTER INTO CONTRACT WITH **PTP** CONSULTING, INC. FOR PROFESSIONAL SERVICES RELATED TO HEALTH AND SAFETY PROGRAM, TRAINING AND INSPECTION, offered by Commissioner Albert Jones, seconded by Commissioner Angelia Edwards and carried unanimously at roll call.

RESOLUTION (2446) SUPPLEMENTAL BOND RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES **AUTHORITY** SUPERCEDING AND REPLACING THE RESOLUTION OF THE AUTHORITY ADOPTED ON AUGUST 19, 2010, ENTITLED "SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED SEWER SYSTEM REVENUE BONDS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY" AS AMENDED, AUTHORIZING ADDITIONAL BONDS AND MAKING VARIOUS OTHER DETERMINATIONS IN RELATION THERETO, offered by Commissioner Sam Boutros, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2447) APPOINTING PATTI MCALLISTER AS ASSISTANT SECRETARY/TREASURER OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Albert Jones, seconded by Commissioner Angelia Edwards and carried unanimously at roll call.

RESOLUTION (2448) APPOINTING THELMA D. SCOTT AS SECRETARY OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Albert Jones, seconded by Commissioner Don Olbrich and carried unanimously at roll call.

RESOLUTION (2449) APPOINTING JAMES QUINN AS TREASURER OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Don Olbrich, seconded by Commissioner Angelia Edwards and carried unanimously at roll call.

RESOLUTION (2450) APPOINTING THE HARDENBERGH INSURANCE GROUP AS RISK MANAGEMENT CONSULTANTS, offered by Commissioner Don Olbrich, seconded by Commissioner Albert Jones and carried unanimously at roll call.

RESOLUTION (2451) APPOINTING ROSE RELATIONS AS PUBLIC INFORMATION CONSULTANT TO THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Albert Jones, seconded by Commissioner Sam Boutros and carried unanimously at roll call.

RESOLUTION (2452) APPOINTING ROMANO, HEARING, TESTA AND KNORR AS ACCOUNTANTS AND AUDITORS FOR THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Ken Hill, seconded by Commissioner Angelia Edwards and carried unanimously at roll call.

RESOLUTION (2453) APPOINTING ADAMS, **REHMANN & HEGGAN AS CONSULTING** ENGINEER OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Sam Boutros, seconded by Commissioner Angelia Edwards and carried unanimously at roll call.

RESOLUTION (2454) APPOINTING ROBERT O'DONNELL AS GENERAL COUNSEL FOR THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Albert Jones, seconded by Commissioner Angelia Edwards and carried unanimously at roll call.

The RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING THE EXECUTION OF A POWER **PURCHASE** AGREEMENT AND A SITE LICENSE AGREEMENT IN CONNECTION WITH THE AUTHORITY'S RENEWABLE ENERGY PROGRAM was further discussed at length with questions, suggestions and a conference call made to Ryan Scerbo, General

Counsel for the project, prior to motions being made. The resolution was tabled by a motion offered by Commissioner Sam Boutros, seconded by Commissioner Todd Edwards for further clarification. It was suggested that a meeting with the Facilities Expansion Committee and representatives from the Atlantic City Electric Company, CCIA and project managers be scheduled before the 30th of this month to revisit and review the language in the agreement.

Director Propert stated that he, Mike Fernandez and the engineers would look over and recommend changes to the proposed site plan. After several more questions by the Commissioners, it was finally agreed that another meeting needed to be scheduled to review the agreement and allow General Counsel more time to completely review it. During the conference call between the lawyers and Board, they went over the various languages in the agreement. The lawyer stated that he would be willing to attend the next scheduled meeting to talk about the agreement. CCIA Director Rainear suggested that the Authority add to the resolution contingent items such as site location and savings estimate. General Counsel suggested the resolution be amended to indicate the subject to confirmation of savings expected.

This resolution may be addressed at a Special Meeting scheduled before the end of the year.

Treasurers Report

Revenue Account	\$	1,582,606.00
Operating Account		758,653.64
Petty Cash		500.00
Sensor Account		6,206.91
General Account		181,061.08
Plant Reconstruction/Replacement		1,833,859.78
Trust Account		2,967,758.59
Total Cash Position	\$	7,330,646.00

The Treasurer's report was read by Auditor Testa. It was reported that the bills submitted for payment today for the Operating Account total \$198,845.31. The Authority Chairperson and Secretary have checked the vouchers. The Operating Account has sufficient funds to cover these checks and approval of Resolution B is recommended. For the first eleven months of 2011, revenues have exceeded expenses by \$341,958.05. Auditor Testa stated that the monthly bank statements are available for review if anyone is interested.

RESOLUTION (2455) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Sam Boutros, seconded by Commissioner Angelia Edwards and carried at roll call with Commissioner Don Olbrich abstaining.

RESOLUTION (2456) OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND, offered by Commissioner Albert Jones, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

Chairperson's Remarks

Chairperson Sungenis wished everyone a Merry Christmas.

Commissioners

Commissioner Ken Hill also wished everyone Happy Holidays. He remarked that he felt there should be some type of protocol or policy concerning when resolutions can be added to the agenda, with a proper cut-off

before a meeting to allow for discussion of the issue. General Counsel felt that the Board should not box themselves in and to handle issues on a case to case basis.

Public Portion

CCIA Director Donald Rinear thanked the staff and General Counsel for their time and apologized for the lateness of getting the Solar Energy Project to the Board.

The meeting was adjourned on a motion from Commissioner Angelia Edwards.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday, January 19, 2012 in the Public Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey at 4:30 pm.

Respectfully submitted,

Thelma D. Scott, Secretary

RESOLUTION TO AUTHORIZE PUBLIC NOTICE OF SOLICITATION OF
PROFESSIONAL SERVICE CONTRACTS

WHEREAS, the Cumberland County Utilities Authority having approved by Resolution # 2065, dated July 20, 2006, the use of a fair and open process whenever possible for all contracts and services; and

WHEREAS, such resolution provided that the Budget and Finance Committee shall establish the criteria and standards for such a process; and

WHEREAS, the Budget and Finance Committee, with the assistance of General Counsel, established such criteria and standards; and

WHEREAS, the Authority must publish notice in accordance with those standards and criteria for the positions of General Counsel, Auditor, Consulting Engineer and Financial Advisor.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Cumberland County Utilities Authority as follows:

1. Criteria has been established for all professional services required by the Cumberland County Utilities Authority for the appointments January 1, 2012 to December 31, 2012.
2. The Authority shall publish a Public Notice in the newspaper, for the solicitation of professional services contract appointments no earlier than 10 days and no more than 30 days prior to the contract proposals being due.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday, October 20, 2011 at 4:30 p.m. prevailing time.

DATED: October 20, 2011

A RESOLUTION TO AMEND THE 2012 APPROVED BUDGET

WHEREAS, the Commissioners of the Authority adopted Resolution 2424 titled “A Resolution Authorizing the Introduction of the 2012 Budget” at its regular meeting on October 20, 2011 and

WHEREAS, the Director of the Division of Local Government Services has requested that a Resolution to amend the 2012 Approved Budget be adopted to reflect changes to the original budget as introduced on October 20, 2011.

WHEREAS, the Cumberland County Utilities Authority finds it necessary to amend the 2012 approved Authority Budget, as follows:

	<u>From</u>	<u>To</u>
<u>Anticipated Revenue:</u>		
<u>Operating Revenues:</u>		
Service Charges	\$6,239,595	\$6,239,595
Connection Fees	\$ 5,000	\$ 5,000
Other Operating Revenue	<u>\$ 34,500</u>	<u>\$ 34,500</u>
Total Operating Revenues	\$6,279,095	\$6,279,095
<u>Non-Operating Revenues</u>		
Interest on Investments and Deposits	\$ 15,000	\$ 15,000
Other Non-Operating Revenues	<u>\$ 200,000</u>	<u>\$ -0-</u>
Total Non-Operating Revenues	<u>\$ 215,000</u>	<u>\$ 15,000</u>
Total Anticipated Revenues	<u>\$6,494,095</u>	<u>\$6,294,095</u>
<u>Budgeted Appropriations:</u>		
<u>Operating Appropriations:</u>		
Total Administration	\$1,374,007	\$1,374,007
Total Cost of Providing Services	\$3,353,734	\$3,353,734
Total Principal Payment on Debt In Lieu of Depreciation	<u>\$1,195,109</u>	<u>\$1,195,109</u>
Total Operating Appropriations	\$5,922,850	\$5,922,850

Cumberland County Utilities Authority Resolution to Amend the 2012 Approved Budget

Non-Operating Appropriations

Total Interest Payments on Debt	\$ 301,245	\$ 301,245
Budgeted Capital Outlay	\$ 70,000	\$ 70,000
Renewal & Replacement Reserve	<u>\$ 200,000</u>	<u>\$ -0-</u>
Total Non Operating Appropriations	\$ 571,245	\$ 371,245
Net Total Appropriations	\$6,494,095	\$6,294,095

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Cumberland County Utilities Authority the 2012 Authority's Budget is hereby amended as detailed above, and

BE IT FURTHER RESOLVED, that the Board's secretary is hereby directed to submit a copy of this resolution to the Director of the Division of Local Government Services for approval as part of the Authority's 2012 budget.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION APPOINTING PATTI MCALLISTER, ASSISTANT
SECRETARY/TREASURER OF THE
CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, N.J.S.A. 40:14B-18 authorizes the Authority to appoint and employ such agents and employees as it may require; and

WHEREAS, the Commissioners of the Cumberland County Utilities Authority determine it necessary and proper to appoint an Assistant Secretary/Treasurer.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That Patti McAllister be and she is hereby appointed Assistant Secretary/Treasurer of the Cumberland County Utilities Authority for the calendar year 2012.
2. That the Assistant Secretary/ Treasurer shall, in the absence of the Secretary or Treasurer, perform the duties and exercise the powers of the Secretary or Treasurer, and shall perform such other duties as may be assigned to her from time to time by the Commissioners.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

A RESOLUTION APPOINTING ROMANO, HEARING, TESTA AND KNORR
CERTIFIED PUBLIC ACCOUNTANTS, AS ACCOUNTANTS AND
AUDITORS TO THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, pursuant to N.J.S.A. 40:14B-66, this Authority shall employ a registered municipal accountant or a certified public accountant of New Jersey; and

WHEREAS, N.J.S.A. 40:14B-18 authorizes the Authority to determine the duties, compensation and term of office of such accountant; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Authority solicited sealed Requests for Qualifications (RFQ) through a fair and open process in accordance with NJSA 19:44A-20.4 et.seq., which the Director and General Counsel reviewed and made their recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the Chairperson and Secretary of the Cumberland County Utilities Authority are hereby authorized and directed to enter into an Agreement with Romano, Hearing, Testa and Knorr for specialized accounting and auditing services to the Cumberland County Utilities Authority for the term of one year, commencing the first day of January 2012 and expiring on the thirty-first day of December 2012, or until a successor is appointed.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

**A RESOLUTION TO ESTABLISH, CONTINUE AND MAINTAIN ACCOUNTS WITH
SUSQUEHANNA BANK AND TD WEALTH MANAGEMENT BANK AND SPECIFYING THE
NUMBER AND TITLES OF AUTHORIZED SIGNATURES FOR THE
TRANSACTIONS OF BUSINESS FOR THESE ACCOUNTS**

WHEREAS, the Cumberland County Utilities Authority wishes to establish and maintain the following checking accounts with Susquehanna Bank:

Payroll Checking Account	# 10006790942
Operating Checking Account	# 10006790926
Petty Cash Account	# 10006790967
Daily Revenue Account	# 10006790918
Escrow Account for CCUA Sensors	# 10006790959

and;

WHEREAS, the Cumberland County Utilities Authority wishes to continue and maintain the following investment management accounts with TD Wealth Management:

Plant Reconstruction or Replacement Account	# 81-8886-06-1
General Account	# 81-8886-01-2

and;

WHEREAS, the Cumberland County Utilities Authority wishes to continue and maintain the following Trust accounts with TD Wealth Management:

Revenue Fund	# 81-8886-02-0
1997 Debt Service Reserve Fund	# 81-8886-03-8
Renewal & Replacement Fund	# 81-8886-05-3
1997 Bond Service Fund	# 81-8886-07-9
NJEIT 2010 Construction Fund	# 0060157930

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the following accounts be established, continued and maintained with Susquehanna Bank (Hereinafter called Bank):

Payroll Checking
Operating Checking
Petty Cash Checking
Daily Revenue
Escrow Account for CCUA Sensors

2. That the following Investment Management and Trust accounts be continued and maintained with TD Wealth Management (Hereinafter called Bank):

Plant Reconstruction or Replacement Account
General Account
Revenue Fund
1997 Debt Service Reserve Fund
Renewal & Replacement Fund
1997 Bond Service Fund
NJEIT 2010 Construction Fund

and there may be deposited to their credit any monies, checks, and other instruments which may come into possession of the Cumberland County Utilities Authority. Items for deposit or collection may be endorsed by any person authorized to sign checks, or endorsement thereof may be made in writing or by a stamp without designation of the person so endorsing.

3. That any three (3) of the following Chairperson, Secretary, Treasurer or Vice-Chairman are authorized on behalf of the Cumberland County Utilities Authority to sign checks, savings withdrawals, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of the Cumberland County Utilities Authority and to receive any thereof, and to issue instructions for the conduct of any account of the Cumberland County Utilities Authority with the Bank (b) to accept drafts, and other instruments payable at the Bank, and to Waive Demand, Protest and Notice of Protest or dishonor of any instrument made, drawn or endorsed by the Cumberland County Utilities Authority (c) to endorse, negotiate and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to the Cumberland County Utilities Authority.

4. That the Bank may honor all such checks and other instruments for the payment or delivery of money or property when signed as authorized above.

5. That the Bank as a designated depository, be, and thereby is authorized and directed to honor any oral telephonic order to transfer monies between the checking accounts and savings accounts and/or trustee accounts on behalf of the Cumberland County Utilities Authority by any person representing himself to be one of the above authorized signatures, the Director or the person designated as the Authority Officer.

6. That the foregoing Resolution shall continue in full force and effect and the Bank may rely on it until a certified copy of a subsequent Resolution of the Board of Commissioners of the Cumberland County Utilities Authority modifying or rescinding any or all such resolutions shall have been actually received by the Bank.

7. That the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolution and their actual signatures are as follows:

<u>Name</u>	<u>Title</u>	<u>Signature</u>
Nancy Sungenis	Chairperson	_____
Albert Jones	Vice Chairperson	_____
Thelma D. Scott	Secretary	_____
James Quinn	Treasurer	_____

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION APPROVING AND ADOPTING REVISIONS TO THE
CUMBERLAND COUNTY UTILITIES AUTHORITY CASH MANAGEMENT PLAN

WHEREAS, the State of New Jersey requires all governmental bodies to annually adopt a cash management plan pursuant to N.J.S.A. 40A:5-14; and

WHEREAS, the Authority desires to update its cash management plan in accordance with the requirements of N.J.S.A. 40A:5-14; and

WHEREAS, the Authority's Director and Auditor have reviewed the updated cash management plan and recommend adoption by the Commissioners of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority that

1. The updated Cash Management Plan attached to this resolution is hereby adopted and shall be in effect from January 1, 2012 and shall remain in effect until December 31, 2012.
2. That a copy of this plan be forwarded to the designated depositories contained in section IV. of the Plan.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

**RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
AUTHORIZING THE EXECUTION OF A POWER PURCHASE AGREEMENT
AND A SITE LICENSE AGREEMENT IN CONNECTION WITH THE
AUTHORITY'S RENEWABLE ENERGY PROGRAM**

WHEREAS, the Cumberland County Improvement Authority has developed a program ("Program") to provide for, among other things, the financing, design, construction, installation, operation and maintenance of solar and other renewable energy projects ("Renewable Energy Projects") to be located on certain buildings, structures and lands ("Facilities") owned by the County of Cumberland ("County") and by municipalities, boards of education and other public bodies and local government entities in the County (collectively, "Local Units"); and

WHEREAS, on August 17, 2011, the Cumberland County Improvement Authority rejected all proposals received in response to the Request for a Developer of Photovoltaic Systems with respect to Certain Local Government Facilities within the County (the "RFP") issued on June 23, 2011, because they failed to conform to the requirements of the RFP; and

WHEREAS, on August 30, 2011 the Cumberland County Improvement Authority re-issued the RFP (the "Reissued RFP"); and

WHEREAS, the proposals received in response to the Reissued RFP were rejected on October 19, 2011 because they failed to conform to the requirements of the Reissued RFP; and

WHEREAS, by Resolution adopted on October 19, 2011 the Executive Director was authorized and directed to negotiate a contract pursuant to the Local Public Contracts Law with the vendors who proposed on August 16, 2011 and on October 6, 2011, and any others who may be interested; and

WHEREAS, the Executive Director, with the assistance of the Authority's legal, technical and financial professionals (collectively the "Evaluation Team"), entered into negotiations with AM Solar Corp., SunLight General/Lend Lease; Sun Edison/RAI Services, and Tioga Energy/Pro-Tech Energy; and

WHEREAS, the Evaluation Team will be recommending an award under Option 1 of the RFP to AM Solar Corp. as the Successful Respondent at its proposed Power Purchase Agreement ("PPA") of \$0.10 kWh with an annual escalation of 2.5%; and

WHEREAS, the Local Units, including Cumberland County Utilities Authority, are in agreement with the recommendation of AM Solar Corp. as the Successful Respondent, and Cumberland County Utilities Authority desires to authorize execution of all necessary

documents, including without limitation, the PPA and the Site License Agreement, substantially in the form annexed hereto as **Exhibit A** and **Exhibit B**.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Cumberland County Utilities Authority as follows:

1. The foregoing recitals are incorporated herein as if set forth at length.

2. The Director of the Cumberland County Utilities Authority is hereby authorized and directed to, (a) upon formal action of the Cumberland County Improvement Authority to accept AM Solar Corp.'s proposal, execute the Power Purchase Agreement (PPA) at the PPA Price of \$0.10 kWH, with an annual escalation of 2.5% for a term of fifteen (15) years, and the Site License Agreement, substantially in the form attached hereto as **Exhibit A** and **Exhibit B**, and (b) take such other action, including without limitation the execution and delivery of such other certificates, instruments or other documents in connection therewith or otherwise contemplated thereby, with notice to the Cumberland County Utilities Authority, who is to be kept advised and copied as to all documents executed and status of all projects.

3. This Resolution shall take effect immediately.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 29, 2011 at 4:30 p.m. prevailing time.

DATED: December 29, 2011

EXHIBIT A

[See Attached Power Purchase Agreement]

EXHIBIT B

[See Attached Site License Agreement]

SUPPLEMENTAL BOND RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY SUPERCEDING AND REPLACING THE RESOLUTION OF THE AUTHORITY ADOPTED ON AUGUST 19, 2010, ENTITLED “SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED SEWER SYSTEM REVENUE BONDS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY” AS AMENDED, AUTHORIZING ADDITIONAL BONDS AND MAKING VARIOUS OTHER DETERMINATIONS IN RELATION THERETO.

WHEREAS, The Cumberland County Utilities Authority was originally created as The Cumberland County Sewerage Authority pursuant to the county sewerage authorities law, which constituted Chapter 123 of the Pamphlet Laws of 1946 and the acts amendatory thereof or supplemental thereto, codified as N.J.S.A. 40:36A-1 et seq., which was repealed by P.L. 1977, c. 384, Section 16, effective February 10, 1978; and

WHEREAS, The Cumberland County Sewerage Authority was reorganized as The Cumberland County Utilities Authority and continues to exist and to operate pursuant to the municipal and county utilities authorities law, N.J.S.A. 40:14B-1 et seq. (P.L. 1957 Chapter 183, effective August 22, 1957, and the act amendatory thereof and supplemental thereto (the “Act”) and pursuant to a resolution of the Board of Commissioners, which was duly filed with the Secretary of State of the State of New Jersey (The Cumberland County Sewerage Authority until its reorganization and The Cumberland County Utilities Authority after its reorganization being herein referred as to the “Authority”); and

WHEREAS, the Act provides that the Authority shall have the power to borrow money and issue its bonds and other obligations and to provide for the rights of the holders of its bonds and other obligations, as provided in the Act, for the purpose of financing the cost of any part of the sewer system (the “System”) servicing certain residents of the County of Cumberland (the “County”) and for the refunding of outstanding obligations of the Authority; and

WHEREAS, on February 7, 1977, the Authority adopted a general bond resolution entitled “Resolution Providing for the Issuance of Bonds of The Cumberland County Sewerage Authority and for the Rights of the Holders Thereof, Determining to Construct the Phase I Project of the Authority, Estimating the Cost of the Phase I Project, and Authorizing Initial Bonds to Finance the Portion of Such Estimated Cost Not Paid or Provided for from Governmental Grants for the Phase I Project” (the “General Bond Resolution” or “Senior Bond Resolution”); and

WHEREAS, Section 708 of the General Bond Resolution authorizes the issuance of subordinate debt of the Authority; and

WHEREAS, the Authority determined to issue sewer system revenue bonds (the “Subordinate Bonds”) pursuant to and in accordance with the General Bond Resolution and a

subordinate general bond resolution dated August 19, 2010 entitled "Supplemental Resolution Authorizing the Issuance of Subordinate Sewer System Revenue Bonds of The Cumberland County Utilities Authority" (the "Supplemental Resolution"), for the issuance of subordinate debt in the principal amount of not to exceed \$2,000,000 to (a) replace 3.1 miles of an existing 6 mile force main starting in the Seabrook section of Upper Deerfield Township and terminating in the Authority's treatment plant and (b) pay the costs of issuance associated with the issuance of the sewer revenue bonds (the "Initial Project"); and

WHEREAS, the Authority intended to, and has, sold the Subordinate Bonds to the State of New Jersey (the "State") and the New Jersey Environmental Infrastructure Trust (the "Trust") pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Trust Program") and the terms of the Financing Documents (as defined in the Supplemental Resolution); and

WHEREAS, after consultation with certain Authority professionals and TD Bank, National Association, as Trustee to the Authority, it has been determined that the issuance of the Subordinate Bonds as subordinate debt is problematic because (i) the existing debt of the Authority which is payable in February, March, June, August, September and December of each year and (ii) the payment requirements for the Bond Service Fund pursuant to Section 507 of the General Bond Resolution, make it extremely unlikely that sufficient revenues shall ever accumulate in the Bond Service Fund to the point where excess amounts shall be available in the General Fund sufficient to pay subordinate debt, including the Subordinate Bonds; and

WHEREAS, accordingly the Authority intends to replace the Subordinate Bonds with Bonds authorized by the General Bond Resolution as Additional Bonds (the "Bonds") as defined in Section 301 of the General Bond Resolution and upon the satisfaction of all the requirements of Article III of the General Bond Resolution for Additional Bonds, including the deposit of funds into the Bond Reserve Fund, the Bonds shall be payable from the Bond Service Fund of the General Bond Resolution in the same manner as the existing Outstanding Bonds of the Authority; and

WHEREAS, the Authority shall authorize herein the withdrawal of money from the Plant Reconstruction and Replacement Account in an amount sufficient to fund the Bond Reserve Fund created pursuant to the General Bond Resolution to the extent necessary, and to pay costs of issuance and/or any shortfall in debt service on the Bonds as necessary;

WHEREAS, the Bonds are intended to replace the Subordinate Bonds and in no way modify, change or amend the existing debt issued and owed by the Authority under the Subordinate Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND COUNTY UTILITIES AUTHORITY, as follows:

ARTICLE I

TITLE, DEFINITIONS AND INTERPRETATIONS

Section 101. Short Title. This resolution may hereinafter be cited by the Authority and is hereinafter sometimes referred to as the "2011 Supplemental Resolution".

Section 102. Definitions. Terms which are used as defined terms herein shall, unless specifically defined herein or unless the context clearly requires otherwise, have the meanings assigned to such terms in the General Bond Resolution.

"Bonds" means any of the aggregate \$1,813,785 Sewer Revenue Bonds of the Authority authorized pursuant to this 2011 Supplemental Resolution.

"Financing Documents" means the Trust Loan Agreement, the Fund Loan Agreement, as defined herein;

“Fund Loan Agreement” means that certain loan agreement, as amended, entered into by and between the Authority and the State, pursuant to the Program;

“Program” means the 2010 New Jersey Environmental Infrastructure Trust Financing Program;

"Project" means (i) the replacement of 3.1 miles of an existing 6 mile sewer force main which conveys flows from the entire public sewer service area of the Township of Upper Deerfield; the lower half of the iron force main, which starts in the Seabrook section of the Township and terminates in the Authority’s Treatment Plant, has deteriorated such that a number of emergency repairs have been required during the past few years; the proposed project will include a small installation of a new PVC replacement force main in this lower section and abandonment of the current main and (ii) the funding, in whole or in part, of a Bond Reserve Fund equal to the Bond Reserve Requirement.

“State” means the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection, pursuant to the Program;

“Trust” means the New Jersey Environmental Infrastructure Trust;

“Trust Loan Agreement” means that certain loan agreement, as amended, entered into by and between the Authority and the Trust, pursuant to the Program;

“Trustee” means TD Bank, National Association as set forth in this 2011 Supplemental Resolution.

Section 103. Incorporation of General Bond Resolution. This 2011 Supplemental Resolution supplements and amends the General Bond Resolution and supersedes and replaces. the resolution of the Authority adopted on August 19, 2010, entitled “Supplemental Resolution Authorizing the Issuance of Subordinated Sewer System Revenue Bonds of the Cumberland County Utilities Authority” to the extent necessary to replace the existing Subordinate Bonds with the Bonds as defined herein. The General Bond Resolution is incorporated herein by reference thereto.

Section 104. Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in this 2011 Supplemental Resolution, on the part of the Authority, the Trust, the State, or the Trustee, to be performed should be contrary to law, then such covenant or covenants, agreement or agreements, shall be deemed separable from the remaining covenants and agreements and shall in no way affect the validity of the other provisions of the 2011 Supplemental Resolution or of any Bond.

ARTICLE II

AUTHORIZATION OF THE BONDS AS ADDITIONAL BONDS

Section 201. Authority for 2011 Supplemental Resolution. This 2011 Supplemental Resolution is adopted pursuant to the Act and Section 801(7) the General Bond Resolution and the Authority has ascertained and hereby determines that each and every act, matter, thing or course of conduct as to which provision is made in this 2011 Supplemental Resolution, is appropriate in order to carry out and effectuate the purposes of the Authority in accordance with the Act and the General Bond Resolution to replace the Subordinate Bonds with the Bonds upon the same terms and condition as currently applicable to the Subordinate Bonds, and to secure the payment of the principal of and interest for the financing of the Project by replacing the Subordinate Bonds with the Bonds.

Section 202. Bonds to Constitute Additional Bonds. The Bonds shall constitute Additional Bonds as such term is defined in the General Bond Resolution and shall be authenticated and delivered in accordance with Article III of the General Bond Resolution. Additional Bonds are hereby authorized pursuant to Section 301(2) of the General Bond

Resolution in an amount not to exceed \$1,813,785 or in an amount equal to the outstanding Subordinate Bonds, upon compliance with the provisions hereof and the General Bond Resolution. Such Additional Bonds shall be issued to the State and the Trust respectively.

Section 203. Estimated Cost of Project. The Authority hereby determines that the aggregate estimated Cost (as defined in the Act) of the Project shall not exceed \$1,813,785 which is the par amount of the Subordinate Bonds.

Section 204. Determinations of the Authority Made with Respect to the Bonds.

(a) This is a Supplemental Resolution for the purpose of replacing the Subordinate Bonds with the Bonds upon the same terms and condition as currently applicable to the Subordinate Bonds and authorizing the Bonds as Additional Bonds pursuant to Section 302 of the General Bond Resolution.

(b) The Additional Bonds authorized herein are being authorized to replace the Subordinate Bonds with the Bonds and to provide continuous and uninterrupted funding for the Project.

(c) The principal amount of the Bonds authorized herein shall not exceed \$1,813,785 which is the par amount of the Subordinate Bonds.

(d) The maturities and rate or rates of interest to be borne by the Bonds shall be as set forth in Exhibit A and Exhibit B hereto which is the existing maturity schedule for the Subordinate Bonds.

Section 205. No Recourse on the Bonds. No recourse shall be had for the payment of the principal of or the interest on the Bonds or for any claim based thereon or on this 2011 Supplemental Resolution or the General Bond Resolution against any member or other officer of the Authority or any person executing the Bonds. The Bonds are not and shall not be in any way a debt or liability of the State of New Jersey or of any county or municipality and do not and shall not create or constitute any indebtedness, liability or obligation of said State or of any county or municipality, either legal, moral or otherwise.

Section 206. Execution of Bonds. The Chairman or Vice Chairperson of the Authority is hereby authorized to execute by the manual or facsimile signature the Bonds in the name and on behalf of the Authority attested by the manual or facsimile signature of its Secretary or Assistant Secretary, and following such execution and attestation, such bonds shall be delivered to the Trustee for authentication, and the Trustee is hereby authorized to authenticate such Bonds upon the fulfillment of the conditions set forth in Sections 304, 420 and 805 of the General Bond Resolution.

Section 207. Ratification of Trustee. In accordance with the provisions of the General Bond Resolution, the appointment of TD Bank, National Association is hereby ratified as trustee of the Bonds and shall accept the carry out its obligations as such, including but not limited to, authentication of the Bonds.

Section 208. Prior Action. All action which has been taken prior to the date hereof by the officers, employees, and agents of the Authority with respect to the sale of the Bonds, is hereby approved, ratified, adopted and confirmed to the extent not inconsistent with this resolution.

Section 209. Additional Acts. The Chairman and any other officer of the Authority, and the Executive Director, staff and consultants of the Authority are hereby authorized and directed to effectuate the terms of this 2011 Supplemental Resolution in connection with the authorization and delivery of the Bonds.

ARTICLE III

ISSUANCE OF THE BONDS

Section 301. Authorization and Purpose of the Bonds. The Bonds of the Authority in the principal amount of not to exceed \$1,813,785 are hereby authorized to be issued for the purpose of replacing the Subordinate Bonds with the Bonds upon the same terms and condition as currently applicable to the Subordinate Bonds.

Section 302. Description of Bonds.

(A) Term. The Bonds shall be two (2) in number and authorized to the State and the Trust, respectively, with interest rates fixed to maturity, shall be dated, numbered R-1 and R-2, shall bear interest at the rate or rates, and shall mature over a term not exceeding August 1, 2030, and be payable on February 1 and August 1 in the years and in the amounts as provided for in Exhibits A and B hereto.

(B) Delegation to Issue Bonds. An Authorized Officer (as hereinafter defined) of the Authority is hereby designated as the individual who shall have the power to authorize the Bonds for the purpose of replacing the Subordinate Bonds (of the same or different series) on behalf of the Authority, to the State and Trust pursuant to the Program. The Financing Documents and the Certificate, to the extent one is required, shall be presented by the Executive Director to the Board of Commissioners of the Authority at the next regular meeting of the Authority following the replacement of the Subordinate Bonds as evidence of the replacement of the Subordinate Bonds with the Bonds.

(C) Execution of the Financing Documents. The Financing Documents are hereby authorized to be executed and delivered in connection with the Program, as necessary. Such Financing Documents may be executed and delivered on behalf of the Authority by either its Chairman, Executive Director or Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Authority (collectively, the "Authority Consultants"), and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", together with the Authority Consultants, the "Consultants") shall determine, with such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Secretary or Assistant Secretary of the Authority is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Authority as determined hereunder, and to affix the corporate seal of the Authority to such Financing Documents.

(D) Form of Bonds. The Bonds shall be in substantially the form described and contained in the General Bond Resolution, with only such changes as are necessary to comply with the Financing Documents and the Program.

(E) Further Authorizations. The Authorized Officers of the Authority are hereby further severally authorized to (i) execute and deliver, and the Secretary or Assistant Secretary of the Authority is hereby further authorized to attest to such execution and to affix the corporate seal of the Authority to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers, the Secretary or Assistant Secretary of the Authority, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transaction contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution thereof.

ARTICLE IV

MISCELLANEOUS

Section 401. Covenant of Authority as to Compliance with Federal Tax Matters. The Authority hereby covenants that it will take all actions within its control that are necessary to assure that interest on the Bonds, and any Additional Bonds is excludable from gross income under the Code and the Authority will refrain from taking any action that would adversely affect the exclusion of interest on the Bonds and any Additional Bonds from gross income under the provisions of the Code.

Section 402. Amendment of Supplemental Resolution. This Supplemental Resolution may be amended or supplemented only in accordance with the terms and the conditions set forth in Article VIII of the General Bond Resolution.

Section 403. Additional Bonds. The is 2011 Supplemental Resolution as defined herein, is hereby deemed to be a supplemental resolution for the issuance of Additional Bonds as defined in Section 301 of the General Bond Resolution, the Bonds, as defined herein, shall be characterized as Additional Bonds pursuant to Article III of the General Bond Resolution, and the requirements of Article III for Additional Bonds shall apply and be satisfied as they shall relate to the Bonds described herein.

Section 404. Purpose and Application. The Bonds shall be for the purpose described in the recitals hereto, and shall be in the amounts, maturities and rates as set forth in the attached Exhibit A and Exhibit B; the Bonds are intended to replace the Subordinate Bonds and shall in no way modify, change or amend the existing debt issued and owed by the Authority under the Subordinate Bonds.

Section 405. Bond Reserve Fund. The Authority authorizes the withdrawal of money from the Plant Reconstruction and Replacement Account in an amount sufficient to fund Bond Reserve Fund to the extent necessary and to pay any costs of issuance and/or shortfall in debt service on the Subordinate Bonds or Bonds as necessary; such monies shall be paid back to the Plant Reconstruction and Replacement Account as expeditiously as possible from the available monies of the Authority.

Section 406. Future Amendments to Authority's Flow of Funds. The Authority is adopting this 2011 Supplemental Resolution in part because the Authority has determined that the issuance of subordinate debt is problematic because (i) the existing debt of the Authority which is payable in February, March, June, August, September and December of each year and (ii) the payment requirements for the Bond Service Fund pursuant to Section 507 of the General Bond Resolution, make it extremely unlikely that sufficient revenues shall ever accumulate in the Bond Service Fund to the point where excess amounts shall be available in the General Fund sufficient to pay subordinate debt; the Authority intends to amend the flow of funds under the General Bond Resolution, including an amendment to the funding requirement of the Bond Service Fund to provide for a more regular flow of funds throughout the existing funds of the Authority created under the General Bond Resolution, and the holders of the Bonds herein shall be deemed to have consented to any such change to the Authority's flow of funds as long as provision is made by the Authority to fund the Bond Service Fund in the amounts necessary to insure payment of the Bonds herein.

Section 407. Effective Date. This 2010 Supplemental Resolution shall take effect immediately and the Secretary of the Authority is hereby directed to publish a notice of adoption as provided in the Act.

CERTIFICATE

I, the undersigned Secretary of The Cumberland County Utilities Authority, a body corporate and politic of the State of New Jersey, HEREBY CERTIFY that the foregoing resolution entitled "SUPPLEMENTAL BOND RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUHTORITY SUPERCEDING AND REPLACING THE RESOLUTON OF THE AUTHORITY ADOPTED ON AUGUST 19, 2010, ENTITLED "SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED SEWER SYSTEM REVENUE BONDS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY" AS AMENDED, AUTHORIZING ADDITIONAL BONDS AND MAKING VARIOUS OTHER DETERMINATIONS IN RELATION THERETO" is a true copy of an original resolution which was duly adopted by said Authority at a meeting which was duly called and held on December 15, 2011, and at which a quorum was present and acted throughout, and that said copy has been compared by me with the original resolution recorded in the records of the Authority and that it is a correct transcript thereof and of the whole of said resolution, and that said original resolution has not been altered, amended or repealed but is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2011.

THE CUMBERLAND COUNTY UTILITIES AUTHORITY

BY: _____
Thelma D. Scott, Secretary

NOTICE

PUBLIC NOTICE is hereby given that the following resolution entitled:

SUPPLEMENTAL BOND RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY SUPERCEDING AND REPLACING THE RESOLUTION OF THE AUTHORITY ADOPTED ON AUGUST 19, 2010, ENTITLED "SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED SEWER SYSTEM REVENUE BONDS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY" AS AMENDED, AUTHORIZING ADDITIONAL BONDS AND MAKING VARIOUS OTHER DETERMINATIONS IN RELATION THERETO.

was adopted by the Cumberland County Utilities Authority on December 15, 2011; that copies of such resolution have been filed with and are available for public inspection in the office of the Authority; and that any action or proceeding of any kind or nature in any court questioning the validity of the creation and establishment of the Authority, or the validity or proper authorization of bonds provided for by such resolution, or the validity of any covenants, agreements or contracts provided for by such resolution must be commenced within twenty (20) days after the first publication of this Notice.

THIS NOTICE is published pursuant to the Municipal and County Utilities Authorities Law (N.J.S.A. 40:14B-28), constituting Chapter 183 of the Pamphlet Laws of 1957, of the State of New Jersey, as amended and supplemented and in accordance with the General Bond Resolution of the Authority.

The date of first publication of this Notice is _____, 2011.

Published by the Order of the Cumberland County Utilities Authority

DATED: _____, 2011

RESOLUTION APPOINTING PATTI L. McALLISTER AS THE CUMBERLAND
COUNTY UTILITIES AUTHORITY'S COMPLIANCE OFFICER

WHEREAS, New Jersey Public Law 1975, Chapter 127 (Affirmative Action Regulations), was signed into law on June 23, 1975; and

WHEREAS, said Affirmative Action Regulations provided for the appointment of a Public Agency Compliance Officer (P.A.C.O.) who shall maintain liaison with and assist the State Treasurer in the implementation of said Affirmative Action Regulations.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That Patti L. McAllister, Administrative Assistant of the Cumberland County Utilities Authority, be and is hereby appointed the Cumberland County Utilities Authority's Compliance Officer (P.A.C.O.) in accordance with New Jersey Public Law 1975, c. 127 (Affirmative Action Regulations).
2. That said Compliance Officer shall maintain liaison with, and assist, the State Treasurer in the implementation of said Affirmative Action Regulations. That said Compliance Officer shall perform the duties and exercise the powers as provided in New Jersey Public Law 1975, c. 127.
3. Said Compliance Officer shall serve until a successor is appointed.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION DESIGNATING OFFICIAL BANKS FOR DEPOSITORY
AND TRANSACTION OF CUMBERLAND COUNTY UTILITIES
AUTHORITY BANKING BUSINESS

WHEREAS, pursuant to the provisions of the New Jersey Utilities Authority Law P.L. 1977, Chapter 384 (N.J.S.A. 40:14B-1 et seq.), the Cumberland County Utilities Authority designates official banks for the transaction of its banking business.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That any bank organized under the laws of the State of New Jersey, or organized under the laws of the United States, and having its place of business in the State of New Jersey, be and are hereby designated as official banks for the depository of the Cumberland County Utilities Authority funds and the transaction of banking business with the Cumberland County Utilities Authority.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION DESIGNATING OFFICIAL BANKS FOR DEPOSITORY
AND TRANSACTION OF CUMBERLAND COUNTY UTILITIES
AUTHORITY BANKING BUSINESS

WHEREAS, pursuant to the provisions of the New Jersey Utilities Authority Law P.L. 1977, Chapter 384 (N.J.S.A. 40:14B-1 et seq.), the Cumberland County Utilities Authority designates official banks for the transaction of its banking business.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That any bank organized under the laws of the State of New Jersey, or organized under the laws of the United States, and having its place of business in the State of New Jersey, be and are hereby designated as official banks for the depository of the Cumberland County Utilities Authority funds and the transaction of banking business with the Cumberland County Utilities Authority.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION APPOINTING ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.
AS CONSULTING ENGINEERS OF THE
CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, N.J.S.A. 40:14B-18 authorizes the Authority to appoint and employ such agents and employees as it may require; and

WHEREAS, there exists a need for engineering services, and funds are available for this purpose; and

WHEREAS, the Authority solicited sealed Requests for Qualifications (RFQ) through a fair and open process in accordance with NJSA 19:44A-20.4 et. seq. which the Director and General Counsel reviewed and made their recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the Chairperson and Secretary of the Cumberland County Utilities Authority are hereby authorized and directed to execute an agreement with Adams, Rehmann & Heggan Associates, Inc., 850 South White Horse Pike, P.O. Box 579, Hammonton, New Jersey 08037-2019, for engineering services to act as the Consulting Engineer for the term of one year, commencing the first day of January 2012 and expiring on the thirty-first day of December 2012.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

A RESOLUTION APPROVING AMENDMENTS TO EXHIBIT B,
USER RATE STRUCTURE OF THE SEWER
USE RULES AND REGULATIONS

WHEREAS, P.L. 1977, Chapter 384 (N.J.S.A. 40:14B-1et seq.) and Article V, Section 502 of its Service Agreements permit the Cumberland County Utilities Authority to amend its Sewer Use Rules and Regulations; and

WHEREAS, N.J.S.A. 40:14B-22 permits the Cumberland County Utilities Authority to charge its Customers pursuant to their Service Agreement; and

WHEREAS, amendments to Exhibit B, User Rate Structure of the Sewer Use Rules and Regulations are needed; and

WHEREAS, a public meeting was held December 15, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the CCUA Commissioners do approve the amended Sewer Use Rules and Regulations set forth in **Exhibit B** which is attached hereto and made a part hereof.
2. That the Sewer Use Rules and Regulations set forth in **Exhibit B, User Rate Structure** as amended shall become effective January 1, 2012.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION APPOINTING ROBERT J. O'DONNELL, ESQUIRE AS
GENERAL COUNSEL FOR THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, N.J.S.A. 40:14B-18 authorizes the Authority to appoint and employ such agents and employees as it may require; and

WHEREAS, there exists a need for legal services and funds are available for this purpose; and

WHEREAS, the Authority solicited sealed Requests for Qualifications (RFQ) through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et. seq. which the Director reviewed and recommended.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the Chairperson and Secretary of the Cumberland County Utilities Authority are hereby authorized and directed to execute an agreement with Robert J. O'Donnell, Esquire, for legal services to act as General Counsel for the Cumberland County Utilities Authority for the term of one year, commencing the first day of January 2012 and expiring on the thirty-first day of December 2012, or until a successor is appointed.

Passed and adopted at a special meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:00 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION TO ENTER INTO A CONTRACT WITH
PTP CONSULTING, INC. FOR PROFESSIONAL SERVICES RELATED
TO HEALTH AND SAFETY PROGRAM, TRAINING AND INSPECTION

WHEREAS, there exists a need for an Occupational Safety Program for the employees of the Cumberland County Utilities Authority and funds are available for this purpose; and

WHEREAS, PTP Consulting, Inc., is licensed and certified through the N.J. Department of Labor in a field of study requiring specialized instruction in a prolonged form and course with certification by examination and has experience in providing an Occupational Safety Program; and

WHEREAS, due to the amount of the contract, there is no need to request bids.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows that the Chairman and Secretary of the Cumberland County Utilities Authority are hereby authorized and directed to enter into an agreement with PTP Consulting, Inc, 1531 Kings Highway, Swedesboro, NJ 08085, for conducting an occupational safety program for the year 2012, for the employees of the Cumberland County Utilities Authority.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION APPOINTING ROSE RELATIONS PUBLIC INFORMATION
CONSULTANTS TO THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, the Cumberland County Utilities Authority has a need for a Public Information Consultant; and

WHEREAS, Rose Relations has experience in providing Public Relations to the Cumberland County Utilities Authority which services have been provided professionally and confidentially and has met the needs of the Authority; and

WHEREAS, due to the amount of the contract, there is no need to request bids; and

WHEREAS, funds are available for this purpose; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority that the Chairman and Secretary of the Cumberland County Utilities Authority are hereby authorized and directed to enter into an agreement with Rose Relations, P.O. Box 472, Bridgeton, New Jersey, for public relations services, to act as Public Information Consultants for the year 2012.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

Note: Request for Quotes is okay as long as amount is under bid threshold

A RESOLUTION APPROVING SPECIFICATIONS
AND AUTHORIZING ADVERTISEMENT FOR REQUEST FOR PROPOSALS (RFP)
THE POSITION OF RISK MANAGEMENT CONSULTANT

WHEREAS, the bylaws of the New Jersey Utility Authorities Joint Insurance Fund allow that each Authority appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the Cumberland County Utilities Authority, having approved Resolution #2065, dated July 20, 2006, the use of a fair and open process whenever possible for all contracts and services in accordance with N.J.S.A. 19:44A-20.5, et. seq; and

WHEREAS, the Authority's Director and Insurance Committee, with the assistance of General Counsel have prepared and submitted, at this meeting, certain Specifications for a Request for Proposal (RFP) for the position of Risk Management Consultant; and

WHEREAS, the Commissioners of the Cumberland County Utilities Authority approve said Specifications.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the aforesaid Specifications referred to in the preamble of this Resolution, prepared and submitted by the Director, Insurance Committee and General Counsel be and the same are hereby approved.
2. That this Authority advertise for and accept RFP's for the position of Risk Management Consultant, as set forth in said Specifications, at the earliest possible date.
3. That the Secretary of this Authority prepare all necessary advertising for bids in a form satisfactory to the approval by the General Counsel of this Authority.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 21, 2010 at 4:30 p.m. prevailing time.

DATED: January 21, 2010

A RESOLUTION APPOINTING THE HARDENBERGH INSURANCE GROUP AS
RISK MANAGEMENT CONSULTANTS

WHEREAS, the Cumberland County Utilities Authority has a need for a Risk Management Consultant as required by the New Jersey Utility Authorities Joint Insurance Fund bylaws; and

WHEREAS, the Hardenbergh Insurance Group has experience in providing and performing the various professional services as detailed in the bylaws; and

WHEREAS, due to the amount of the contract, there is no need to request bids; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Cumberland County Utilities Authority hereby appoint Hardenbergh Insurance Group, P.O. Box 1000, Voorhees, New Jersey 08043 as its Risk Management Consultant in accordance with the Fund's bylaws, for the year 2012, at a fee equal to five percent (5%) of the Authority's assessment; and

BE IT FURTHER resolved by the Commissioners of the Cumberland County Utilities Authority that the Chairperson and Secretary of the Cumberland County Utilities Authority are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1)(a)(i).

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

A RESOLUTION AUTHORIZING TO WITHDRAW A PORTION OF THE
PLANT RECONSTRUCTION OR REPLACEMENT FUNDS FOR CAPITAL PROJECTS

WHEREAS, the Cumberland County Utilities Authority adopted Resolution #563, establishing a Reconstruction or Replacement Account to comply with the regulatory requirements established by the New Jersey Department of Community Affairs, on January 16, 1986; and

WHEREAS, on October 15, 2009, the Authority adopted Resolution #2285 to approve using funds from the Reconstruction or Replacement Account for capital projects in the amount of \$400,000 for Emergency Repairs of the Upper Deerfield Force Main; and

WHEREAS, on December 16, 2010, the Authority adopted Resolution #2368 to approve transferring unused funds from the Plant Reconstruction or Replacement Account for the purchase of Dewatering Centrifuge equipment; and

WHEREAS, the Director and the Budget and Finance Committee of the Cumberland County Utilities Authority have determined there to be an unused portion of funds from the Dewatering Centrifuge in the amount of \$100,000; and

WHEREAS, the Director, Facilities Expansion Committee and the Budget and Finance Committee of the Cumberland County Utilities Authority have determined that certain capital expenditures are necessary including the cleaning of the Digester; and

WHEREAS, the Director and the Budget and Finance Committee of the Cumberland County Utilities Authority desire to use the remaining unused funds from the Dewatering Centrifuge equipment and an additional \$200,000 from the Reconstruction or Replacement Account to clean the Digester, for an amount, not to exceed \$300,000, as approved in the Cumberland County Utilities Authority 2012 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the Cumberland County Utilities Authority Commissioners do authorize transferring funds in the amount of "not to exceed" \$300,000 from the Plant Reconstruction or Replacement Account for the cleaning of the Digester as approved in the Cumberland County Utilities Authority 2012 Annual Budget.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

A RESOLUTION AUTHORIZING THE TRUSTEE TO TRANSFER EXCESS
FUNDS IN THE RENEWAL AND REPLACEMENT FUND IN ACCORDANCE
WITH THE REQUIREMENT OF THE GENERAL BOND RESOLUTION

WHEREAS, the Renewal and Replacement Fund was established by the Cumberland County Utilities Authority as required by the General Bond Resolution; and

WHEREAS, Section 511(c) of the General Bond Resolution outlines the procedure to withdraw and transfer excess funds from the Renewal and Replacement Fund; and

WHEREAS, the Engineer has certified that a balance of \$600,000 is sufficient for 2012 to cover the cost of required replacements, renewals, major repairs or maintenance items of a type not recurring annually; and

WHEREAS, the Renewal and Replacement Fund currently has and will continue to accumulate amounts in excess of \$600,000.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the Trustee is to transfer all amounts in excess of \$600,000 at the direction of the Authority Officer.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011

RESOLUTION APPOINTING JAMES F. QUINN AS TREASURER
OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, N.J.S.A. 40:14B-18 authorizes the Authority to appoint and employ such agents and employees as it may require; and

WHEREAS, the Commissioners of the Cumberland County Utilities Authority determine it necessary and proper to appoint a Treasurer.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That James F. Quinn be appointed as Treasurer of the Cumberland County Utilities Authority for a term of five years, to expire on the 31st day of December, 2016 or until his respective successor shall have been appointed and qualified.
2. That James F. Quinn is authorized on behalf of the Cumberland County Utilities Authority to sign checks and direct transfers of monies between Cumberland County Utilities Authority accounts.
3. Be it further resolved that the duties and compensation of the Treasurer may, from time to time, be determined and fixed by the Commissioners of the Cumberland County Utilities Authority.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, December 15, 2011 at 4:30 p.m. prevailing time.

DATED: December 15, 2011