

RESOLUTION NO. 85-2011

RESOLUTION OF THE PLAINFIELD MUNICIPAL
UTILITIES AUTHORITY APPROVING A SETTLEMENT WITH THE
MORRIS COUNTY OFFICE OF HEALTH MANAGEMENT AND
AUTHORIZING EXECUTION OF THE PROPOSED
STIPULATION OF SETTLEMENT

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

WHEREAS, the Morris County Office of Health Management (the "MCOHM") issued a Notice of Violation ("NOV") to the Authority on June 14, 2011 regarding the condition of one of the Authority's solid waste containers and a second NOV also on that same date, for conducting certain solid waste collection/disposal services in Morris County without the proper authorization; and

WHEREAS, a settlement meeting was held between the Authority and the MCOHM to discuss the circumstances surrounding the issuance of the NOV's; and

WHEREAS, in light of the fact, among others, that the incidents cited involved a single isolated event and that corrective actions were initiated by the Authority administration, it was agreed by the Parties, that it was in the best interests of all, to enter into a Stipulation of Settlement to resolve the matter; and

WHEREAS, as part of the Settlement, no penalty will be assessed against the Authority, but the Authority will be required to pay the administrative/legal costs incurred by the MCOHM in the matter, which total \$624, in full settlement of all claims; and

WHEREAS, as set forth in the Certification of Funds from the Authority's Chief Financial Officer, adequate funds are available to pay the cost of this Settlement.

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

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

2. The Authority hereby approves the proposed settlement with the Morris County Office of Health Management and authorizes the Executive Director to execute the proposed Stipulation of Settlement provided by the County Office, and to pay their administrative/legal costs involved in the amount of \$624.

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

4. This Resolution shall take effect immediately.

RECORDED VOTE:

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

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, November 8, 2011.



CAROL ANN BROKAW, SECRETARY

CERTIFICATION OF FUNDS
BY
CHIEF FINANCIAL OFFICER

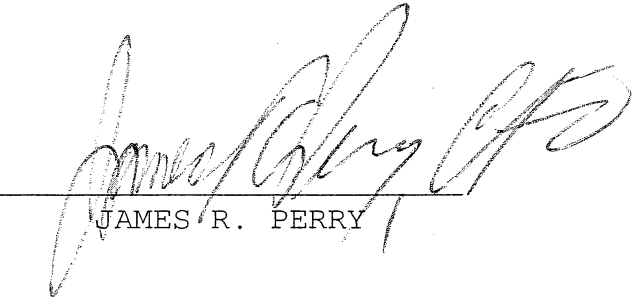
JAMES R. PERRY, of full age, hereby certifies as follows:

1. I am the Chief Financial Officer of the Plainfield Municipal Utilities Authority (the "Authority") and am charged with the responsibility of maintaining the financial records of the Authority.

2. I have determined that sufficient funds are available in the current Account of the Authority to pay the cost of this Settlement under Resolution No. 85-2011.

3. The cost for this will be properly charged to the appropriate Account in accordance with this Resolution.

4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



JAMES R. PERRY

DATED: November 8, 2011