

OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY

RESOLUTION

A RESOLUTION AUTHORIZING THE OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY (OBMUA) TO FILE A PETITION OF INTERVENTION IN THE MATTER OF THE MIDDLESEX WATER COMPANY'S 2023 APPLICATION FOR APPROVAL OF AN INCREASE IN ITS RATES FOR WATER SERVICE AND OTHER TARIFF CHARGES (BPU DOCKET NO. WR2305)

WHEREAS, the Middlesex Water Company (MWC) supplies the Old Bridge Municipal Utilities Authority (OBMUA) with approximately 40% of its required water supply; and

WHEREAS, on May 20, 2021, MWC filed a petition with the New Jersey Board of Public Utilities (NJBPU) requesting a significant rate increase for the OBMUA; and

WHEREAS, the OBMUA intervened in that case in partnership with the Marlboro Township Water Utility Division (MTWUD), and the NJBPU ultimately granted a significant rate increase beginning in 2022; and

WHEREAS, in a matter that is still ongoing (BPU Docket No. WR2203), on March 15, 2022 MWC filed another petition with the NJBPU requesting approval to raise an additional \$3,725,535.00 with a significant amount of that increase to be absorbed by the OBMUA; and

WHEREAS, on May 15, 2023, MWC filed yet another petition with the NJBPU requesting an effective rate increase of approximately 36.5% for the OBMUA; and

WHEREAS, if granted, this additional request will add a further financial burden on OBMUA customers who are already bearing the cost of the significant past increases granted to MWC by the NJBPU in 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Old Bridge Municipal Utilities Authority that the Authority and Rate Counsel is hereby authorized to petition the NJBPU for permission to intervene in Docket No. WR2305:

BE IT FURTHER RESOLVED this resolution ratifies action taken by the

Authority on June 21, 2023;



Mark Razzoli, Secretary

JAMES BLAIR ASST. SECRETARY

Motion by: Anita Greenberg

Second by: Edward Casserly

Ayes: Greenberg, Blair, Casserly, Walker

Nays: None

Absent: Razzoli, Weber, Galante

Dated: June 21, 2023

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RESOLUTION

A RESOLUTION OF THE OLD BRIDGE MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE AUTHORITY TO ENTER INTO A SHARED SERVICES
AGREEMENT WITH THE TOWNSHIP OF MARLBORO,
TO PROVIDE PROFESSIONAL LEGAL AND EXPERT UTILITY RATE
SERVICES IN THE MATTER OF MIDDLESEX WATER COMPANY'S RATE
INCREASE PETITION TO THE NEW JERSEY BOARD OF PUBLIC UTILITIES
DATED MAY 15, 2023
(BPU Docket No. WR2305)

WHEREAS, on May 20, 2021, Middlesex Water Company ("MWC") filed a petition with the New Jersey Board of Public Utilities ("NJBP") requesting a substantial effective rate increase to the Old Bridge Municipal Utilities Authority ("OBMUA"); and

WHEREAS, the Township of Marlboro ("Township") intervened in the case in partnership with the Old Bridge Municipal Utilities Authority ("OBMUA") (hereinafter collectively referred to as the "Parties"), and the NJBP ultimately granted a substantial increase to both Parties beginning in 2022; and

WHEREAS, in a matter that is still ongoing, on March 15, 2022, MWC filed yet another petition with the NJBP requesting approval for significant increases to both the OBMUA and the Township; and

WHEREAS, on May 15, 2023 MWC filed another petition with the NJBP requesting an effective rate increase of approximately 36.5% for the OBMUA (BPU Docket No. WR2305); and

WHEREAS, if granted, this additional request will add a further financial burden on OBMUA customers who are already bearing the cost of the significant increase granted to MWC by the NJBP in 2021; and

WHEREAS, the OBMUA is a contract purchaser of water from the MWC and also desires to intervene in the matter of the MWC rate increase petition; and

WHEREAS, the OBMUA and Township are in need of professional services and/or legal and expert utility rate analysis in support of its intervention in the matter of MWC Rate Increase Petition dated May 15, 2023; and

WHEREAS, the OBMUA has entered into agreements for the requisite professional services pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11, et seq.); and

WHEREAS, The OBMUA and the Township wish to enter into a Shared Services Agreement for professional services for legal and expert utility rate analysis, representation, and testimony in support of their intervention; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act") permits, authorizes and encourages units of local government to share services for particular purposes and to effectuate agreements for any services or circumstances that will aid and encourage a reduction of local expenses; and

WHEREAS, the OBMUA and Township are public bodies corporate and political in the State of New Jersey and are authorized under New Jersey Law to enter into a Shared Services Agreement pursuant to the Act; and

WHEREAS, the OBMUA and the Township have negotiated the terms of a Shared Services Agreement, included as EXHIBIT A and incorporated into this Resolution; and


WHEREAS, it is in the best economic interest of the OBMUA rate payees and the Township residents to enter into this Shared Services Agreement; and

WHEREAS, the above parties desire to enter into a Shared Services Agreement ("Agreement") pursuant to the Act for the provision of Professional Services for legal and expert utility rate analysis services pursuant to the terms and conditions provided herein.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Commissioners of the OBMUA:

1. The above recitals are hereby incorporated into the body of this Resolution as if set forth at length herein.
2. The OBMUA Board of Commissioners hereby approves the Shared Services Agreement with the Township for professional legal and expert utility rate analysis services, in the form attached hereto as EXHIBIT A.
3. The OBMUA Board of Commissioners hereby authorizes the Authority's Executive Director to execute the Agreement with the Township in the form so approved.
4. The Agreement shall be open to public inspection in the administrative offices of the OBMUA and shall take effect upon the adoption of this resolution and execution of the Agreement by both parties.
5. A copy of the Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

BE IT FURTHER RESOLVED this resolution ratifies action taken by the Authority on June 21, 2023;


Mark Razzoli, Secretary

JAMES BLAIR ASST. SECRETARY

Motion by: Anita Greenberg
Second by: Edward Casserly
Ayes: Greenberg, Blair, Casserly, Walker
Nays: None
Absent: Razzoli, Weber, Galante
Dated: June 21, 2023
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