



UNION COUNTY UTILITIES AUTHORITY

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RESOLUTION NO.: 35-2014

DATED: March 26, 2014

RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY PERTAINING TO STIPEND PAYMENTS MADE TO AUTHORITY EMPLOYEES.

APPROVED AS TO FORM:
Lisa M. da Silva
Deputy Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS
 YES NO NONE REQUIRED
UNION COUNTY UTILITIES AUTHORITY

By: Lisa M. da Silva

By: [Signature]

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Badri</i>	X		X				
<i>Eastman</i>	X		X				
<i>Jackus</i>	X		X				
<i>Kahn</i>	X		X				
<i>Kennedy, Secretary</i>	X		X			X	
<i>Kulish</i>	X		X				X
<i>People, Treasurer</i>		X					
<i>Erdos, Vice Chairwoman</i>		X					
<i>Huff, Chairman</i>	X		X				
<i>Bonanno, Alternate</i>	X		X				
<i>Lombardo, Alternate</i>	X		X				

RESOLUTION NO.: R-35-2014

DATED: March 26, 2014

**RESOLUTION OF THE UNION COUNTY UTILITIES AUTHORITY
PERTAINING TO STIPEND PAYMENTS MADE TO AUTHORITY
EMPLOYEES.**

WHEREAS, the Union County Improvement Authority (the "UCIA") has been created by a resolution of the Board of Chosen Freeholders of the County of Union, New Jersey, as a public body corporate and politic of the State of New Jersey, pursuant to and in accordance with the County Improvement Authorities Law, N.J.S.A. 40:37A-44 *et seq.* and the acts amendatory thereof and supplemental thereto; and

WHEREAS, the Union County Utilities Authority (the "Authority") has been created by a resolution of the Board of Chosen Freeholders of the County of Union, New Jersey as a public body corporate and politic of the State of New Jersey, pursuant to and in accordance with County Utilities Authorities Law, N.J.S.A. 40:14B-1 *et seq.* and the acts amendatory thereof and supplemental thereto; and

WHEREAS, as set forth in Resolution R-24-2014, the Authority authorized, and entered into, a professional services contract ("Contract") with Saiber LLC (hereinafter the "Firm"), to provide fact-finding and related services to the Authority in connection with payments which were made to certain Authority employees; and

WHEREAS, subsequent to the execution of the Contract between the parties and commencement of the services thereunder, it was discovered that Saiber LLC represents the debtor in a matter in the Federal District of New Jersey's Bankruptcy Court in which the Authority is one of multiple creditors; and

WHEREAS, although Saiber has provided the Authority with a letter in which Saiber concludes that there is no actual or potential conflict of interest arising out of the above described bankruptcy proceedings, which proceedings are unrelated to the subject fact-finding inquiry, the Authority nevertheless believes it is in its best interest for Saiber to cease performance of its services in an abundance of caution to avoid any question as to the independence of the fact-finding inquiry performed to date; and

WHEREAS, the firm has agreed to withdraw as the Authority's fact-finder and to cease the provision of such services under the Contract; and

WHEREAS, the Authority's PPI committee has reviewed the issues surrounding this matter and recommends that the Authority accept the Firm's withdrawal as the fact-finder, and further recommends that the Authority promptly procure a new firm to carry out to completion the fact-finding and related services initiated by Saiber LLC;

NOW THEREFORE BE IT RESOLVED by the Union County Utilities Authority as follows:

1. The Authority accepts Saiber LLC's withdrawal as the Authority's fact-finder in the above matter, directs that no further services be provided by the Firm in that regard, and directs that the Authority proceed in accordance with the terms of the parties' professional services contract, as amended, in tendering final payment thereunder.
2. The Authority shall promptly issue a Request for Qualifications as part of a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. for professional fact-finding and related services in connection with the above matter.
3. This Resolution shall take effect immediately.