

R-20-2011

**BOND RESOLUTION OF THE BOROUGH OF BUENA
MUNICIPAL UTILITIES AUTHORITY DETERMINING TO
UNDERTAKE THE 2011 CAPITAL IMPROVEMENT
PROGRAM, DETERMINING THE ESTIMATED COST
THEREOF AND DETERMINING TO ISSUE BONDS AND
PROJECT NOTES TO FINANCE A PORTION OF THE COST
THEREOF**

WHEREAS, The Borough of Buena Municipal Utilities Authority (the "Authority") has determined to undertake the 2011 capital improvement program consisting of the improvements described in Exhibit 1 attached hereto in an amount not to exceed \$4,754,000 (the "Project"); and

WHEREAS, the Authority has determined to finance a portion of the Project through the issuance of bonds or project notes; now therefore,

BE IT RESOLVED BY THE BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY as follows:

Section 1. The Authority hereby determines to undertake the Project as described in the recitals to this Bond Resolution. The estimated cost of the Project is not exceeding \$4,754,000. The Authority hereby determines to issue bonds (the "Bonds") in an amount not exceeding \$4,754,000 to finance a portion of the Project in accordance with the Municipal Utilities Authorities Law. The Authority expects to receive a grant from USDA Rural Development in the amount of \$1,054,000 to pay for the remainder of the Project. The Bonds shall be issued to USDA Rural Development.

Section 2. The Authority may issue its project notes from time to time to provide funds for costs of the Project prior to the issuance of the Bonds and receipt of the Grant from the United States.

Section 3. The Chairman, Vice Chairman and Executive Director each are hereby authorized to sell the Bonds and project notes on the terms and in the amounts as determined by in accordance with procedures referred to in the General Bond Resolution.

Section 4. A copy of this Bond Resolution shall be filed and published in accordance with the provisions of N.J.S.A. 40:14B-28.

Section 5. This resolution shall take effect immediately.

Recorded Vote

AYE

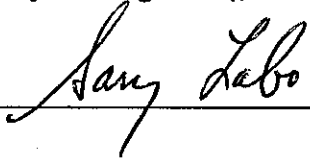
NAY

ABSTAIN

ABSENT

BRUNINI
BAKER
BERTONAZZI
MIELKE
SOTO

The foregoing is a true copy of a resolution adopted by the governing body of the Authority on August 24, 2011.



By:

Gary Labo, Secretary

EXHIBIT 1

THE BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY 2011 CAPITAL IMPROVEMENT PROGRAM

Description of 2011 Project

The Authority's Project consists of the construction of wastewater treatment process modifications and equipment to enhance the effluent quality and to expand the capacity of the Buena Borough Municipal Utilities Authority's (BBMUA) Wastewater Treatment Plant from 400,000 gallons per day to 600,000 gallons per day (average daily flow). The Project is to bring BBMUA into compliance with a Memorandum of Agreement (MOA) between the New Jersey Pinelands Commission and the BBMUA. One of the key elements of that Agreement requires the BBMUA to utilize the best available wastewater treatment technology or its functional equivalent in its improvements to its wastewater treatment plant in order to improve the effluent quality as described in the following paragraph.

Membrane Bioreactor (MBR) treatment technology represents the best available wastewater treatment technology and has the capability to significantly improve the effluent quality from the BBMUA treatment plant by reducing Total Nitrogen, Total Phosphorous, Total Suspended Solids, Biochemical Oxygen Demand, Chemical Oxygen Demand, *E. coli* and Effluent Turbidity. New headworks screening will be required to remove debris from the process and to protect the MBR system. New aerators and mixers will be constructed as needed to enhance the biological nitrification/denitrification process. The treatment process enhancements will be as needed to attain Discharge Monitoring Report limits of 2 mg/l Total Nitrogen calculated as a six-month average.

The Project includes miscellaneous improvements at the wastewater plant including the composting operation equipment and facilities.

The Borough of Buena Municipal Utilities Authority

PUBLIC NOTICE is hereby given that the following resolution entitled, "Bond Resolution of The Borough of Buena Municipal Utilities Authority Determining to Undertake the 2011 Capital Improvement Program, Determining the Estimated Cost Thereof and Determining to Issue Bonds and Project Notes to Finance a Portion of the Cost Thereof" was adopted by the Authority on August 24, 2011; that copies of such resolution has been filed with and is available for public inspection in the office of the Authority and in the office of the Clerk of the Borough of Buena, New Jersey; and that any action or proceeding of any kind or nature in any court questioning the validity or the proper authorization of the bonds authorized by such resolution or the validity of any covenants, agreements or contracts provided for by the 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.

The date of first publication of this Notice is August 26, 2011.

Published by the Order of The Borough of Buena Municipal Utilities Authority.

Gary Labo, Secretary

Affidavit of Publication

Publisher's Fee \$20.28 Affidavit \$0.00

State of New Jersey

Cumberland County

} SS.

Personally appeared

Daryl Newman

Of the The Daily Journal, a newspaper printed in Freehold, New Jersey and published in Vineland, in said County and State, and of general circulation in said county, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper 1 times, once in each issue as follows:

8/26/11

Kathleen A. Gibson

Notary Public State of New Jersey

My Commission Expires Dec. 18, 2014

[Signature]

Sworn and subscribed before me, this
26 day of August, 2011

Kathleen A. Gibson

Notary Public of New Jersey

NOTICE
The Borough of Buena
Municipal Utilities Authority

PUBLIC NOTICE is hereby given that the following resolution entitled, "Bond Resolution of The Borough of Buena Municipal Utilities Authority Determining to Undertake the 2011 Capital Improvement Program, Determining the Estimated Cost Thereof and Determining to Issue Bonds and Project Notes to Finance a Portion of the Cost Thereof" was adopted by the Authority on August 24, 2011; that copies of such resolution has been filed with and is available for public inspection in the office of the Authority and in the office of the Clerk of the Borough of Buena, New Jersey; and that any action or proceeding of any kind or nature in any court questioning the validity or the proper authorization of the bonds authorized by such resolution or the validity of any covenants, agreements or contracts provided for by the resolution must be commenced within twenty (20) days after the first publication of this Notice.

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