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August 4, 2022

Via Electronic Filing

New Jersey Board of Public Utilities
Attn: Aida Camacho-Welch, Board Secretary
44 South Clinton Avenue, 1st Floor
P.O. Box 350
Trenton, New Jersey 08625-0350

RE: Township of North Brunswick (Middlesex County)
Application to the Board of Public Utilities
Intent to Enter Contract for Water Supply Services via Public-Private Partnership
Agreement

Dear Sirs/Madams

Please be advised that this office serves as legal counsel to the Township of North Brunswick ("Township"). The Township is in the final stages of the administration and procurement process associated with the above referenced Public-Private Partnership Agreement ("Agreement") with Veolia Water North America Operating Services, LLC ("Veolia") for the provision of water supply services. Please accept this letter and application as the Township's intent to be heard at the New Jersey Board of Public Utilities meeting on September 7, 2022.

On February 7, 2022 the Township Council authorized the Township to solicit proposals from qualified vendors for a public-private partnership agreement for the operation, maintenance,

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management, and repair services for the Township's municipal water system in accordance with the New Jersey's Water Supply Public-Private Contracting Act, N.J.S.A. 58:26-19, *et. seq.* The Township received one (1) proposal from Veolia. On June 27, 2022, the Township Council adopted Resolution No. 202-6.22 and accepted the bid from Veolia and awarded a contract for the operation, maintenance, management, and repair services for the Township's water system (*See* Resolution No. 202-6.22 attached hereto as Exhibit E).

However, pursuant to N.J.S.A. 58:26-25, the Township's acceptance of this contract must be approved via Ordinance. The Township conducted a first reading of Ordinance No. 22-18 to award an Agreement with Veolia on August 1, 2022. (*See* Ordinance No. 22-18 attached hereto as Exhibit E). Moreover, the Township conducted a public hearing on Monday, July 25, 2022 at 7:00 p.m.. (*See* Affidavits of Publication attached hereto as Exhibit F). The verbatim transcripts are included with this application. (*See* Transcripts attached as part of the Hearing Report's Exhibit C). It is important to note that no comments, statements, or questions were presented by any members of the public. In addition, during the seven (7) day that the record was held open after the public hearing, no written statements were submitted by any interested parties. Lastly, at this public hearing the Township Council adopted Resolution No. 239-8.22 permitting the Township to submit an application to the Local Finance Board and the Board of Public Utilities. (*See* Resolution No. 239-8.22 attached hereto as Exhibit G).

Thank you for your time and attention to this matter. Should you have any questions please do not hesitate to contact me at (732) 709-4182.

Sincerely,
RAINONE COUGHLIN MINCHELLO, LLC
Attorneys for the Township of North Brunswick

By: 
Ronald H. Gordon, Esq.

cc: Justine Progebin, Business Administrator (via e-mail)