

RESOLUTION NO. 0035-2013

RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND REVISING THE RULES AND REGULATIONS OF THE AUTHORITY

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, N.J.S.A. 40:14B-1, et seq. is authorized to implement and operate a municipal utilities authority; and

WHEREAS, Authority was established on February 16, 1988 and has adopted a set of Rules and Regulations which govern applications made to the Authority; and

WHEREAS, the aforementioned Rules and Regulations were last amended by formal action of the Authority in December, 2011; and

WHEREAS, the Authority believes it is in the best interest of the Authority and its customers that the Rules and Regulations of the Authority be reviewed and updated to insure that they continue to serve the best interests of the Authority and its customers and that they are in compliance with all applicable Laws, Statutes and Regulations; and

WHEREAS, the Authority, upon the recommendation of its Executive Director, Solicitor and Authority Engineer, deems it necessary and proper to amend the aforementioned Rules and Regulations in accordance with said recommendations:

NOW, THEREFORE, BE IT RESOLVED, this 25th day of April, 2013, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the recommendations of its Executive Director and professional staff and authorizes and directs the Rules and Regulations of the

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Authority last modified in December 2011 to be further amended and modified in accordance with said recommendations.

2. Section I (Entitled **DEFINITIONS**) of the Authority's Rules and Regulations shall be amended to delete the current definition of the term "Authority" which currently reads:

"The Berkeley Township Municipal Utilities Authority"

and further amended to insert as a definition to the term "Authority" the following definition:

"The Berkeley Township Municipal Utilities Authority and its designated representatives, including but not limited to, the Authority Engineer, the Authority Attorney and the Authority Auditor."

3. Section I (Entitled **DEFINITIONS**) of the Authority's Rules and Regulations shall be amended to insert the new term "Engineering Fees", which shall be inserted following the term "Easement" and prior to the term "Equivalent Dwelling Unit."

Inserted as a definition of the term "Engineering Fees" shall be the following text:

"The fees calculated by multiplying the number of hours spent by the Authority's Engineer by the appropriate hourly fees as set forth in the Authority Engineer's fee schedule. The Authority Engineer's fee schedule is available and may be requested from the Executive Director of the Authority."

4. Section VI (Entitled **INSPECTION DURING CONSTRUCTION**, Item A (Entitled **General**) of the Authority's Rules and Regulations shall be amended to delete the entire paragraph which currently reads:

"The Applicant shall give 72 hours notice to the Authority and the Authority Engineer prior to construction. All construction shall comply with the approved plans and specifications and shall be subject to construction review or inspection by the Authority or its authorized representative. In the event of noncompliance, the Authority or its authorized representative may direct or order discontinuance of construction."

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and further amended to replace the deleted paragraph with the following paragraph:

“The Applicant shall contact the Authority to schedule a pre-construction meeting which shall take place no less than 72 hours prior to the Applicant’s intended date of construction commencement. The Applicant shall not proceed with construction until such time that the Authority has given the Applicant express written consent to proceed with construction. All work performed shall be under the jurisdiction of the Authority. The Authority shall have access to all work performed and the Applicant shall arrange for the Authority to be present during all phases of construction. The Authority requires full time inspection by the Authority or its designated representative. The cost of full time inspection shall be the sole responsibility of the Applicant and shall be funded through the Developer’s Escrow described in Section IV, Item K of the Rules and Regulations. All Engineering Fees will be calculated utilizing the Engineer’s approved Rate Schedule in effect at the time work is performed. At no time may any connections be made to a street main whether pressure tested or not unless the connection is made under the direct supervision and inspection of the Authority. Any work done in the absence of the Authority or its designated representative, as well as any work buried in violation of the Authority’s direction that such work be left visible for inspection, shall be excavated for thorough inspection if so ordered by the Authority. Any such excavation shall be undertaken at the expense of the Applicant and at no time shall the cost of any such excavation be borne by the Authority. All defective work disclosed by testing in accordance with these Rules and Regulations will be corrected by the Applicant in the presence of the Authority at the sole cost of the Applicant. The Authority shall be reimbursed by the Applicant for the full time inspection of the corrective work in accordance with the Engineer’s approved Rate Schedule described above.”

5. The form of each Water Service Application (Preliminary Application; Tentative Application; Final Application; Individual Water Service Application; and Application for Extension of Approval), appended to the Authority’s Rules and Regulations as Exhibits A, B, C, D & E, shall each be amended to include the following text:

“It is the responsibility of all applicants to obtain and abide by the Authority’s Rules and Regulations in effect at the time of the submission of this Application.”

6. The Authority’s Rules and Regulations shall be amended to include a section entitled **APPENDIX** immediately following the section currently entitled **LIST OF**

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EXHIBITS. The Appendix shall consist of one sheet, entitled Water Distribution Detail Drawings and noted as "Sheet 1 of 1". The Authority notes that the Appendix was intended to be included in the December 2011 amendments to the Rules and Regulations of the Authority but was inadvertently excluded therefrom.

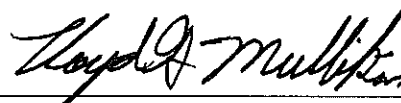
7. The Authority hereby authorizes and directs the Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

8. A certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- (a) Honorable Patrick Pizzi, Chairman
- (b) CME Associates;
- (c) Christopher K. Koutsouris, Esquire;

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 25th day of April, 2013, a quorum being present and voting in the majority.

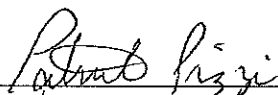


LLOYD G. MULLIKIN, Authority Secretary

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PATRICK PIZZI, Authority Chairman

Prepared by:

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Forked River, New Jersey 08731

RESOLUTION NO. 2013- 0036

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, ██████████ an employee of the Berkeley Township Municipal Utilities Authority currently holding the position of Secretary, has completed her yearly anniversary as a full time employee with the Berkeley Township Municipal Utilities Authority; and

WHEREAS, the Authority and its Personnel Committee has received an affirmative recommendation from the Executive Director regarding the employee evaluation of ██████████; and

WHEREAS, based upon her employment and her employee evaluations ██████████ has previously been determined to be at Grade 3, Step 11 of the Administrative Staff Payroll Schedule; and

WHEREAS, based upon the employee evaluation and years of service the Personnel Committee and Executive Director have recommended that ██████████ be elevated to Grade 3, Step 12 of the Administrative Staff Payroll Schedule, resulting in an increase from ██████████ per hour base pay plus ██████████ longevity pay (a total of ██████████) to ██████████ per hour base pay plus ██████████ longevity pay (a total of ██████████ per hour) effective May 25, 2013; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on April 25, 2013; and

WHEREAS, after emerging from Executive Session on April 25, 2013, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing ██████████ to Grade 3, Step 12 of the Administrative Staff Payroll Schedule:

NOW THEREFORE, BE IT RESOLVED this 25 day of April 2013 by the Berkeley Township Municipal Utilities Authority as follows:

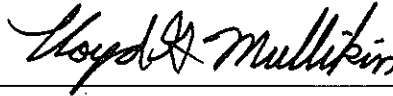
1. This Resolution shall memorialize the vote taken by the Authority on April 25, 2013 approving the recommendations of the Personnel Committee and the Executive Director

advancing employee [REDACTED] to Grade 3, Step 12 of the Administrative Staff Payroll Schedule.

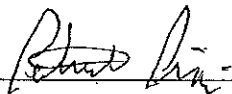
2. Effective May 25, 2013, employee [REDACTED] will receive an increase in her salary resulting in a pay increase to a total of [REDACTED] per hour, which shall consist of a base pay rate of [REDACTED] per hour and a longevity stipend of [REDACTED] per hour.
3. Employee [REDACTED] shall continue to be eligible for overtime pay.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 25th day of April, 2013 a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

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RESOLUTION NO. 2013- 0037

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, [REDACTED], an employee of the Berkeley Township Municipal Utilities Authority currently holding the position of utility worker, has completed his yearly anniversary as a full time employee with the Berkeley Township Municipal Utilities Authority; and

WHEREAS, the Authority and its Personnel Committee has received an affirmative recommendation from the Executive Director regarding the employee evaluation of [REDACTED]; and

WHEREAS, based upon his employment and his employee evaluations [REDACTED] has previously been determined to be at Grade 1, Step 9 of the Operational Payroll Schedule; and

WHEREAS, based upon the employee evaluation and years of service the Personnel Committee and Executive Director have recommended that [REDACTED] be elevated to Grade 1, Step 10 of the Operational Payroll Schedule, resulting in an increase from [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] per hour) to [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] per hour) effective May 24, 2013; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on April 25, 2013; and

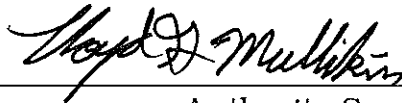
WHEREAS, after emerging from Executive Session on April 25, 2013, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 1, Step 10 of the Operational Payroll Schedule:

NOW THEREFORE, BE IT RESOLVED this 25 day of April 2013 by the Berkeley Township Municipal Utilities Authority as follows:

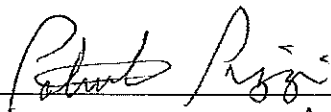
1. This Resolution shall memorialize the vote taken by the Authority on April 25, 2013 approving the recommendations of the Personnel Committee and the Executive Director advancing employee [REDACTED] to Grade 1, Step 10 of the Operational Payroll Schedule.
2. Effective May 24, 2013, employee [REDACTED] will receive an increase in his salary resulting in a pay increase to a total of [REDACTED] per hour, which shall consist of a base pay rate of [REDACTED] per hour and a longevity stipend of [REDACTED] per hour.
3. Employee [REDACTED] shall continue to be eligible for overtime pay.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 25th day of April, 2013 a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

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RESOLUTION NO. 2013- 0038

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, [REDACTED] an employee of the Berkeley Township Municipal Utilities Authority currently holding the position of Clerk, has completed her yearly anniversary as a full time employee with the Berkeley Township Municipal Utilities Authority; and

WHEREAS, the Authority and its Personnel Committee has received an affirmative recommendation from the Executive Director regarding the employee evaluation of [REDACTED]; and

WHEREAS, based upon her employment and her employee evaluations [REDACTED] has previously been determined to be at Grade 1, Step 6 of the Administrative Staff Payroll Schedule; and

WHEREAS, based upon the employee evaluation and years of service the Personnel Committee and Executive Director have recommended that [REDACTED] be elevated to Grade 1, Step 7 of the Administrative Staff Payroll Schedule, resulting in an increase from [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] per hour) to [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] per hour) effective June 4, 2013; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on April 25, 2013; and

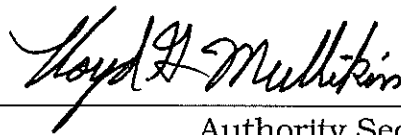
WHEREAS, after emerging from Executive Session on April 25, 2013, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 1, Step 7 of the Administrative Staff Payroll Schedule:

NOW THEREFORE, BE IT RESOLVED this 25th day of April 2013 by the Berkeley Township Municipal Utilities Authority as follows:

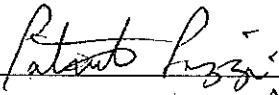
1. This Resolution shall memorialize the vote taken by the Authority on April 25, 2013 approving the recommendations of the Personnel Committee and the Executive Director advancing employee [REDACTED] to Grade 1, Step 7 of the Administrative Staff Payroll Schedule.
2. Effective June 4, 2013, employee [REDACTED] will receive an increase in her salary resulting in a pay increase to a total of [REDACTED] per hour, which shall consist of a base pay rate of [REDACTED] per hour and a longevity stipend of [REDACTED] per hour.
3. Employee [REDACTED] shall continue to be eligible for overtime pay.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 25th day of April, 2013 a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

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