

Berkeley Township Municipal Utilities Authority

2014-0030

Resolution Adopting the 2013 Annual Audit Report

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local Authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit for the fiscal year ended December 31, 2013 has been completed and filed with the Berkeley Township Municipal Utilities Authority pursuant to N.J.S.A 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority, within 45 days of receipt of final audit, to certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report and specifically the sections of the audit titled "General Comments and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

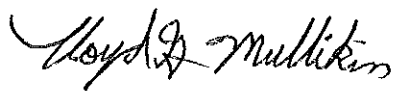
WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments and Recommendations" in accordance with N.J.S.A. 40A;5A-17.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Berkeley Township Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2013 and specifically has reviewed the sections of the audit report entitled "General Comments and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Executive Director of the Authority is hereby directed to promptly submit the aforesaid group affidavit to the Local Finance Board, accompanied by a certified true copy of this resolution.

CERTIFICATION

It is hereby certified that this is a true copy of the resolution passed at a Public Meeting of the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, held on May 22, 2014.

A handwritten signature in cursive script that reads "Lloyd G. Mullikin". The signature is written in black ink and is positioned above a horizontal line.

Lloyd G. Mullikin, Secretary

GROUP AFFIDAVIT FORM
AUDIT REVIEW CERTIFICATION

STATE OF NEW JERSEY
COUNTY OF OCEAN


We, the members of the governing body of the Berkeley Township Municipal Utilities Authority, in the County of Ocean, being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the Board of Commissioners of the Berkeley Township Municipal Utilities Authority in the County of Ocean;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the annual audit report filed with the Authority pursuant to N.J.S.A. 40A:5A-15 for the year ended December 31, 2013.
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the annual audit report entitled "General Comments and Recommendations."

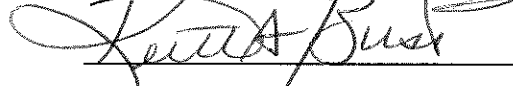
NAME

SIGNATURE

Kevin Askew



Keith Buscio



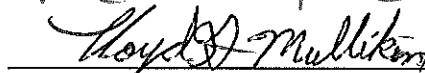
Karen Davis

absent

Michael W. Hale



Lloyd G. Mullikin



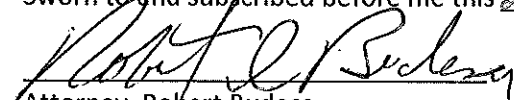
Patrick Pizzi

absent



Lloyd G. Mullikin, Secretary

Sworn to and subscribed before me this 22 day of May, 2014


Attorney, Robert Budesa

RESOLUTION NO. 0031-2014

**RESOLUTION ACCEPTING AN IRREVOCABLE STANDBY LETTER OF CREDIT
ISSUED BY OCEAN FIRST BANK FOR THE INSTALLATION OF WATER
UTILITIES IN THE EAGLE'S NEST PROJECT**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred as the "Authority") by Resolution dated the 19th day of December 2013, gave preliminary, tentative and final water approval for the project known as Eagle's Nest in the Township; and

WHEREAS, that Resolution required sufficient performance guarantees to complete the infrastructure improvements in accord with the review letter of CME Associates dated December 6, 2013; and

WHEREAS, the Authority has been provided with an Irrevocable Standby Letter of Credit issued by OceanFirst Bank to the favor of the Authority on behalf of O.C.E.A.N., Inc., the developer of Eagle's Nest; and

WHEREAS, the Irrevocable Standby Letter of Credit is acceptable to the Authority for the purposes of insuring construction of the water improvements in the subdivision; and

WHEREAS, O.C.E.A.N., Inc., the developer of Eagle's Nest has deposited with the Authority the sum of \$16,292.95 by check dated December 23, 2013, as the cash portion of the performance bond:

NOW THEREFORE, BE IT RESOLVED this 22nd day of May, 2014, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the Irrevocable Standby Letter of Credit dated May 19, 2014, issued by OceanFirst Bank to its favor by applicant, O.C.E.A.N., Inc., the developer of Eagle's Nest in the amount of \$147,000.00.

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

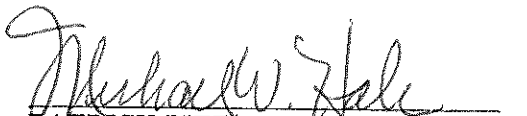
- a. Honorable Patrick Pizzi, Chairman;
- b. Michele Nugent, Executive Director
- c. Keith Chiaravallo, P.E., CME Associates
- d. Robert D. Budes, Esquire
- e. Eagle's Nest (O.C.E.A.N., Inc., Developer)

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 22nd day of May, 2014, a quorum being present and voting in the majority.



LLOYD G. MULLIKIN
Authority Secretary



PATRICK PIZZI
Authority Chairman *Vice Chairman*

Prepared by:
Robert D. Budes, Esquire
Berry, Sahradnik, Kotzas & Benson
212 Hooper Avenue
P.O. Box 757
Toms River, NJ 08754

RESOLUTION NO. 0032 2014

RESOLUTION TO AMEND EMPLOYEE MANUAL

WHEREAS, the Berkeley Township Municipal Utilities Authority (Authority) did, on July 14, 2005 adopt an Employee Manual; and

WHEREAS, by Resolution 2011-27 the Authority did amend and modify the aforesaid Employee Manual to include pay scale guidelines for its Operational Staff and for its Administrative Staff for the years 2011-2013; and

WHEREAS, the Authority's Commissioners, personnel committee and Executive Director have reviewed the Employee Manual Operational Staff guidelines and Administrative Staff guidelines and have recommended modifying said guidelines for the year 2014.

NOW, THEREFORE, BE IT RESOLVED this 22nd day of May, 2014, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Berkeley Township Municipal Utilities Authority Employee Manual adopted on July 14, 2005 and its Operational Staff pay scale guideline adopted by Resolution 2008-45 and 2011-27 are hereby amended and modified to include a pay scale guideline for its Operational Staff for the year 2014 as set forth in Schedule A annexed hereto and made a part hereof by reference.

2. The Berkeley Township Municipal Utilities Authority Employee Manual adopted on July 14, 2005 and its Administrative Staff pay scale guideline adopted by Resolution 2008-45 and 2011-27 are hereby amended and modified to include a pay scale guideline for its Administrative Staff for the year 2014 set forth in Schedule B annexed hereto and made a part hereof by reference.

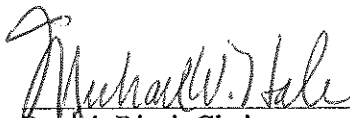
3. The pay scale guidelines as set forth in Schedules A and B annexed hereto are intended as guidelines only and the Berkeley Township Municipal Utilities Authority may deviate from the pay scale guidelines based upon an employee's evaluation or review.

4. To the extent that there are any conflicts between the pay scale guidelines incorporated herein by reference and the Berkeley Township Municipal Utilities Authority Employee Manual adopted on July 14, 2005 or any amendments or modifications thereto, the terms and conditions of the pay scale guidelines incorporated herein by reference will govern and control.

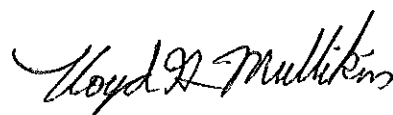
5. All employees will review the foregoing revisions to the Employee Manual and execute a statement indicating that they have read and understand the contents of the Employee Manual and its aforesaid revisions, which statement will be placed in their personnel file.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 22nd day of May 2014, a quorum being present and voting in the majority.



Patrick Rizzi, Chairman
Vice Chairman



Lloyd G. Mullikin, Secretary

Prepared by:
Robert D. Budes, Esquire
Berry, Sahradnik, Kotzas & Benson
212 Hooper Avenue
P.O. Box 757
Toms River, NJ 08754

RESOLUTION NO. 0033-2014

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, [REDACTED], an employee of the Berkeley Township Municipal Utilities Authority ("Authority") currently a member of the Authority's Staff employed as an Assistant Operator, 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 have 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 4, Step 11 of the Operational Staff Pay Scale guideline; 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 4, Step 12 of the Operational Staff Pay Schedule, resulting in an increase in hourly rate of pay from [REDACTED] per hour plus [REDACTED] longevity to [REDACTED] per hour base pay plus [REDACTED] per hour longevity pay (a total of [REDACTED] per hour) effective February 3, 2014; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on May 22, 2014; and

WHEREAS, after emerging from Executive Session on May 22, 2014, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 4, Step 12 of the Operational Staff Schedule effective February 3, 2014;

NOW THEREFORE, BE IT RESOLVED this 22nd day of May 2014 by the Berkeley Township Municipal Utilities Authority as follows:

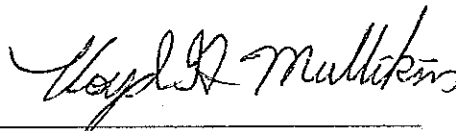
1. This Resolution shall memorialize the vote taken by the Authority on May 22, 2014 approving the recommendations of the Personnel Committee and the Executive Director advancing employee [REDACTED] to Grade 4, Step 12 of the 2014 Operational Staff Payroll Schedule.

2. Effective February 3, 2014, 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.

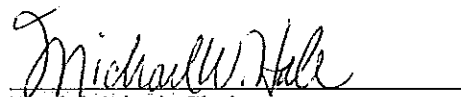
3. Employee [REDACTED] shall continue to be eligible for overtime pay and the NJDEP Water Operator's License Stipend as referenced in the Employee Manual.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 22nd day of May 2014, a quorum being present and voting in the majority.



Lloyd G. Mullikin, Secretary



Patrick Rizzi, Chairman
Vice Chairman

Prepared by:
Robert D. Budesca, Esquire
Berry, Sahradnik, Kotzas & Benson
212 Hooper Avenue
P.O. Box 757
Toms River, NJ 08754

RESOLUTION NO. 0234-2014

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, [REDACTED], an employee of the Berkeley Township Municipal Utilities Authority ("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 have 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] [REDACTED] has previously been determined to be at Grade 1, Step 10 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 11 of the Operational Payroll Schedule, resulting in an increase in hourly rate of pay 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, 2014; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on May 22, 2014; and

WHEREAS, after emerging from Executive Session on May 22, 2014, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 1, Step 11 of the 2014 Operational Payroll Schedule:

NOW THEREFORE, BE IT RESOLVED this 22nd day of May 2014 by the Berkeley Township Municipal Utilities Authority as follows:


1. This Resolution shall memorialize the vote taken by the Authority on May 22, 2014 approving the recommendations of the Personnel Committee and the Executive Director advancing employee [REDACTED] to Grade 1, Step 11 of the 2014 Operational Payroll Schedule.
2. Effective May 24, 2014, 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 22nd day of May 2014, a quorum being present and voting in the majority.



Lloyd G. Mullikin, Secretary



~~Patrick Rizzi, Chairman~~ *Vice Chairman*

Prepared by:
Robert D. Budes, Esquire
Berry, Sahradnik, Kotzas & Benson
212 Hooper Avenue
P.O. Box 757
Toms River, NJ 08754

NOW THEREFORE, BE IT RESOLVED this 22nd day of May 2014 by the Berkeley Township Municipal Utilities Authority as follows:

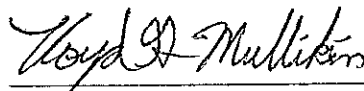
1. This Resolution shall memorialize the vote taken by the Authority on May 22, 2014 approving the recommendations of the Personnel Committee and the Executive Director advancing employee [REDACTED] to Grade 3, Step 13 of the Administrative Staff Payroll Schedule.

2. Effective May 25, 2014, 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 22nd day of May 2014, a quorum being present and voting in the majority.



Lloyd G. Mullikin, Secretary



Patrick Rizzi, Chairman

Prepared by:
Robert D. Budes, Esquire
Berry, Sahradnik, Kotzas & Benson
212 Hooper Avenue
P.O. Box 757
Toms River, NJ 08754

RESOLUTION NO. 0035- 2014

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, [REDACTED], an employee of the Berkeley Township Municipal Utilities Authority ("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 have 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 3, Step 12 of the Administrative Staff Pay Scale guideline; 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 3, Step 13 of the Administrative Staff Payroll Schedule, resulting in an increase from [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED]) to [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] per hour) effective May 25, 2014; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on May 22, 2014; and

WHEREAS, after emerging from Executive Session on May 22, 2014, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 3, Step 13 of the Administrative Staff Payroll Schedule:

RESOLUTION NO. 0036 2014

RESOLUTION OF INCREASE OF EMPLOYEE'S SALARY

WHEREAS, [REDACTED], an employee of the Berkeley Township Municipal Utilities Authority ("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 have 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 7 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 8 of the Administrative Payroll Schedule, resulting in an increase from [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] to [REDACTED] per hour base pay plus [REDACTED] longevity pay (a total of [REDACTED] per hour) effective June 4, 2014; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on May 22, 2014; and

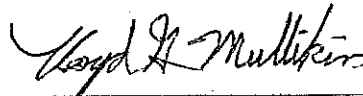
WHEREAS, after emerging from Executive Session on May 22, 2014, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 1, Step 8 of the Administrative Staff Payroll Schedule:

NOW THEREFORE, BE IT RESOLVED this 22nd day of May 2014 by the Berkeley Township Municipal Utilities Authority as follows:

1. This Resolution shall memorialize the vote taken by the Authority on May 22, 2014 approving the recommendations of the Personnel Committee and the Executive Director advancing employee [REDACTED] to Grade 1, Step 8 of the Administrative Staff Payroll Schedule.
2. Effective June 4, 2014, 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 22nd day of May 2014, a quorum being present and voting in the majority.



Lloyd G. Mullikin, Secretary



Patrick Rizzi, Chairman

Prepared by:
Robert D. Budes, Esquire
Berry, Sahradnik, Kotzas & Benson
212 Hooper Avenue
P.O. Box 757
Toms River, NJ 08754