

RESOLUTION NO. 0044 - 2014

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW
JERSEY, REGARDING PHASE V WATER SYSTEM IMPROVEMENTS**

WHEREAS, P&A Construction, Inc., was the winning bidder on the Phase V water improvements project for the Berkeley Township Municipal Utilities Authority; and

WHEREAS, there was a Notice to Proceed dated April 14, 2014, and the contractor proceeded to install water lines and appurtenances for that project; and

WHEREAS, a second voucher was presented to the Authority and CME Associates for work that was completed between August 9, 2014, 2014, and September 3, 2014; and

WHEREAS, the total construction costs associated with the second voucher that was submitted was \$195,165.59; and

WHEREAS, the Authority pursuant to Agreement is to deduct a 2% retainage or a total of \$3,903.31; and

WHEREAS, the Authority's engineer has reviewed the second voucher and supporting documentation and has approved payment of same to P&A; and

WHEREAS, the Authority is awaiting review and approval of said disbursement by the NJEIT prior to making the second payment to P&A:

NOW THEREFORE BE IT RESOLVED this 25th day of September, 2014, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the recommendation of its engineer, CME Associates, with regard to their review of a second invoice that was provided for work done on the above-referenced project from August 9, 2014, through September 3, 2014.

2. The Authority authorizes the payment to P&A Construction, Inc. of \$191,262.28 which represents the net amount due from the original invoice of \$195,165.59, less a 2% retainage of \$3,903.31.


3. Authorization for said payment to P&A Construction, Inc. is conditioned upon the Authority receiving approval by the NJEIT for same.

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

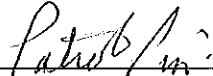
- a. Honorable Patrick Pizzi, Chairman;
- b. The Municipal Clerk of the Township of Berkeley
- c. CME Associates
- d. P&A Construction, Inc; and
- e. Berry, Sahradnik, Kotzas & Benson

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 September, 2014, a quorum being present and voting in the majority.



LEOYD G. MULLIKIN Michael W. Hale
Authority Secretary Vice-Chairman



PATRICK PIZZI
Authority Chairman

Prepared by:

BERRY, SAHRADNIK, KOTZAS & BENSON
Toms River, New Jersey 08753

Resolution No. 0045 2014

**RESOLUTION OF THE BERKELEY TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY
OF OCEAN, NEW JERSEY MAKING APPLICATION TO
THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A.
58:11B-9(a) AND N.J.S.A. 40A:5A-6 AND AUTHORIZING
THE SUBMISSION OF ONE OR MORE FINANCIAL
ADDENDUM FORMS**

WHEREAS, the Berkeley Township Municipal Utilities Authority, in the County of Ocean, New Jersey (the "Authority") has submitted applications to the New Jersey Department of Environmental Protection ("NJDEP") and the New Jersey Environmental Infrastructure Trust ("NJEIT") to participate in the NJEIT Fiscal Year 2015 Financing Program and has submitted a Financial Addendum Form in connection therewith; and

WHEREAS, the Authority and desires to make application to the Local Finance Board for (i) approval of the issuance of its interim notes to the New Jersey Environmental Infrastructure Trust, and (ii) approval of the issuance of its bonds to the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust pursuant to N.J.S.A. 58-11B-9(a) and pursuant to N.J.S.A. 40A:5A-6, as described therein, as described therein; and

WHEREAS, the Authority believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township of Berkeley Township (the "Township");
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

NOW THEREFORE, BE IT RESOLVED by the Members of the Berkeley Township Municipal Utilities Authority, as follows:

Section 1. The Financial Addendum Forms and Application to the NJEIT and the NJDEP are hereby authorized and/or ratified.

Section 2. The application to the Local Finance Board is hereby approved, and the Authority's executive director, chief financial officer, bond counsel and auditor, along with other representatives of the Authority, are hereby authorized to prepare such application, to file such

application with the Local Finance Board and to represent the Authority in matters pertaining thereto.

Section 3. The Executive Director and chief financial officer are hereby directed to prepare and file a copy of the proposed resolution with the Local Finance Board as part of such application.

Section 4. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Recorded Vote

AYE

NO

ABSTAIN

ABSENT

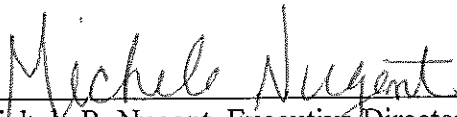
Michael W. Hale, Vice-Chairman
Lloyd G. Mullikin, Secretary

Karen Davis, Commissioner
Keith Buscio, Commissioner

Patrick Pizzi, Chairman

Kevin Askew, Treasurer

The foregoing is a true copy of a resolution adopted by the Members of the Berkeley Township Municipal Utilities Authority, in the County of Ocean, New Jersey on September 25, 2014.



Michele R. Nugent, Executive Director

RESOLUTION NO. 2014-0046

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 a 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 8 of the Operational Staff Pay Scale guideline; and

WHEREAS, in accordance with the Authority Employee Manual, employee [REDACTED] is entitled to receive longevity pay in the amount of [REDACTED] per year, payable at [REDACTED] per hour worked until the yearly amount of [REDACTED] has been paid; 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 9 of the Operational Staff Pay Schedule, resulting in an increase from [REDACTED] per hour plus [REDACTED] per hour 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 October 30, 2014; and

WHEREAS, employee [REDACTED] is entitled to receive overtime pay and benefits in the manner set forth in the Authority Employee Manual; and

WHEREAS, following adequate notice to the employee, the Authority has discussed the above recommendation in Executive Session on September 25, 2014; and


WHEREAS, after emerging from Executive Session on September 25, 2014, the Authority voted to approve the recommendations of the Executive Director and the Personnel Committee, advancing [REDACTED] to Grade 1, Step 9 of the Operational Staff Schedule effective October 30, 2014:

NOW THEREFORE, BE IT RESOLVED this 25th day of September, 2014, by the Berkeley Township Municipal Utilities Authority as follows:

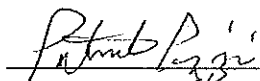
1. Effective October 30, 2014, employee [REDACTED] will receive an increase in his salary resulting in a pay increase to a total of [REDACTED] per hour, which shall consist of a base pay rate of [REDACTED] per hour and a longevity stipend of [REDACTED] per hour.
2. Employee [REDACTED] shall continue 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 September, 2014, a quorum being present and voting in the majority.



LEOYD G. MULLIKIN Michael W. Hale
Authority Secretary Vice-Chairman



Patrick Pizzi
Chairman

Prepared by:

BERRY, SAHRADNIK, KOTZAS & BENSON
Toms River, New Jersey 08753