

RESOLUTION NO. 0041 - 2021

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING NOTICE OF INTENT TO APPLY TO NJDEP AND NJIB AND
DESIGNATING AUTHORIZED REPRESENTATIVE FOR THE AUTHORITY'S
PHASE VII WATER MAIN IMPROVEMENT CLEAN WATER PROJECT
APPLICATION**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank for the Authority's Phase VII Water Main Improvement Clean Water Project; and

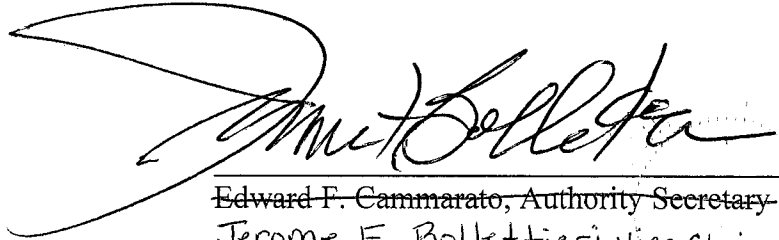
WHEREAS, the proposed improvements will include the installation of water main distribution piping along existing rights-of-ways as well as acquired easements within the Authority's Service Area. In addition, the project will include necessary services for existing residences, valves, hydrants and site restoration:

NOW, THEREFORE, BE IT RESOLVED, this 28th day of October, 2021, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey that Michele Nugent, Executive Director, be authorized to act as the Authorized Representative to represent the Authority in all matters relating to the project undertaken pursuant to the above referenced New Jersey Infrastructure Bank Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank. The Authorized Representative may be contacted at:

Berkeley Township MUA
42 Station Road
Bayville, New Jersey 08721
Telephone: 732-237-0100
Facsimile: 732-237-0638
Email: Executive-Director@Berkeleymua.org

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 28th day of October, 2021, a quorum being present and voting in the majority.



~~Edward F. Cammarato, Authority Secretary~~
Jerome F. Bollettieri, Vice Chairman



Michael W. Hale, Authority Chairperson

Prepared by:
BERRY, SAHRADNIK, KOTZAS & BENSON
212 Hooper Avenue
P.O. Box 757
Toms River, New Jersey 08753

2022 AUTHORITY BUDGET RESOLUTION

Berkeley Township

Municipal Utility Authority

Important --The Amounts on this page need to agree with budget pages F-1 and CB-3. Fill these amounts in after you finalize the amounts on pages F-1 and CB-3. Re-check before this resolution is adopted

FISCAL YEAR: FROM January 1, 2022 TO December 31, 2022

WHEREAS, the Annual Budget and Capital Budget for the Berkeley Township Municipal Utilities Authority for the fiscal year beginning, January 1, 2022 and ending, December 31, 2022 has been presented before the governing body of the Berkeley Township Municipal Utilities Authority at its open public meeting of October 28, 2021; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 2,164,200, Total Appropriations, including any Accumulated Deficit if any, of \$ 2,664,843 and Total Unrestricted Net Position utilized of 500,643; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 11,747,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$247,000; and total debt authorization planned to be issued as funding thereof totaling \$11,500,000.

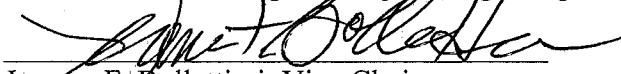
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Berkeley Township Municipal Utilities Authority, at an open public meeting held on October 28, 2021 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Berkeley Township Municipal Utilities Authority for the fiscal year beginning, January 1, 2022 and ending, December 31, 2022 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Berkeley Township Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 16, 2021.


Jerome F. Bollettieri, Vice Chairman

10/28/21
(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Michael W. Hale, Chairman	X			
Jerome F. Bollettieri, Vice Chair	X			
Edward F. Cammarato, Secretary	X			
Samuel J. Cammarato, Treasurer	X			
Richard W. Elliott, Commissioner				X
William McGrath, Alt. Commissioner	N/A			
Frederick S. Bekiarian, Alt. Commissioner	X			

RESOLUTION NO. 0043 - 2021

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
REGARDING PLACEMENT OF COMMUNICATION EQUIPMENT
ON STATION ROAD TOWER**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) finds that it is in their best interest to lease communications space on the Station Road water tower; and

WHEREAS, utilization of said tower for communication purposes can provide significant income to the Authority; and

WHEREAS, said income would provide a benefit to the Authority’s ratepayers:

NOW, THEREFORE, BE IT RESOLVED, this 28 day of October, 2021, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:


1. The Executive Director is hereby granted approval to proceed with obtaining necessary documentation for installation of communications equipment on Station Road water tower.
2. Once said specifications and appropriate Lease have been developed and approved, the project shall be advertised for bid in an attempt to solicit carriers for installation of said equipment.
3. The Executive Director, Authority Engineer and attorney are hereby authorized to perform any services required to implement the purpose of this Resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

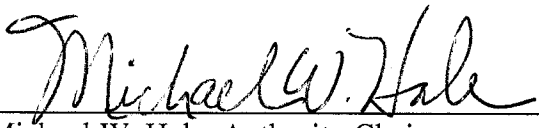
- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson.

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 28 day of October, 2021, a quorum being present and voting in the majority.



~~Edward F. Cammarato, Authority Secretary~~
Samuel J. Cammarato, Treasurer



Michael W. Hale, Authority Chairperson

Prepared by:
BERRY, SAHRADNIK, KOTZAS & BENSON
212 Hooper Avenue
P.O. Box 757
Toms River, New Jersey 08753

RESOLUTION NO. 0044 - 2021

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EXTENDED PAID AND UNPAID LEAVE
TO EMPLOYEE KYLE BURTON FOR THE PERIOD COMMENCING
FROM NOVEMBER 11, 2021 THROUGH FEBRUARY 3, 2022**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has received a request from employee, Kyle Burton, to take a medical leave of absence for the period commencing November 11, 2021 and continuing through February 3, 2022; and

WHEREAS, Kyle Burton has Earned Time Off (hereinafter referred to as “ETO”) for the current employee fiscal year totaling 249.50 hours; and

WHEREAS, Kyle Burton’s anniversary date with the Authority is May 24, 2022; and

WHEREAS, in connection with his medical leave and, in order to alleviate financial hardship, Kyle Burton has requested to use 249.50 hours of ETO and receive unpaid leave for the balance of required time off; and

WHEREAS, the Authority and Kyle Burton have discussed that there are 6 full and 2 half day paid holidays during this leave period and that Kyle Burton will be paid for these 6 full and 2 half day holidays and will not utilize ETO for these 6 full and 2 half day holidays; and

WHEREAS, the Personnel Committee of the Authority has received the request of Kyle Burton and has considered the employee’s request; and

WHEREAS, the Personnel Committee has noted the concerns of the employee which include the employee’s medical wellbeing and health, financial wellbeing during the period of medical leave and job protection during the period of medical leave; and

WHEREAS, the Authority is obligated to comply with the Federal Family Medical Leave Act (“FMLA”) and generally endeavors to accommodate the needs of the Authority’s employees; and

WHEREAS, the Authority understands and appreciates the health difficulties experienced by Kyle Burton and desires to relieve his anxiety and stress concerning his job while he focuses on his medical wellbeing; and

WHEREAS, the Authority recognizes the concerns of the employee including job protection for the requested period of leave and the Authority chooses, voluntarily and in the Authority’s sole discretion, to protect Kyle Burton’s job at the Authority for the granted medical leave period of November 11, 2021 through February 3, 2022; and

WHEREAS, during the requested period of leave from November 11, 2021 through February 3, 2022, the Authority would continue to pay Kyle Burton’s family health, dental and prescription benefits (collectively “health benefits”) through February 3, 2022 on the condition that Kyle Burton prepays his required health benefits contribution of approximately \$47.67 every two weeks as required by applicable law, the Authority’s Rules and Regulations and the Authority’s FMLA Policy; and

WHEREAS, Kyle Burton’s ETO anniversary date will be extended or moved by the number of days of unpaid leave granted; and

WHEREAS, on or by February 2, 2022, Kyle Burton shall present to the Executive Director a note from his physicians as to his anticipated return date to work if such a note has not already been received by the Authority; and

WHEREAS, before Kyle Burton may return to assume duties at the Authority, he may be required to present himself to the Authority's physician for an examination as to functional capacity; and

WHEREAS, should Kyle Burton indicate that additional medical leave time is required beyond February 3, 2022, such a request must be made in writing and the Authority will thereafter undertake an additional review to determine the Authority's response to said request; and

WHEREAS, the situation presented by Kyle Burton is recognized by the Authority to constitute extraordinary circumstances; and

WHEREAS, the Commissioners of the Authority recognize that the greatest asset to the Authority is the Authority's staff; and

WHEREAS, the Authority wishes Kyle Burton a speedy recovery; and

WHEREAS, the Authority finds that the recommendation from its Personnel Committee is fair, reasonable, in the best interests of the Authority and in accordance with the Authority's Rules and Regulations; and

WHEREAS, Counsel for the Authority has reviewed the recommendations of the Authority's Personnel Committee and concurs with the Personnel Committee's recommendations;

NOW, THEREFORE, BE IT RESOLVED, this 28th day of October, 2021, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the recommendation of the Authority's Personnel Committee and Counsel.
2. The Authority grants employee, Kyle Burton, a medical leave of absence for the period ranging from November 11, 2021 through February 3, 2022.

3. The Authority grants employee Kyle Burton's request to use 249.50 hours of ETO time accumulated in order to cover the employee's medical leave for the period ranging from November 11, 2021 through February 3, 2022.
4. The Authority will continue to pay Kyle Burton's family health, dental and prescription benefits through February 3, 2022 on the expressed condition that Kyle Burton prepays his health benefits contribution of approximately \$47.67 which will be deducted from his paid leave pay checks.
5. The Authority will continue to pay the scheduled 6 full and 2 half day holidays to Kyle Burton during his leave period which will not require use of ETO.
6. Pension contributions and ETO time earned accumulations are suspended during his unpaid leave period.
7. The Authority directs that, on or before February 3, 2022, Kyle Burton shall present to the Executive Director of the Authority a note from his physician as to his anticipated return date to work if such a note has not already been received by the Authority.
8. The Authority directs that, before Kyle Burton returns to full employment with the Authority, he may be required to present himself to the Authority's physician for an examination as to functional capacity.
9. The Authority directs that Kyle Burton's job with the Authority is protected during the period of leave ranging from November 11, 2021 through February 3, 2022.
10. The Authority directs that any leave sought by Kyle Burton beyond February 3, 2022 will be subject to additional review by the Authority.

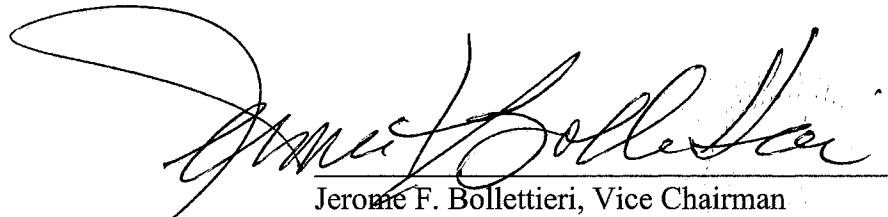
11. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

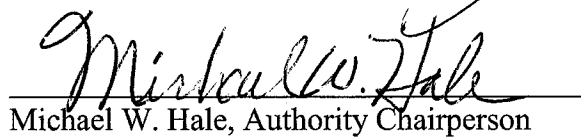
BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Brian Blair, Chief of Operations;
- d. Kyle Burton; 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 28th day of October, 2021, a quorum being present and voting in the majority.


Jerome F. Bollettieri, Vice Chairman


Michael W. Hale, Authority Chairperson

Prepared by:
BERRY, SAHRADNIK, KOTZAS & BENSON
212 Hooper Avenue
P.O. Box 757
Toms River, New Jersey 08753

RESOLUTION NO. 0045 - 2021

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING PARTICIPATION IN THE NEW JERSEY
LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM**

WHEREAS, the State of New Jersey is developing a program to assist delinquent ratepayers with their water utility bills; and

WHEREAS, the State is seeking information on accounts that are delinquent; and

WHEREAS, the State program sets forth the parameters for assistance to the ratepayers relating to income; and

WHEREAS, if the delinquent ratepayers qualify, the State will pay to the Berkeley Township Municipal Utilities Authority (hereinafter referred to as "Authority") monies due from said ratepayers; and

WHEREAS, the Authority's only function would be to submit the names and addresses of the delinquent ratepayers to the State program; and

WHEREAS, the State would take all steps necessary to notify the individuals of the parameters of the program and evaluate any applications for assistance; and

WHEREAS, it is in the best interest of the ratepayers and the Authority to participate in said program:

NOW, THEREFORE, BE IT RESOLVED, this 28th day of October, 2021, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Executive Director is authorized to take any steps necessary for the Authority to participate in the State program.


2. The Executive Director is authorized to provide the names and addresses of delinquent accounts as necessary to the State.
3. That any documentation necessary to have the Authority participate in the program shall be executed.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. 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 28th day of October, 2021, a quorum being present and voting in the majority.



Edward F. Cammarato, Authority Secretary
Samuel J. Cammarato, Treasurer



Michael W. Hale, Authority Chairperson

Prepared by:
BERRY, SAHRADNIK, KOTZAS & BENSON
212 Hooper Avenue
P.O. Box 757
Toms River, New Jersey 08753