

Resolution No. 2020-0001

#20-24-R

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY APPOINTING MEMBERS TO THE MUNICIPAL UTILITIES AUTHORITY


January 1, 2020

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed members to the Municipal Utilities Authority:

Member:	Appointee Name	Term:
Mbr. #2	Samuel Cammarato	5-yr. term expiring 1/31/2025
Mbr. #5	Richard Elliott	unexpired term expiring 1/31/2022
Alt. Mbr. #1	Larry Borio	unexpired term expiring 1/31/2022
Alt. Mbr. #2	William McGrath	unexpired term expiring 1/31/2023

2. That the above-named appointees are required to execute an Oath of Office in the Township Clerk's Office prior to taking his official seat on the Municipal Utilities Authority.
3. That certified copies of this Resolution be forwarded to the Township Administrator, Township Attorney, the Municipal Utilities Authority and the above-listed appointees.



Council President

CERTIFICATION

I, BEVERLY M. CARLE, RMC, Municipal Clerk of the Township of Berkeley do hereby certify that the foregoing resolution was duly adopted by the Township of Berkeley Township Council at a meeting held on the 1st day of January, 2020.



BEVERLY M. CARLE, Township Clerk

RESOLUTION NO. 2-2020

2020 RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$2,000,000 PRINCIPAL AMOUNT OF SUBORDINATED WATER REVENUE BONDS OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY IN CONNECTION WITH THE WELL NO. 4 PROJECT

WHEREAS, the Berkeley Township Municipal Utilities Authority (the "Authority") is a public body corporate and politic organized and existing under the laws of the State of New Jersey pursuant to the Municipal and County Utilities Authorities Law, Chapter 183 of the Laws of 1957 of the State of New Jersey, as amended and supplemented (the "Act"), and was created by virtue of an ordinance, number 88-4-OAB, of the Township Council of the Township of Berkeley, in the County of Ocean, New Jersey (the "Township") finally adopted on January 18, 1988; and

WHEREAS, the Authority was formed to undertake water system projects for and on behalf of the Township; and

WHEREAS, the Authority has on July 22, 1993 adopted its resolution entitled "Resolution Authorizing the Issuance of Water Revenue Bonds of the Berkeley Township Municipal Utilities Authority", as amended and supplemented (the "General Bond Resolution") providing for the issuance, from time to time, of the Authority's water revenue bonds; and

WHEREAS, the Authority has determined to undertake an additional project consisting of the construction of a new water supply well (to be known as Well #4), all as more particularly described in plans which are on file in the offices of the Authority; and

WHEREAS, the Well #4 project is being financed by the New Jersey Infrastructure Bank (formerly known as the New Jersey Environmental Infrastructure Trust) (the "NJIB"), which required the Authority to bifurcate the Well #4 project into 2 projects, one for a test well

Resolution No. 2020-0003

**AGREEMENT TO ALLOW CONNECTION
TO PUBLIC WATER SUPPLY OUTSIDE OF FRANCHISE AREA**

WHEREAS, Rudolph Rinderer, Jr., and Sandra Rinderer operating as 549 Route 9 Holdings, LLC, are owners of Shore Plaza Strip Mall (hereinafter “Rinderer”), Block 1273, Lots 3, 4 & 5 in the Township of Berkeley, Ocean County, New Jersey; and

WHEREAS, the building on said lot is located within the Berkeley Township Municipal Utilities Authority’s (hereinafter “BTMUA”) franchise area; and

WHEREAS, a public water supply from the BTMUA is not available at the present time to service the property because of the active water source being approximately 1,000 feet away from the premises; and

WHEREAS, Rinderer was required to put certain restrictions on a Deed that was prepared when the subdivision application was processed which Deed contained a restriction relating to the usage of the property as well as an acknowledgement in said Deed that “The subject parcel is restricted from any other use that would generate more than 2,000 gallons of water per day in the aggregate for the entire site”; and

WHEREAS, a request was made by Rinderer to connect to the active water main that fronts the property that was installed by Aqua America (hereinafter “Aqua”) for their service area; and

WHEREAS, said connection to Aqua was denied by the BTMUA based on its policy of only permitting water connection to a BTMUA water supply within its franchise area; and

WHEREAS, there is a well servicing the subject premises at the present time; and

WHEREAS, there is a nursery school currently operating on the premises that is subject to stringent guidelines relating to the testing of water utilized in the operation of same for various contaminants; and

WHEREAS, Rinderer and his current tenant operating the nursery school have again requested that the BTMUA waive its rule regarding hooking into an active water supply outside of the franchise area; and

WHEREAS, the BTMUA feels that, in this unique circumstance, permission to connect to the water supply line operated by Aqua fronting the property would be in the best interest of the BTMUA, the Township as a whole and the business located at the premises:

NOW THEREFORE BE IT AGREED as follows:

1. The BTMUA hereby grants approval to Rinderer to connect to the Aqua water line fronting the property on Route 9, Berkeley Township subject to compliance with all provisions of this Agreement.
2. It is understood by Rinderer that this approval shall only be permitted for the period of time that there is no water line fronting the property which has been constructed by the BTMUA.
3. Rinderer shall obtain permission from Aqua to connect to their water line on a temporary basis in a form that is attached hereto and made a part hereof.
4. Rinderer acknowledges that, once a water line is constructed by the BTMUA fronting the property, he will disconnect the service from the Aqua water line and connect to the BTMUA line which connection will be completed within thirty (30) days of notice that water is available through the BTMUA.

5. Rinderer shall pay to the BTMUA the following upon execution of this agreement and prior to connecting to the Aqua line fronting his property:
 - a. A connection fee based on a 1 inch meter in the amount of One Thousand Five Hundred and Five (\$1,505.00) Dollars.
 - b. Quarterly service fee of One Hundred Forty Five (\$145.00) Dollars per quarter or a total of Five Hundred Eighty (\$580.00) Dollars for the full year of 2020.
 - c. Rinderer shall reimburse the BTMUA a total of Eight Hundred Fifty (\$850.00) Dollars for professional fees incurred by the BTMUA in connection with this approval.
6. Once a water main has been installed by the BTMUA, as previously indicated, Rinderer shall connect to the BTMUA water system and incur all expenses associated therewith.
7. Rinderer shall, at his expense, including filing fees prepare an amendment to the Deed to the referenced property noting that there is an agreement between the BTMUA and Rinderer that allowed for connection to the Aqua main fronting the property only for such time as there is no active BTMUA water available to the site.


IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

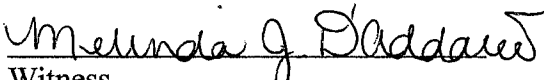
Dated: February 27, 2020


WITNESS:

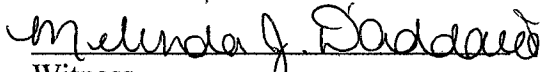
BERKELEY TOWNSHIP MUNICIPAL
UTILITIES AUTHORITY



Witness


MICHAEL W. HALE, Chairperson


Witness


RUDOLPH RINDERER, JR.
Operating as 549 Route 9 Holdings, LLC,
Owner of Shore Plaza Strip Mall


Witness


SANDRA RINDERER
Operating as 549 Route 9 Holdings, LLC,
Owner of Shore Plaza Strip Mall

RESOLUTION NO. 0004 - 2020

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
AUTHORIZING INCREASE OF EMPLOYEES' SALARIES**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter “Authority”) and its Personnel Committee have reviewed the performance of hourly employees of the Authority; and

WHEREAS, based upon this review, the Personnel Committee and Executive Director have recommended that all employees receive a 3% pay increase retroactive to January 1, 2020; and

WHEREAS, following adequate notice to said employees, the Authority discussed the above recommendation in Executive Session on January 23, 2020; and

WHEREAS, after emerging from Executive Session on January 23, 2020, the Authority voted to approve the recommendation of the Executive Director and Personnel Committee authorizing a 3% pay increase for hourly workers;

NOW THEREFORE BE IT RESOLVED this 27th day of February, 2020, by the Berkeley Township Municipal Utilities Authority as follows:


1. This resolution shall memorialize the vote taken by the Authority on January 23, 2020 approving the recommendation of the Personnel Committee and Executive Director providing for employee salary increases of 3% effective January 1, 2020.
2. The following employees shall be paid at the referenced hourly rate which incorporates a 3% increase in pay from their pay status for the calendar year of 2019:

Lori LeFaucheur	\$19.40
Sandra Walker	\$20.29
Deborah DelConte	\$24.88
Kyle Burton	\$17.00
Michael Middleton	\$25.12
Carl Roth	\$31.53

3. All employees referenced in this resolution shall continue to be eligible for overtime pay.
4. 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.

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 27th day of February, 2020, a quorum being present and voting in the majority.


 Edward F. Cammarato, Authority Secretary


 Michael W. Hale, Authority Chairperson

Prepared by:
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