

RESOLUTION

WHEREAS, it has been brought to the attention of the Board of Commissioners of the Toms River Municipal Utilities Authority (TRMUA) that the TRMUA is desirous of receiving bids through a fair and open process for the following items utilizing proprietary language:

Contract No. TRMUA PR-2019
Quick Lock Repair Clamps

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the Regulatory Compliance Officer is hereby authorized to advertise for the receiving of bids for the above-mentioned.
2. That authorization is hereby given to prepare formal bid specifications for the above – mentioned goods.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissioners on July 23, 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 23rd day of July, 2019.



Georgia Benyola, Assistant Secretary

**RESOLUTION APPOINTING A DESIGNATED EMPLOYEE
REPRESENTATIVE (DER)**

JULY 23, 2019

WHEREAS, the United States Department of Transportation Commercial Driver's License (CDL) regulations require organizations with one or more CDL drivers designate at least one individual with the responsibility to make formal decisions regarding the drug and alcohol testing program. and;

WHEREAS, this person is referred to as the Designated Employee Representative (DER) and;

WHEREAS, the Toms River Municipal Utilities Authority (TRMUA) Regulatory Compliance and Safety Officer has performed those duties for the past 13 years without the title and;

WHEREAS, the Regulatory Compliance and Safety Officer completed the required training on June 4, 2019 at no cost to the TRMUA and;

WHEREAS, the NJUA JIF recommends that the TRMUA formally names an individual to perform the duties of the DER and at the recommendation of the Executive Director.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY THAT:

1. Bernard Rutkowski, Regulatory Compliance and Safety Officer be named as the Designated Employee Representative (DER) in compliance with above regulations.
2. A copy of this resolution will be entered into the official record of the Authority meeting held on July 23, 2019.

CERTIFICATION

I, GEORGIA BENYOLA, ASSISTANT SECRETARY OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, IN THE COUNTY OF OCEAN, TOWNSHIP OF TOMS RIVER, HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY ON THE 23rd DAY OF JULY, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Authority this 23rd day of July, 2019.



GEORGIA BENYOLA, ASSISTANT SECRETARY

RESOLUTION TO RATIFY
TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

July 23, 2019

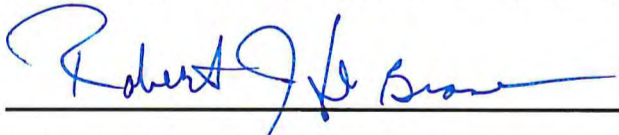
WHEREAS, the Toms River Municipal Utilities Authority budget for the year 2019 was approved by the Commissioners of the Toms River Municipal Utilities Authority on November 27, 2018; and

WHEREAS, a review of the 2019 Operating Expenses was conducted by the Finance Department of the Toms River Municipal Utilities Authority and it was found necessary to request appropriation transfers due to increased costs and unanticipated expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN THAT THE FOLLOWING APPROPRIATION TRANSFERS BE MADE TO THE APPROVED BUDGET OF 2019:

Transfer from: 107-7103 – Dental Admin Insurance	\$ 7,500
Transfer to: 107-8103 - Dental Operations Insurance	\$ 7,500
Transfer from: 106-6101 – Employee Research	\$ 5,000
Transfer from: 106-6102 - Other Misc. Expense	\$30,000
Transfer from: 102-2101 – Property Insurance	\$ 5,000
Transfer from: 103-3104 - Other Professional Expense	\$10,000
Transfer to: 201-0027 - Engineering IT Supplies & Software	\$50,000

I, Robert J. DiBiase, Executive Director, Secretary/Treasurer of the Toms River Municipal Utilities Authority hereby certify that the above is a true copy of the resolution adopted by the Toms River Municipal Utilities Authority on the 23rd day of July, 2019.



Robert J. DiBiase, Executive Director, Secretary/Treasurer

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION AUTHORIZING
THE SETTLEMENT OF CIVIL LITIGATION**

WHEREAS, civil litigation was commenced against the Toms River Municipal Utilities Authority (hereinafter "TRMUA") and Robert DiBiase by Nick D'Alessandro under Superior Court of New Jersey Docket No. OCN-L-1228-19 (hereinafter the "Litigation"); and

WHEREAS, counsel for the parties conducted settlement negotiations and reached a tentative agreement on the settlement of the Litigation where all named defendants are released from any and all claims with no admission of liability on the part of any party; and

WHEREAS, the settlement amount is \$5,494.08 to be paid to Nick D'Alessandro through his attorney's trust; and

WHEREAS, the Authority Attorney recommends that this matter be settled subject to the approval of Board of Commissioners; and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the TRMUA to settle the matter without incurring further legal fees, expenses, and process and the parties have reached agreement on all material terms of the settlement agreement as outlined and attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Toms River Municipal Utilities Authority, as follows:

1. The settlement of this Litigation and payment on behalf of the TRMUA is hereby authorized as outlined in the Settlement Agreement; and
2. The Authority Attorney, James J. Gluck, Esq. and Robert DiBiase are hereby authorized to execute and deliver the Settlement Agreement attached hereto together with any related settlement documents.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the following:

1. Chairman and Commissioners;
2. Robert J. DiBiase, Executive Director;
3. James J. Gluck, Esq.;
4. Donald M. Doherty, Jr., Esq.; and
5. All other parties in interest.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted at a Public Meeting held on July 23, 2019.



Georgia Benyola, Assistant Secretary