

RESOLUTION

**RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING THE
CONNECTION FEE FOR FISCAL YEAR 2020**

WHEREAS, the sanitary sewer connection fee for 2020 calculates to \$2,679.01 for each equivalent dwelling unit connected as determined by the Chief Financial Officer and confirmed by the Authority Auditor in accordance with N.J.S.A. 40:14B-22; and

WHEREAS, the authority is authorized to charge less than the computed fee; and

WHEREAS, the connection fee in FY 2019 was established by the Commissioners at \$2,750.00; and

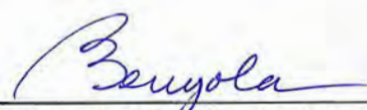
WHEREAS, the Commissioners hereby approve the calculation based on Statute N.J.S.A. 40:14B-22 as noted by the Chief Financial Officer resulting in a decrease to the connection fee charge from FY 2019 \$2,750.00 to the computed FY2020 fee of \$2,679.00.

NOW THEREFORE BE IT RESOVED, by the Commissioners of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey as follows:

1. The Sanitary Sewer Connection Fee to the Toms River Municipal Utilities Authority system for FY 2020 shall be \$2,679.00, representing a decrease over FY 2019.
2. Sanitary Sewer Connection fees shall be due to the Toms River Municipal Utilities Authority in their entirety upon application.
3. All of the charges and fees established by prior Resolution and Regulations are hereby re-affirmed and re-established except as herein adjusted.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the forgoing to be a true and exact copy of a resolution duly adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the 26th day of November, 2019.



Georgia Benyola, Assistant Secretary

RESOLUTION

**RESOLUTION OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING THE BASIC
RESIDENTIAL, NON RESIDENTIAL AND COMMON AREA AGE RESTRICTED
SEWER USER FEE/SERVICE CHARGE FOR FISCAL YEAR 2020**

WHEREAS, the Toms River Municipal Utilities Authority (TRMUA) wishes to establish a sewerage rate/service charge for the Basic Residential, Non-Residential and Common Area Age Restricted users commencing January 1, 2020; and

WHEREAS, the service charge shall comply with the terms of all contracts of the TRMUA and shall be such that the revenues of the TRMUA will at all times be adequate to pay all expenses of operation and maintenance of the sewerage system, including, reserve, insurance, extensions and replacements and to pay punctually the principal and interest on all bonds and to maintain such reserves or sinking funds, thereof, as may be required by the terms of any contract of the TRMUA or as may be deemed necessary or desirable by the TRMUA; and

WHEREAS, the Commissioners of the TRMUA in consultation with their staff and professionals have prepared a draft budget for Fiscal Year 2020 in order to meet the obligations of the users and ratepayers of the TRMUA facilities; and

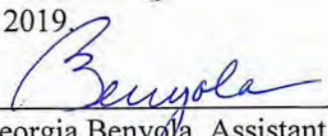
WHEREAS, the Commissioners have determined it is in the best interest of the ratepayers of the TRMUA to adopt the Fiscal Year 2020 Rate schedule as attached hereto.

NOW THEREFORE BE IT RESOVED, by the Commissioners of the Toms River Municipal Utilities Authority, County of Ocean, and State of New Jersey as follows:

1. The Basic Residential Sewer User Fee/Service Charge for Fiscal Year 2020 shall be \$308.75 plus \$16.71 per fixture over four (4), exclusive of one laundry facility and one dishwasher. Water consumption over 18,250 gallons per quarter shall be subject to additional charge of \$5.80 per 1,000 gallons of excessive consumption.
2. The Non-Residential Sewer User Fee/Service Charge for Fiscal Year 2020 shall be \$5.80 per thousand gallons of water consumption or approved discharge into the system, however, a minimum rate of \$308.75 plus \$51.44 per fixture over two (2) shall apply.
3. The Common Area Age Restricted Sewer User Fee/Service Charge for Fiscal Year 2020 shall be \$5.80 per thousand gallons of water consumption or approved discharge into the system, however, a minimum rate of \$308.75 plus \$16.71 per fixture over four (4) shall apply.
4. The TRMUA Fiscal Year 2020 Rate Schedule attached hereto, is hereby adopted.
5. A copy of such schedule of Service Charges in effect shall at all times be kept on file at the offices of the TRMUA and shall be open to public inspection.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the forgoing to be a true and exact copy of a resolution duly adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the 26th day of November 2019.



Georgia Benyola, Assistant Secretary

RESOLUTION

November 26, 2019

WHEREAS, during the month of September 2019, purchases were made for goods and or services listed in the Authority's 2019 capital improvement budget; and

WHEREAS, these purchases were made in compliance with the Authority's Internal Purchasing Controls and the Local Public Contracts Law; and

WHEREAS, the previous IPC approval from CDW Government, Inc. had a total amount of \$9,980.13 and was ratified at the September 24, 2019. The order has now been amended from 20 units to 10 units decreasing the total amount from \$9,980.13 to \$8,677.42.

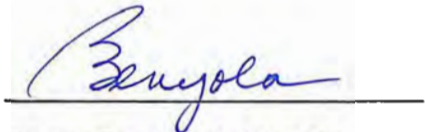
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN AND STATE OF NEW JERSEY, HEREBY RATIFY THE AMENDED CAPITAL PURCHASES FOR SEPTEMBER, 2019:

A certified copy of this resolution will be entered into the official record of the Authority meeting held on November 26, 2019.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Authority on the 26th day of November, 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of November, 2019.



Georgia Benyola, Assistant Secretary

R E S O L U T I O N

WHEREAS, the Toms River Municipal Utilities Authority is a participating agency under the Ocean County Co-Operative Pricing System known as ID#33-OCCP; and

WHEREAS, Stafford Township as the Lead Agency has bid for the Supply and Delivery of Diesel Fuel and awarded by their resolution 2019-284; and

WHEREAS, said bid meets the requirements of the Toms River Municipal Utilities Authority; and

WHEREAS, a contract has been awarded by said Lead Agency to Sprague Operating Resources, LLC, 185 International Drive, Portsmouth, NH 03801 for the supply and delivery of Diesel Fuel; and

WHEREAS, the Toms River Municipal Utilities Authority desires to join the above mentioned contract; and

WHEREAS, the Executive Director recommends award of this contract by this Board of Commissioners.

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

1. That a subsidiary contract for the supply and delivery of Diesel Fuel is hereby awarded to Sprague Operating Resources, LLC, 185 International Drive, Portsmouth, NH 03801.
2. That the fixed rate contract is based on the "Oil Price Daily" an OPIS Publication (formerly the Journal of Commerce) using the Newark Reseller Rack, Low End posting listed for Diesel Fuel and will be used to determine the price delivered gallon of Diesel Fuel for the "Date of Publication" for the date of delivery.
 - a. Ultra-low sulfur diesel fuel – Fixed Margin Rate - +\$0.1073
 - b. Charge for diesel winter mix blend – Fixed Margin Rate – no additional charge
3. That this is a fixed margin bid not to exceed \$45,000 per year with funds to be certified prior to each order.
4. That this shall be a two (2) year contract beginning November 2, 2019 through November 1, 2021 as awarded by the lead agency.
5. That the Executive Director is authorized to execute and the Assistant Secretary to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the Office of the QPA during normal business hours.
6. That a certified copy of this resolution shall be forwarded to the Lead Agency, the successful bidder, the Executive Director, the foreman of Building & Grounds Foreman, the CFO and the QPA.

C E R T I F I C A T I O N

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Commissioners held on the 26th day of November, 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of November, 2019.



Georgia Benyola, Assistant Secretary

**RESOLUTION ADOPTING
MODEL CONTROLLED SUBSTANCES and ALCOHOL USE and TESTING POLICY**

November 26, 2019

WHEREAS, the Toms River Municipal Utilities Authority employs individuals who are regulated by 49 CFR Part 40 Regulations of the U. S. Department of Transportation Procedures for Transportation Workplace Drug and Alcohol Testing Programs and Urine Specimen Collection Guidelines, Office of Drug and Alcohol Policy and Compliance, U.S. Department of Transportation (CDL policies) and;

WHEREAS, the NJ Municipal Excess Liability (NJMEL) Joint Insurance Fund has drafted a new policy on Model Controlled Substances and Alcohol Use Testing that take effect January 2020 under 49 CFR Part 40 and;

WHEREAS, the Toms River Municipal Utilities Authority (TRMUA) has reviewed the NJMEL Policy making additions/deletions appropriate to the TRMUA and;

WHEREAS, the manual is referenced in the TRMUA Personnel Policies/Employee handbook and;

WHEREAS, the NJMEL JIF recommends that the TRMUA adopt the manual prior to January 1, 2020.

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

1. The Model Controlled Substances and Alcohol Use Testing Policies are adopted.
2. A copy of this resolution will be entered into the official record of the Authority meeting held on November 26, 2019.

C E R T I F I C A T I O N

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 26th DAY OF NOVEMBER 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Authority the 26th day of November 2019.



GEORGIA BENYOLA, ASSISTANT SECRETARY

RESOLUTION

TOMS RIVER MUNICIPAL UTILITY AUTHORITY

November 26, 2019

WHEREAS, the Commissioners of Toms River Municipal Utilities Authority (TRMUA), County of Ocean, State of New Jersey, have adopted Rules and Regulations as of November 28, 2001; and

WHEREAS, the Commissioners have received recommendations from the Authority Engineer to amend language in the Rules and Regulations to clearly state the requirement of accessibility to sanitary sewer laterals, so as to better prevent and/or relieve blockages within sanitary sewer laterals that may occur; and

WHEREAS, the Commissioners find that it is in the best interest of the sewer users and ratepayers to amend the Rules and Regulations of the Authority consistent herewith.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Toms River Municipal Utilities Authority that the Rules and Regulations of the Authority shall be amended and supplanted with the following language effective as of November 26, 2019:

1. "Each individual sanitary sewer lateral shall be equipped with a curb cleanout and TRMUA-approved cover appliance at grade, unencumbered and accessible at all times to TRMUA, and situated between curb and sidewalk, and/or at or about the Right-Of-Way/Property line/Easement line."
2. A certified copy of this resolution will be entered into the official record of the Authority meeting held on November 26, 2019.

CERTIFICATION

I, Robert J. DiBiase, Executive Director, Secretary-Treasurer of the Toms River Municipal Utilities Authority, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Board of Commissioners of the Toms River Municipal Utilities Authority at a regular meeting of said Commissioners held on the 26th day of November 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of November, 2019



Robert J. DiBiase, Executive Director, Secretary-Treasurer

RESOLUTION

**TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
COUNTY OF OCEAN, STATE OF NEW JERSEY**

November 26, 2019

WHEREAS, the 2020 Toms River Municipal Utilities Authority’s Operating and Capital Budgets with supporting documentation was to be submitted for approval to the State of New Jersey, Department of Community Affairs, Division of Local Government Services, by the State mandated deadline of November 1, 2019, and

WHEREAS, due to an extensive review of the current rate schedule, the proposed 2020 Operating and Capital Budgets of the Toms River Municipal Utilities Authority was not presented to the Commissioners of the Toms River Municipal Utilities Authority for their approval until November 26, 2019, and

WHEREAS, the rate structure of the Authority was examined, and

WHEREAS, it was determined that the revenues derived from the sewer rates and connection fees would be adequate to meet the Authority’s operating needs in 2020, and

WHEREAS, the State of New Jersey, Department of Community Affairs, Division of Local Government Services, requires a resolution to be adopted by the Commissioners of the Toms River Municipal Utilities Authority explaining why the budget was submitted after the State mandated deadline of November 1, 2019.

NOW THEREFORE, BE IT RESOLVED that the Commissioners of the Toms River Municipal Utilities Authority adopt the preamble herein as a statement of explanation regarding the late submittal of the budget for adoption; and

BE IT FURTHER RESOLVED, that the Commissioners of the Toms River Municipal Utilities Authority adopted the draft 2020 Operating and Capital Budgets at a public meeting held on November 26, 2019, and authorized the immediate transmittal of the budget documents to the State of New Jersey, Department of Community Affairs, Division of Local Government Services for their approval and certification.

CERTIFICATION

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the forgoing to be a true and exact copy of a resolution duly adopted by the Toms River Municipal Utilities Authority at a regular meeting held on the 26th day of November, 2019.

Georgia Benyola, Assistant Secretary

Commissioner:	Recorded Vote			
	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Siddiqui, Tariq	X			
Clement, Deborah	X			
Montenegro, Ben	X			
Valvano, Charles	X			
Memoli, Carmen	X			

RESOLUTION

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

November 26, 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: 700-7619 - NJEIT Loan Interest on Debt	\$ 14,712	
Transfer to: 107-7101 - Pension Retirement		\$ 14,712
Transfer from: 604-8102 - Contingency	100,000	
Transfer to: 604-8101 - Bulk Rate/OCUA		100,000
Transfer from: 700-7619 NJEIT Loan Interest	100,000	
Transfer to: 604-8101 Bulk Rate/OCUA		100,000
Transfer from: 700-7620 NJEIT Loan Principal	300,000	
Transfer to: 604-8101 Bulk Rate/OCUA		300,000

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 26th of November, 2019.



Robert J. DiBiase, Executive Director, Secretary/Treasurer

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

11-26-19

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the TRMUA may go into Exec. Session to discuss matters that may be confidential or listed pursuant to NJSA 10:4-12; and

WHEREAS, it is recommended by the General Counsel that the TRMUA Commissioners go into Executive Session on November 26, 2019 to discuss matters set forth hereinafter which are permissible to discuss in Executive Session.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the TRMUA shall go into Executive Session to discuss the following items:

LIST

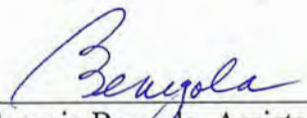
Personnel Matters

Litigation/Potential Litigation

Contractual Matters

I, Georgia Benyola, Assistant Secretary of the Toms River Municipal Utilities Authority, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Board of Commissions on November 26, 2019.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Authority this 26th day of November, 2019.



Georgia Benyola, Assistant Secretary