

RESOLUTION NO. 2014-54

RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY DECLARING AN EMERGENCY WITH REGARD TO THE NEEDED REPAIRS TO WELL NO. 7 AND WATER TREATMENT PLANT

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as "Authority") has been advised by its Consulting Engineer, Remington, Vernick and Vena, that an investigation of Well No. 7 located at 1344 Radio Road revealed that sand was pumped from the well into the filters causing the filter beds to immediately become obstructed and causing the treatment plant to go off line; and

WHEREAS, the Authority has been advised that the sand must be cleaned off the filter beds, disinfected, and backwashed in order to bring the treatment plant on-line using back-up Well No. 13 while addressing the repairs necessary to Well No. 7 and therefore, by letter dated July 17, 2014, the Authority's Consulting Engineer has recommended that an emergency be declared in order to repair Well No. 7 and water treatment plant immediately due to the potential adverse effects to the health, safety and welfare of the Township residents; and

WHEREAS, the Authority finds that an emergency must be declared in order to authorize the immediate expenditure of funds to repair Well No. 7 and water treatment plant; and

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NOW, THEREFORE, BE IT RESOLVED this 12th day of August, 2014, by the Little Egg Harbor Municipal Utilities Authority, County of Ocean, State of New Jersey as follows:

1. The Authority accepts the recommendation of its Consulting Engineer and declares an emergency with regard to the repairs necessary to Well No. 7 and water treatment plant at 1344 Radio Road, Little Egg Harbor Township, New Jersey. The Authority finds that an emergency must be declared in order to immediately repair Well No. 7 and water treatment plant to avoid the potential adverse effects to the health, safety and welfare of the Township residents.

2. The Authority authorizes its Executive Director to undertake the necessary work with A.C. Schultes, Inc.

3. The Authority directs the Executive Director to report to the Authority after the project repair has been completed in order to detail the amount of expenditures incurred by the Authority to resolve this emergency.

4. The Authority authorizes and directs its Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this resolution.

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CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12th day of August, 2014, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

Prepared by:

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#2014-55

**RESOLUTION OF THE LITTLE EGG HARBOR
MUNICIPAL UTILITIES AUTHORITY DIRECTING
THE UNDERTAKING OF A CONTINUING
DISCLOSURE REVIEW AND AUTHORIZING
PARTICIPATION IN THE MUNICIPALITIES
CONTINUING DISCLOSURE COOPERATION
INITIATIVE OF THE SECURITIES AND EXCHANGE
COMMISSION**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (the "Issuer") has previously issued one or more series of bonds ("Obligations"), including Obligations issued in the past five (5) years pursuant to one or more preliminary and final official statements; and

WHEREAS, in connection with the issuance of the Obligations, the Issuer agreed, pursuant to Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC"), to provide certain information to the former nationally recognized municipal securities information repositories or to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system, including, but not limited to, audited financial statements, certain financial information and operating data and notices of ratings changes and other events; and

WHEREAS, the SEC has recently focused on what it believes is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentations in official statements of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), a program currently scheduled to end for issuers at 12:00 a.m. on December 1, 2014, that encourages issuers of municipal bonds and notes to self-report possible material misstatements or omissions made in the past five (5) years in an official statement or statements regarding compliance with prior continuing disclosure undertakings; and

WHEREAS, by participating in the MCDC Initiative, issuers agree to accept certain non-monetary penalties; and

WHEREAS, recently, the Division of Local Government Services issued Local Finance Notice 2014-9 warning local government officials of possible consequences for failing to identify past noncompliance with continuing disclosure requirements and determining whether to take advantage of the MCDC Initiative, and recommending that local government officials proactively take steps to self-identify their own levels of compliance with their continuing disclosure undertakings and consult their public finance professionals to determine if it is advisable to participate in the MCDC Initiative; and

WHEREAS, the Issuer desires to conduct a disclosure review which will (i) summarize the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in the last five (5) years in its official statement or statements regarding past compliance (the "Disclosure Review"); and

WHEREAS, based on the results of the Disclosure Review, the Issuer further desires to delegate to the Executive Director, in consultation with the Issuer's general counsel, bond counsel, financial advisor, auditor and other finance professionals, the authority to prepare and submit all documentation required to enter the Issuer's bond issues into the MCDC Initiative, as necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, AS FOLLOWS:

Section 1. The Issuer hereby determines to undertake a Disclosure Review, and directs its Executive Director to undertake same with the assistance of the Issuer's general counsel, auditor, bond counsel and financial advisor.

Section 2. The Executive Director of the Issuer is hereby authorized and delegated the authority to determine if the Issuer shall participate in the MCDC Initiative if, after consultation with the Issuer's officials and professionals, it is determined that the Issuer may have made materially inaccurate statements in its bond offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Obligations issued during the last five (5) years prior.

Section 3. The Executive Director of the Issuer is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative, and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Disclosure Review, contemplated by this resolution.

Section 4. Any action taken by the Executive Director, or any other officer or employee of the Issuer, with respect to the Disclosure Review, the engagement of a disclosure specialist and participation in the MCDC Initiative is hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately.

MOTION: Earl Miller

SECOND Richard Crea

RECORDED VOTE


AYES: Earl Miller, Richard Robins,
Eugene Kobryn, Richard Crea,
Joseph Koptic

ABSTAIN;

NAYES:

ABSENT: Margaret DePergola

The foregoing is a true copy of the Resolution adopted by the governing body of the Little Egg Harbor Municipal Utilities Authority at a meeting thereof duly called and held on August 12, 2014.



RICHARD CREA, Secretary

RESOLUTION NO. 2014-56

**RESOLUTION OF THE LITTLE EGG HARBOR
MUNICIPAL UTILITIES AUTHORITY, COUNTY OF
OCEAN, STATE OF NEW JERSEY, REVISING THE
AUTHORITY REGULATIONS PERTAINING TO THE
CUTTING AND CAPPING OF SANITARY WATER AND
SEWER SERVICE CONNECTIONS**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as "Authority") has adopted regulations pertaining to the cutting and capping of sanitary water and sewer service connections within the Authority's service area in order to protect the health, safety and welfare of the residents and ratepayers; and

WHEREAS, the current Authority regulations prohibit the cutting and capping of sanitary water and sewer service connections by anyone other than a licensed plumber; and

WHEREAS, the Authority's customer service committee has determined the need to revise the Authority's regulations pertaining to the cutting and capping of sanitary water and sewer service connections in order to permit such services to be performed by other highly qualified contractors thereby allowing the expansion of available services to the ratepayers while protecting the Authority's sanitary water and sewer system; and

WHEREAS, the Authority's customer service committee recommends that the current Authority regulations be revised in order to permit the cutting and capping of the sanitary water and sewer service

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connections to contractors that hold a valid State of New Jersey DPMC27 Classification including trade classifications C056, entitled "Sewer piping and storm drains," and C058, entitled "Underground water and utilities."

NOW, THEREFORE, BE IT RESOLVED this 12th day of August 2014, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts the recommendations of its customer service committee and Executive Director and hereby amends and supplements the Authority regulations so as to permit the cutting and capping of sanitary water and sewer service connections by contractors that hold a valid State of New Jersey DPMC27 Classification including trade classifications C056, entitled "Sewer piping and storm drains," and C058, entitled "Underground water and utilities."

2. That the revision to the Authority's regulations shall take effect immediately upon adoption of this resolution.

3. The Authority authorizes and directs the Chairman, Secretary, and Executive Director to execute any and all necessary documents in order to implement the intent of this resolution.

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CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12th day of August 2014, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

Prepared by:

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RESOLUTION NO. 2014 - 57

**RESOLUTION OF THE LITTLE EGG HARBOR
MUNICIPAL UTILITIES AUTHORITY, COUNTY OF
OCEAN, STATE OF NEW JERSEY, CREATING THE
POSITION OF RIGHT-TO-KNOW COORDINATOR**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") is empowered to, pursuant to the provisions of N.J.S.A. 40:14B-1 et seq., maintain and properly monitor its employees and staff, in order to best serve the interests of the residents and ratepayers of the Authority; and

WHEREAS, the Authority, in particular the Personnel Committee, has carefully considered the creation of the position of Right-To-Know Coordinator; and

WHEREAS, the Authority believes that it is in the long-term best interests of the Authority, its ratepayers, and the citizens of Little Egg Harbor Township to create this position in order to best implement the policies and best achieve the goals of the Authority; and

WHEREAS, the Authority believes it appropriate and necessary to create the position of Right-To-Know Coordinator:

NOW, THEREFORE, BE IT RESOLVED, this 12th day of August, 2014 by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority hereby creates the position of Right-To-Know Coordinator.

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2. The principal duties and responsibilities of the Right-To-Know Coordinator are as follows:

- (1) Work directly with the Superintendent and O&M Coordinator on all RTK laws and policies.
- (2) Responsible for all RTK policies and any other requirements to comply with the RTK Act.
- (3) Prepare hazardous substance fact sheets, brochures, and any other materials to increase the awareness and comply with the RTK laws.
- (4) Complete surveys listing the names and quantities of hazardous chemicals stored and used at each of the Authority facilities.
- (5) Send RTK surveys to the NJDOH, local Fire and Police departments, designated RTK County Lead Agencies, local Health Departments, and local Emergency Planning Committees.
- (6) Establish and maintain a RTK central file at each facility, which shall include a copy of the facility's RTK survey, and Material Safety Data Sheets.
- (7) Label containers with chemical names and chemical abstract service (CAS) number of the containers' ingredients and post the RTK poster.
- (8) Supply employees with a copy of the RTK survey of hazardous substances on request.

3. The Authority authorizes and directs the Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this resolution.

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CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a regular meeting held on the 12th day of August, 2014, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

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RESOLUTION NO. 2014-58

**RESOLUTION OF THE LITTLE EGG HARBOR
MUNICIPAL UTILITIES AUTHORITY, COUNTY OF
OCEAN, STATE OF NEW JERSEY, APPOINTING JOHN
VITERRITO AS THE RIGHT-TO-KNOW COORDINATOR**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has determined the need to appoint a Right-to-Know Coordinator; and

WHEREAS, John Viterrito is a longtime Authority employee and currently serves in the positions of Utility Markout Coordinator and Safety Coordinator; and

WHEREAS, the Authority has been advised by the Superintendent and its Personnel Committee that John Viterrito has the experience, educational background and confidence to serve the Authority and its ratepayers as Right-to-Know Coordinator; and

WHEREAS, the Superintendent and Personnel Committee has recommended that John Viterrito be appointed as Right-to-Know Coordinator at an additional rate of \$2.00 per hour be added to his current base salary of \$22.89 per hour.

NOW, THEREFORE, BE IT RESOLVED this 12th day of August 2014, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts the recommendations of its Superintendent and Personnel Committee and hereby appoints John

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Viterrito as Right-to-Know Coordinator of the Authority at an additional rate of \$2.00 per hour be added to his current base rate of \$22.89 resulting in a total base salary rate of \$24.89 per hour.

2. That the appointment of John Viterrito as Right-to-Know Coordinator shall become effective August 14, 2014.

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

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12th day of August 2014, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

Prepared by:

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RESOLUTION NO. 2014-59

**RESOLUTION OF THE LITTLE EGG HARBOR
MUNICIPAL UTILITIES AUTHORITY, COUNTY OF
OCEAN, STATE OF NEW JERSEY, APPOINTING
NICOLE MEZZINA AS TEMPORARY QUALIFIED
PURCHASING AGENT**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") previously created the position of Qualified Purchasing Agent in accordance with the provisions of N.J.S.A. 40A:11-9; and

WHEREAS, a vacancy exists in the position of Qualified Purchasing Agent as a result of the termination of employment of the previous Qualified Purchasing Agent on May 13, 2014; and

WHEREAS, N.J.S.A. 40A:11-9(g) and N.J.A.C. 5:34-5.5(a) provides that following the appointment of a purchasing agent for a contracting unit, if the person appointed no longer performs such duties, the governing body or chief executive officer, as appropriate to the form of government, may appoint, for a period not to exceed one year commencing from the date of the vacancy, a person who does not possess a qualified purchasing agent certificate to serve as a temporary purchasing agent. Any person so appointed may, with the approval of the director of the Division of Local Government Services, be reappointed as a temporary purchasing agent for a maximum of one additional year following the end of the first temporary appointment, however, no contracting unit shall employ a temporary purchasing agent for more than two consecutive years; and

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WHEREAS, the Authority's personnel committee has carefully considered the appointment of a temporary qualified purchasing agent and has determined that the Authority's Executive Secretary, Nicole Mezzina, is highly qualified to serve in that position, pending certification, and recommends the appointment of Nicole Mezzina as temporary qualified purchasing agent for the Authority; and

WHEREAS, the Authority believes that it is in the best interest of the Authority to approve the recommendation of the personnel committee and appoint Nicole Mezzina as temporary qualified purchasing agent.

NOW, THEREFORE, BE IT RESOLVED this 12th day of August, 2014, by the Little Egg Harbor Municipal Utilities Authority as follows:

1. The Authority does hereby appoint Nicole Mezzina as temporary qualified purchasing agent to fill the vacancy in said position in accordance with the provisions of N.J.S.A. 40A:11-9(g) and N.J.A.C. 5:34-5.5(a).

2. That the appointment shall become effective May 13, 2014, the date of the vacancy created by the termination of employment of the previous qualified purchasing agent.

3. That the appointment of Nicole Mezzina as temporary qualified purchasing agent shall be a temporary appointment pending certification in accordance with the provisions of the statute and promulgated regulations.

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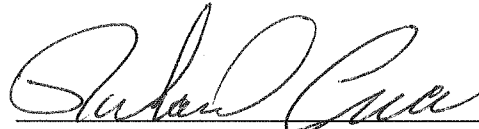
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4. The Authority authorizes and directs its Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a meeting held on the 12th day of August, 2014, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

Prepared by:

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RESOLUTION NO. 2014-60

RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SETTLEMENT OF A CLAIM AGAINST K. HOVNANIAN AT LITTLE EGG HARBOR, LLC FOR SURFACE PAINTING REPAIRS TO THE WATER STORAGE TANK AT FOUR SEASONS AT SEA OAKS, SECTION 1

WHEREAS, K. Hovnanian at Little Egg Harbor, LLC (hereinafter referred to as “Developer”) was granted approvals from the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as “Authority”) for the installation of a water storage tank and test/production well for K. Hovnanian Four Seasons at Sea Oaks, Section 1 (hereinafter referred to as “project”); and

WHEREAS, the Consulting Engineer for the Authority, Remington, Vernick and Vena, previously prepared a punch list of items which needed to be corrected by the Developer which included surface painting repairs to the water storage tank; and

WHEREAS, subsequent on-site inspections of the repairs to the water storage tank has revealed several locations where the white intermediate paint could be seen through the finish coat with significant contrast between the areas that were treated and the areas untreated; and

WHEREAS, the Authority continues to contend that the surface painting repairs required of the Developer are unacceptable and not in accordance with the requirements of the Authority; and

WHEREAS, in an effort to amicably resolve the Authority’s claim against the Developer for the surface painting repair deficiency without the

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need for litigation, the developer has offered to pay to the Authority the sum of \$27,500.00, which amount represents the value of the painting repairs necessary, in full and complete satisfaction of the Authority's claim as to the water tank surface painting repairs; and

WHEREAS, the Authority believes that accepting the Developer's offer in settlement of the Authority's claim is in the best interest of the Authority and its ratepayers.

NOW, THEREFORE, BE IT RESOLVED, this 12th day of August 2014, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts the offer of the Developer for payment in the sum of \$27,500.00 in full and complete settlement of the Authority's claim against the Developer for the project for surface painting repairs to the water storage tank.

2. The Authority authorizes and directs the Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this resolution.

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CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Little Egg Harbor Municipal Utilities Authority at a regular meeting held on August 12, 2014, a quorum being present and voting in the majority.



RICHARD CREA, Secretary

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