

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
RESOLUTION 2022-47**

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year ended June 30, 2021 has been filed by a Registered Municipal Accountant with the Secretary pursuant to N.J.S.A. 40A: 5A-17, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated by N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each local unit shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Little Egg Harbor Municipal Utilities Authority, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON this 7th day of July 2022.



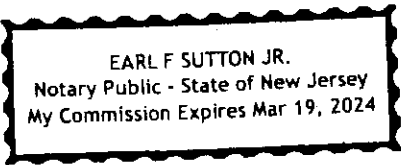
Kenneth Miller, Secretary

STATE OF NEW JERSEY
COUNTY OF OCEAN

We, the members of the governing body of the Little Egg Harbor Municipal Utilities Authority, in the County of Ocean, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the Board of Commissioners of the Little Egg Harbor Municipal Utilities Authority in the County of Ocean;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Authority Audit filed with the Secretary pursuant to N.J.S.A. 40A:5A-17 for the year ended June 30, 2021;
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) *[Signature]* (L.S.) *Margaret DeRegale*
(L.S.) *[Signature]* (L.S.) *Marie J Kelly*
(L.S.) *[Signature]* (L.S.) _____



[Signature]
Kenneth Miller, Secretary

Sworn to and subscribed before me this
6th Day of July, 2022
[Signature]
Notary Public of New Jersey

The Secretary, Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

RESOLUTION NO. 2022-48

RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY AWARDING A CONTRACT TO TKT CONSTRUCTION COMPANY, INC. FOR THE DEMOLITION OF THE BUILDING AND TREATMENT FACILITIES AT WELL #5

WHEREAS, Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has solicited quotes for the demolition of the building and treatment facilities at Well #5 (the "project"); and

WHEREAS, the Authority has solicited quotes in conformance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.: and

WHEREAS, five (5) quotes have been submitted to the Authority in conformance with the requirements provided as follows:

TKT CONSTRUCTION COMPANY, INC.	\$23,800.00
LAFAYETTE UTILITY CONSTRUCTION COMPANY	\$24,972.00
C. CORLISS & SONS	\$26,245.00
MATHIS CONSTRUCTION COMPANY, INC.	\$26,575.00
CREST CONSTRUCTION GROUP, INC.	\$39,999.00

WHEREAS, the quote submitted by the apparent lowest contractor TKT Construction Company, Inc., has been reviewed by the Authority and found to be acceptable as to form and content; and

WHEREAS, sufficient funds have been provided for in the Authority's budget.

NOW, THEREFORE BE IT RESOLVED this 6th day of July, 2022 by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority recommends and awards the contract for the project to the apparent lowest responsible contractor, TKT Construction Company, Inc. for and in consideration of \$23,800.00.
2. The Authority authorizes and directs the Chairman, Secretary and Executive Director to execute any and all necessary documents in order to implement to 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 6th day of July 2022, a quorum being presented and voting in the majority.



Kenneth Miller, Secretary

RESOLUTION NO. 2022-49

RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY GRANTING A THIRTY (30) DAY EXTENSION TO AC SCHULTES, INC. TO COMPLETE THE DECOMMISSIONING OF WELL #5

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the ("Authority")) has received a request from AC Schultes, Inc. for a thirty (30) day extension to complete the Decommissioning of Well #5.

NOW THEREFORE, BE IT RESOLVED on this 6th day of July 2022, by the Little Egg Harbor Municipal Utilities Authority as follows:

The Little Egg Harbor Municipal Utilities Authority hereby grants AC Schultes, Inc. a thirty (30) day extension, until July 31, 2022, to complete the Decommissioning of Well #5 as recommended by Remington and Vernick Consulting Engineers in their letter dated June 20, 2022.

1. The Authority authorizes and directs the Chairman, Secretary, and/or 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 6th day of July 2022, a quorum being present and voting in the majority.



Kenneth Miller, Secretary



REMINGTON
& VERNICK
ENGINEERS

9 Allen Street
Toms River, NJ 08753
O: (732) 286-9220
F: (732) 505-8416

June 21, 2022

Mr. August C. Schultes, IV, President, via email: gusiv@acshcultes.com
A.C. Schultes, Inc.
664 South Evergreen Avenue
Woodbury Heights, New Jersey 08097

Re: Little Egg Harbor MUA
Well No.5 Decommissioning Contract Time Extension
RVE File: 1517-L-136

Dear Mr. Schultes:

Our office is in receipt of a letter from your office dated June 14, 2022 requesting a formal 30-day contract time extension for the Decommissioning of Well No.5 for the Little Egg Harbor Municipal Utilities Authority.

The time-extension request is due to the unforeseen circumstance of the well being obstructed by debris upon the removal of the six-inch inner casing. As the conditions encountered will require an alternate plan of abandonment to be submitted to the NJDEP for approval, the NJDEP has approved an extension of the compliance period for the decommissioning of Well No.5. Therefore, at this time, our office would recommend a 30-day contract time extension, to be formally approved via resolution by the commissioners of the Authority. The new project completion date shall be July 30, 2022.

Should any questions arise regarding this matter, please do not hesitate to contact our Toms River office.

God Bless America,

REMINGTON & VERNICK ENGINEERS

Alan B. Dittenhofer, P.E., P.P., C.M.E.

TED/ABD:

cc: Mr. Earl F. Sutton, Jr., Executive Director
Mr. Michael Difracia, Superintendent
Mr. John Mulvihill, Lead Inspector
Mr. Trace Dittenhofer, E.I.T.

RESOLUTION NO. 2022-50

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY ESTABLISHING THE
POSITION OF PROJECT MANAGER OF
THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") needs to create the position of Project Manager to work under the direct supervision of the Executive Director/CFO and Superintendent, to oversee, schedule or perform all construction inspections and development reviews. In addition, perform administrative duties, coordination between the Authority Engineer and Contractors, reporting and assistance to the Authority to ensure compliance with applicable standards, federal, state, and local regulations; and

WHEREAS, the Authority believes it is in the best interest of the Authority, its customers and rate payers, to create and fill the position of Project Manager in order to address the operational needs of the Authority; and

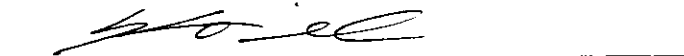
WHEREAS, the Authority, through its Personnel Committee, has reviewed this matter and believes it appropriate and necessary to establish a position of Project Manager.

NOW THEREFORE, BE IT RESOLVED, this 9th day of August 2022, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority creates the position of Project Manager.
2. The principal duties and responsibilities of the Project Manager are as follows:
See Schedule A attached hereto.
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 the 9th day of August 2022, a quorum being present and voting in the majority.



Kenneth Miller, Secretary

RESOLUTION NO. 2022-51

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING AN
EMPLOYMENT AGREEMENT WITH JOHN M. MULVIHILL**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as to the "Authority") has negotiated an agreement with John M. Mulvihill as Project Manager of the Authority; and

WHEREAS, in accordance with said contract negotiations, an agreement has been reviewed by the Authority's Solicitor; and

WHEREAS, it is the desire of the Authority to authorize the execution of the agreement with John M. Mulvihill as Project Manager.

NOW, THEREFORE, BE IT RESOLVED this 9th day of August 2022, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts and approves the Employment Agreement for the employment of John M. Mulvihill as Project Manager.
2. That a certified copy of this resolution and agreement shall be kept on file at the office of the Authority and available for public inspection during normal business hours.
3. The Authority authorizes and directs the Chairman, Secretary and Project Manager 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 9th day of August 2022, a quorum being present and voting in the majority.



Kenneth Miller, Secretary

RESOLUTION NO. 2022-52

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ADOPTING AN UPDATED EMPLOYEE JOB DESCRIPTION MANUAL**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has previously adopted a Personnel Policies and Procedures Manual and an Employee handbook and (hereinafter collectively referred to as the "Employee Manuals"); and

WHEREAS, the Authority and its counsel have reviewed the proposed Employee Job Description Manual and find the proposed modifications to be satisfactory and beneficial to the Authority, its employees and ratepayers; and

WHEREAS, it is the desire of the Authority to adopt the Employee Job Description Manual as revised.

NOW, THEREFORE, BE IT RESOLVED, this 9th day of August 2022, by the Little Egg Harbor Municipal Utilities Authority, as follows:

1. The Authority accepts and approves the proposed modifications to the Employee Job Description Manual, copies of which are filed at the Authority office and can be reviewed by the public during normal business hours.
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.

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 9th day of August 2022, a quorum being present and voting in the majority.



Kenneth Miller, Secretary

RESOLUTION #2022-53

**RESOLUTION OF THE LITTLE EGG HARBOR MUNICIPAL UTILITIES AUTHORITY,
COUNTY OF OCEAN, STATE OF NEW JERSEY, DENYING THE RELEASE OF A
PERFORMANCE BOND BY AZ TUCKERTON, LLC, BLOCK 276, LOT 12**

WHEREAS, the Little Egg Harbor Municipal Utilities Authority (hereinafter referred to as the "Authority") has received a request from AZ Tuckerton, LLC (the "Contractor") for a release of their performance bond posted for Auto Zone, Block 276, Lot 12 (the "Project"); and

WHEREAS, the Authority has reviewed this request; and

WHEREAS, the Authority determined that the plan was incomplete and recommends denial ; and

NOW, THEREFORE, BE IT RESOLVED, this 9th day of August 2022 by the Little Egg Harbor Municipal Utilities Authority as follows:

- 1** - The Authority denies the request for release of the performance bond.
- 2** - The Authority authorizes and directs the Chairman, Secretary, and/or Executive Director to execute all necessary documents 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 9th day of August 2022, a quorum being present and voting in the majority.



Kenneth Miller, Secretary