

BERNARDS TOWNSHIP SEWERAGE AUTHORITY
AGENDA
September 13, 2022
6:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Open Public Meeting Statement
5. Closed session – Resolution #2252 – Dish Wireless
6. Approval of Minutes
 - a. Regular Meeting – August 9, 2022
7. Correspondence – Flow Report -2nd quarter
8. Public Comment
9. Action/Discussion Items:
 - a. Resolution #2253 Personnel Appointment Dan Kabus
 - b. Resolution #2254 2023 Budget Introduction
 - c. Discussion – Plant Hydraulic Improvements
9. Operator's Report
10. Bill List – Resolution - #2255 -
11. Member/Staff Comments
12. Adjournment



Bernards Township Sewerage Authority Resolution

Resolution #2252

Authorizing an Executive Session Meeting of the Bernards Township Sewerage Authority

WHEREAS, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Bernards Township Sewerage Authority has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

WHEREAS, the regular meeting of the Bernards Township Sewerage Authority will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Bernards Township Sewerage Authority will go into closed session for the following reason(s) as outlined in NJSA 10:4-12; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Bernards Township Sewerage Authority hereby declares that the discussion of subject(s) may be made public at a time when the Authority Attorney advises the Authority that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

NOW THEREFORE BE IT FINALLY RESOLVED that the Bernards Township Sewerage Authority, hereby declares that the public is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Director to take the appropriate action to effectuate the terms of this resolution.

Reason for Closed Session

Estimated Time of Disclosure or Upon Occurrence Of

- ☐ Any matter which by express provisions of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public provision relied upon .
- ☐ Any matter in which the release of information would impair a right to receive funds from the federal government.
- ☐ Any matter involving Attorney-Client privilege.
- ☐ Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.
- ☐ Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.

- ☐ Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection.
- ☐ Any investigations of violations or possible violations of the law.
- ☒ Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. *Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact. Dish Wireless Lease*
- ☐ Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 NJ 478.
The employee(s) and nature of discussion is:
- ☐ Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.
- ☐ Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy.

Agenda and Date Voted: February 15, 2022

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 2/15/22.

Thomas Timko, Authority Director



Bernards Township Sewerage Authority Resolution

Resolution #2253
Personnel Appointment
Dan Kabus – Wastewater Treatment Plant Operator
Sewerage Authority

Whereas, the fulltime position of Wastewater Treatment Plant Operator is vacant within the Bernards Township Sewerage Authority; and

Whereas, the Plant Superintendent, Sewerage Authority Director, and Human Resource Manager have deemed it necessary to fill this position; and,

Whereas, Dan Kabus has applied for and is qualified to fill said position; and

Now, Therefore Be It Resolved, by the Bernards Township Sewerage Authority of the Township of Bernards that Dan Kabus is appointed full time Wastewater Treatment Plant Operator effective September 14, 2022, at an hourly rate of \$26.00 for a 40-hour workweek. Offer of employment is contingent upon the results of pre-employment screening as per Township policy.

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 9/13/2022.

Thomas Timko, Authority Director

2023 (2022-2023) AUTHORITY BUDGET RESOLUTION

Bernards Township Sewerage Authority

RESOLUTION 2254

FISCAL YEAR: FROM: 12-1-22 TO: 11-30-23

WHEREAS, the Annual Budget and Capital Budget for the Bernards Township Sewerage Authority for the fiscal year beginning, 12-1-22 and ending, 11-30-23 has been presented before the governing body of the Bernards Township Sewerage Authority at its open public meeting of 9-13-22; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$6,038,260 Total Appropriations, including any Accumulated Deficit, if any, of \$6,193,031 and Total Unrestricted Net Position utilized of \$154,771; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$2,325,000 and Total Unrestricted Net Position planned to be utilized of \$0; and

WHEREAS, the schedule of rents, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bernards Township Sewerage Authority, at an open public meeting held on 9-13-22 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Bernards Township Sewerage Authority for the fiscal year beginning, 12-1-22 and ending, 11-30-23 is hereby approved; and

BE IT FURTHER RESOLVED that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED that the governing body of the Bernards Township Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on 11-22-22.

(Secretary's Signature)

(Date)

Governing Body Recorded Vote

Member	Aye	Nay	Abstain	Absent
Chairperson Orr				
Ms. Fields				
Ms. Asay				
Mr. McNally				
Mr. Crane				