



Declaration of Emergency

WHEREAS, the World Health Organization (WHO) characterized the novel COVID-19 virus a global pandemic on March 11, 2020; and

WHEREAS, Donald J. Trump, President of the United States of America; Philip D. Murphy, Governor of the State of New Jersey; the Board of Chosen Freeholders of the County of Monmouth; and the Townships of Marlboro and Manalapan have each proclaimed that a State of Emergency exists within their respective jurisdictions; and

WHEREAS, the United States of America and State of New Jersey have each implemented unprecedented social distancing measures, including, but not limited to, school and childcare closures, quarantines, business and restaurant closures, mandated government intervention and the like that will inevitably affect Western Monmouth Utilities Authority (the “Authority”) staff both personally and professionally; and

WHEREAS, the Authority recognizes the impact of these measures on Authority staff and anticipates that the COVID-19 crisis, and the Authority’s response, will be required to be sustained for the foreseeable future; and

WHEREAS, during the present national emergency, it is the intent of the Authority to:

- Protect the health, safety, and welfare of all areas of responsibility therein, specifically including (but in no way limited to) that of our sewer system, staff, families, partners, customers, vendors and the general population; and
- Meet all statutory, legal, regulatory, and ethical responsibilities and criteria; and
- Pursue the Authority’s enabling legislation, mission and vision without interruption; and
- Implement continuity of government and continuity of operations; and
- Ensure proper span-of-control is maintained while keeping our dedicated staff and professionals fully employed, insured and available for service; and

WHEREAS, the Authority recognizes that emergency measures shall be required to address the rapidly evolving situation and unprecedented social disruption in a manner that may require emergency action by the Executive Director/Chief Executive Officer (“ED/CEO”) that would otherwise require formal action by the Board of Commissioners; and

WHEREAS, the Board of Commissioners intends for the ED/CEO to act affirmatively to protect the interests of the Authority.

NOW, THEREFORE, I, Brian J. Valentino, Executive Director/Chief Executive Officer of the Western Monmouth Utilities Authority, do hereby DECLARE that a STATE OF EMERGENCY exists that may require extraordinary action by the undersigned that would normally require formal action by the Board of Commissioners; and

BE IT DECLARED, that the undersigned has consulted with the Chairman of this Authority before taking this action and the Board of Commissioners intends to memorialize this DECLARATION by resolution at their regularly scheduled meeting of 24 March 2020; and

BE IT FURTHER DECLARED, that the following extraordinary measures may be taken by the undersigned or my designees in order to protect the health, safety, welfare, and morals of the general population and of this Authority and to ensure continuity of government and operations throughout the duration of the COVID-19 crisis, which includes, but is not limited to the following:

1. Negotiation of changes to Collective Bargaining Agreements and other contracts; and
2. Restructuring of Staff work hours, schedules and locations; and
3. Relaxation of policies as deemed necessary and expedient; and
4. Guaranteed compensation throughout the crisis pursuant to written guidelines or policies; and
5. Scheduling and convening public meetings of the Board of Commissioners via alternative technological means, pursuant to law and policy; and
6. Authorization to make bill list payments if public meetings are precluded; and
7. Authorization for the Chief Financial Officer to transfer funds as necessary among Authority accounts if public meetings are precluded; and
8. Authorization for shared service agreements with other local entities, authorities and utilities, pursuant to law, as they pertain to emergency measures to address the COVID-19 crisis; and
9. Any and all additional unforeseen measures that may emerge as the COVID-19 crisis evolves (collectively, the "Emergency Measures"); and

BE IT FURTHER DECLARED, any and all Emergency Measures taken by the Executive Director/Chief Executive Officer will require prior consultation with the Authority's General Counsel and formal ratification by the Board once the exact scope of each and every Emergency Measure can be reasonably quantified.

Given under my hand and the Seal of the Western Monmouth Utilities Authority, this, the Twenty-first Day of March, in the Year of our Lord, Two Thousand Twenty. Done at the Administration Building, Western Monmouth Utilities Authority in the Township of Manalapan, County of Monmouth, State of New Jersey.

BY ORDER OF:



Executive Director/Chief Executive Officer