

108-2023

Agenda Item No.: 4

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Township of Berkeley Heights ("Township") entered into a collective bargaining agreement with UPSEU Wastewater Treatment Plant effective from January 1, 2019 to December 31, 2023; and

WHEREAS, it has been determined that a sidebar agreement is appropriate to address the full-time position of Laboratory Analyst/Operator; and

WHEREAS, the sidebar agreement, a copy of which is attached hereto, has been reviewed by Labor Counsel and recommended to the Administration and Council; and

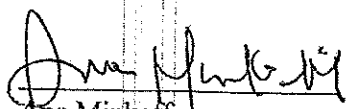
WHEREAS, it is the interests of the residents of the Township to have this position addressed by sidebar agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Mayor/Township Administrator is hereby authorized to execute the sidebar agreement referenced herein; and

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

APPROVED this 7th day of March, 2023.

ATTEST:


Ana Minkoff
Township Clerk

ROLL CALL	AYE	NAY	ABSTAIN	ABSENT
COUTO	✓			☐
DONNELLY	✓			
FOSTER				✓
KINGSLEY	✓			
POAGE	✓			
VARNERIN	✓			
TIE:				
MAYOR DEVANNEY				

The Township of Berkeley Heights and the UPSEU Wastewater Treatment Plant
Sidebar to Jan 1, 2019-Dec. 31, 2023 Collective Bargaining Agreement

The Township has proposed, and the UPSEU members employed at the Berkeley Heights Wastewater agree to the creation of a new position of Laboratory Analyst/Operator as set forth below. This position is being inserted into the Collective Bargaining Agreement and shall be a full-time position. Annual salary range is \$50,000 - \$72,000 (total base compensation inclusive of Article XLI).

This Sidebar modifies the parties' collective negotiations agreement in all applicable places. All other terms and conditions set forth in the collective negotiations shall remain unchanged.

This Agreement shall not be effective unless ratified by the UPSEU membership and approved by the Mayor and Council.

Laboratory Analyst/Operator

Essential Job Functions

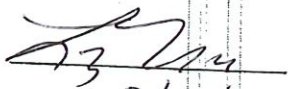
- Collects and performs a variety of chemical, biological and physical testing on wastewater, solids and other related samples to ensure efficient operation of plant processes to meet NJPDES permit discharge standards.
- Performs some in-house permit required compliance testing including pH, temperature and peracetic acid residual.
- Collects and distributes samples to third party laboratory for weekly, monthly, WCR, chronic bioassay and sludge quality NJPDES permit required testing.
- Performs state required proficiency testing (PT) and assists Director in maintaining all laboratory certifications and accreditations.
- Implements process control program, recording all pertinent data electronically and in hardcopy form.
- Assists Director in submitting reports and other regulatory related forms to the NJDEP.
- Calibrates and maintains all laboratory equipment.
- Performs quarterly NIST calibrations of related equipment.
- Maintains laboratory inventory and ensures general cleanliness of lab facilities.
- Maintains a comprehensive quality assurance program, in compliance with the requirements of the NJDEP Office of Quality Assurance.
- Makes recommendations to Director for testing procedures and equipment acquisition.
- Provides operator training in Laboratory equipment and procedures, as required.

- Actively participates with the operations & maintenance of the WPCP, pump stations, and collections system. This includes scheduling sludge hauling, operating pumps & valves, and repairs to underground piping.
- Operates Jet Vac truck and CCTV camera for cleaning and inspection of underground piping when needed.
- Is included in the rotational weekend/holiday/emergency call-out work schedule, as well as any other mandatory overtime.
- Assists in snowplowing on sewer plant premises as needed.
- Reports directly to plant director.

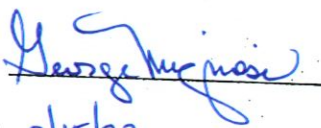
Qualifications

A degree from an accredited college or university in the area of biology, chemistry or other related scientific discipline is preferred. 3-5 years' experience working in a laboratory. Experience in the wastewater industry preferred. S2 license preferred. CDL license or permit required. Computer literate in Excel and Word.

FOR THE TOWNSHIP


Dated: 3/23/23

FOR USPEU


Dated: 3/15/23

#5

285-2022

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

APPROVING A ONE-YEAR EXTENSION TO THE 2019-2022 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF BERKELEY HEIGHTS AND THE UNITED PUBLIC SERVICE EMPLOYEES UNION THROUGH DECEMBER 31, 2023

WHEREAS, The Township of Berkeley Heights ("Township") and the United Public Service Employees Union ("Union") have previously engaged in negotiations in good faith in an effort to arrive at a successor agreement to the Collective Bargaining Agreement between the Employer and the Union which expires December 31, 2022 ("Agreement"); and

WHEREAS, the parties wish to extend the terms of the Agreement for one (1) additional year, through December 31, 2023, pursuant to a Memorandum of Understanding; and

WHEREAS, copies of the aforementioned Agreement and Memorandum of Understanding are annexed to this Resolution and incorporated as if fully set forth herein; and

WHEREAS, the Berkeley Heights Township Council has reviewed the aforesaid Agreement and Memorandum of Understanding; and

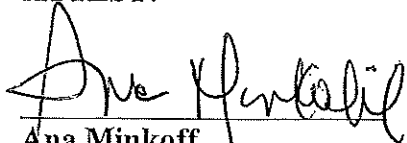
WHEREAS, the Berkeley Heights Township Council wishes to memorialize and ratify its approval of the Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Berkeley Heights that the Agreement is extended for a one-year term, through December 31, 2023, pursuant to the attached Memorandum of Understanding.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the Memorandum of Understanding for the purposes of this Resolution.

APPROVED this 6th day of December, 2022.

ATTEST:


Ana Minkoff
Township Clerk

ROLL CALL	AYE	NAY	ABSTAIN	ABSENT
BRAHIMAJ	✓			☐
COUTO	✓			
DONNELLY	✓			
FOSTER	✓			
KINGSLEY	✓			
VARNERIN	✓			
TIE:				
MAYOR DEVANNEY				

196-2023

Agenda Item No.: 7

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

**RESOLUTION AUTHORIZING A SIDEBAR AGREEMENT WITH THE
UNITED PUBLIC SERVICE EMPLOYEES UNION**

WHEREAS, the Township of Berkeley Heights ("Township") entered into a Collective Bargaining Agreement with the United Public Service Employees Union for the term of January 1, 2019 through December 31, 2023; and

WHEREAS, it has been determined that a sidebar agreement is appropriate to address black seal operator requirements; and

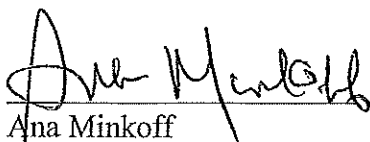
WHEREAS, it is in the interests of the Township to have additional agreed-upon requirements addressed by a sidebar agreement to the Collective Bargaining Agreement; and

WHEREAS, the sidebar agreement, a copy of which is attached hereto, has been negotiated between the parties and recommended for Township Council approval.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township Administrator is hereby authorized to execute the sidebar agreement referenced herein.

APPROVED this 27th day of June 2023.

ATTEST:


Ana Minkoff
Township Clerk

ROLL CALL	AYE	NAY	ABSTAIN	ABSENT
COUTO	✓			☐
DONNELLY	✓			
FOSTER	✓			
KINGSLEY	✓			
POAGE	✓			
VARNERIN				✓
TIE:				
MAYOR DEVANNEY				

UNITED PUBLIC SERVICE EMPLOYEES UNION

To: Members of the United Public Service Employees Union
Berkeley Heights Waste Water Treatment Plant

From: Liza Viana
Berkeley Heights Township Administrator
Sidebar agreement regarding the 2019-2023 Collective Bargaining Agreement

June 22, 2023

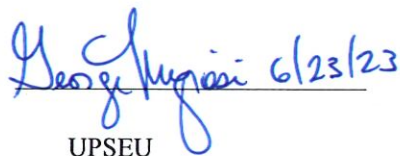
The Township has proposed, and the UPSEU members employed at the Berkeley Heights Waste Water Treatment Plant have accepted, the following sidebar agreement related to Black Seal Operator requirements.

The parties agree that:

- Each Operator will train and apply for the Black Seal Operator License.
- Training, including time and licensing fees and needed recertification will be paid by the Employer.
- New employees who have passed probation will be trained in a timely fashion.
- No employee will be terminated if he/she does not pass the first time.
- An employee with a Black Seal license will receive a pensionable salary increase of \$2,000.



BERKELEY HEIGHTS


UPSEU

Dated



209-2023

Agenda Item No.: 10

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY**

RESOLUTION

WHEREAS, the Township of Berkeley Heights ("Township") entered into a labor agreement with United Public Service Employees Union Waste Water Treatment Plant Public titled "Agreement Between the Township of Berkeley Heights and United Public Service Employees Union Waste Water Treatment Plant Public, January 1, 2019-December 31, 2023"; and

WHEREAS, it has been determined that a side letter agreement is appropriate to address the requirements surrounding commercial driver's license (CDL); and

WHEREAS, the "Side Letter of Agreement – CDL Licensure", a copy of which is attached hereto, has been reviewed by Labor Counsel and recommended to the Administration and Council; and

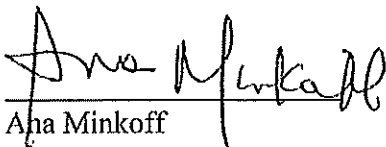
WHEREAS, it is in the interests of the Township to have these CDL requirements addressed by side letter agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, that the Township Administrator is hereby authorized to execute the side letter agreement referenced herein; and

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

APPROVED this 18th day of July, 2023.

ATTEST:


Ana Minkoff
Township Clerk

ROLL CALL	AYE	NAY	ABSTAIN	ABSENT
COUTO	✓			☐
DONNELLY				✓
FOSTER	✓			
KINGSLEY				✓
POAGE	✓			
VARNERIN	✓			
TIE:				
MAYOR DEVANNEY				



SIDE LETTER OF AGREEMENT
CDL Licensure

This side letter of agreement is entered into on this 18th day of July, 2023 by and between the Township of Berkeley Heights ("Township") and the United Public Service Employee Union ("Union") (collectively the "Parties").

WHEREAS, the Federal Motor Carrier Safety Administration recently changed its rules to require applicants for a commercial driver's license ("CDL") to complete an entry level driver training course; and

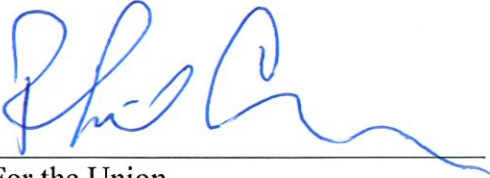
WHEREAS, all employees within the negotiations unit represented by the Union are required by the Township to hold a CDL as an essential function of their positions; and

WHEREAS, the Township desires to hire applicants for such positions notwithstanding their licensure, provided the applicants (i) have a CDL permit at the time of hire and (ii) obtain a CDL following their hire; and

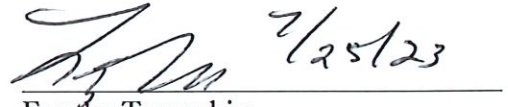
WHEREAS, the Parties have negotiated regarding the reimbursement of costs incurred by unit members who must obtain a CDL following their hire; and

NOW, THEREFORE, in consideration for the mutual promises set forth herein, and intending to be bound, the Parties hereby agree as follows:

reimbursement amount. Any employee whose Township employment terminates
(voluntarily or involuntarily) within the third year after reimbursement will be
required to repay the 1/3 the reimbursement amount.



For the Union
Dated:



For the Township
Dated: