

2013-01
RESOLUTION NO. - 12

**A RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL
UTILITIES AUTHORITY ACCEPTING AND APPROVING
EXECUTION OF A DEED OF EASEMENT AGREEMENT FROM
THE CENTRAL REGIONAL SCHOOL DISTRICT, AFFECTING
BLOCK 356, LOT 1**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has requested an easement and right-of-way from Central Regional School District, with business offices located at 541 Forest Hills Parkway in Bayville (Berkeley Township), New Jersey (hereinafter CRSD), for property known and designated as Block 356, Lot 1, Berkeley Township, New Jersey (the "property"); and

WHEREAS, the Authority is in need of an easement across the property to install, construct, alter, repair, replace, remove, operate and maintain utility lines and all necessary appurtenances and attached facilities, including without limitation, use of the surface of the ground for manholes, hydrants, valve boxes and other necessary appurtenances; and

WHEREAS, a Deed of Easement has been prepared by William T. Hierung, Jr., Esquire, attorney for CRSD, and has been reviewed by the Authority staff and Solicitor and found to be acceptable as to form and content; and

WHEREAS, a condition of the approvals previously granted to CRSD requires a Deed of Easement in a form acceptable to the Authority to be recorded with the Clerk of the County of Ocean by CRSD without cost to the Authority; and

WHEREAS, the Deed of Easement is made for and in consideration of One and 00/100 (\$1.00) Dollar, and other good and valuable consideration:

NOW, THEREFORE, BE IT RESOLVED this 24th day of January, 2013, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority accepts the recommendations of its staff and Solicitor and hereby accepts the proposed Deed of Easement prepared by the attorney for CRSD for and in consideration of \$1.00, and other good and valuable consideration.

2. The Deed of Easement in the form approved by the Authority pursuant to this Resolution, appended hereto, shall be recorded with the Clerk of the County of Ocean forthwith by CRSD and without cost to the Authority.

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.

4. A copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:

- (a) Honorable Patrick Pizzi, Chairman;
- (b) Michele Nugent, Executive Director;
- (c) Christopher K. Koutsouris, Esq.;
- (d) William T. Hering, Jr., Esq., Counsel for CRSD.

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a meeting held on the 24th day of January, 2013 a quorum being present and voting in the majority.


CHARLES THIEMER, AUTHORITY SECRETARY


PATRICK PIZZI, AUTHORITY CHAIRMAN

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

DASTI, MURPHY
McGUCKIN, ULAKY,
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COUNSELLORS AT LAW
620 WEST LACEY ROAD
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FORKED RIVER, N.J. 08731

2013-02
RESOLUTION NO. ~~-2012~~

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING AND ACCEPTING PERFORMANCE BOND SUBMITTED ON
BEHALF OF GUILLERMO AND MELISSA RAMOS REGARDING 219
GREENWAY ROAD N.E., BLOCK 235, LOTS 3, 4, 11 AND 12**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter collectively referred to as the "Authority") has been advised the Executive Director and the Authority Solicitor that a Performance Bond has been submitted to the Authority by John and Chere A. Cambra of 376 Hayes Avenue, Bayville, New Jersey on behalf of Guillermo and Melissa Ramos; and

WHEREAS, the Performance Bond has been submitted to insure proper connection to the Authority water system by Guillermo and Melissa Ramos at 219 Greenway Road N.,E., Block 235, Lots 3, 4, 11 and 12 as shown on the Tax Map of the Township of Berkeley, County of Ocean and State of New Jersey; and

WHEREAS, the Performance Bond have been submitted on behalf of the developer in the amount of \$24,655.11 by John Cambra and Chere A. Cambra, pursuant to a Check #1001 drawn on Wells Fargo Bank, which said amount represents the full required Performance Bond for the Water System Connection previously authorized and approved pursuant to Resolution 2012-52; and

WHEREAS, the Authority's attorney as reviewed the form and content of the Performance Bond and has advised the Commissioners of the Authority that same is acceptable in form and content, and therefore that the Authority should accept the bond:

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOW, THEREFORE, BE IT RESOLVED, this 24th day of January, 2013,
by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New
Jersey, as follows:

1. The Authority accepts the recommendations of its professional staff
and accepts the aforementioned performance bond.

2. The Authority authorizes and directs the Executive Director and the
Authority's professional staff to execute any and all necessary documents in order to
implement the intent of this Resolution.

3. A certified copy of this Resolution shall be forwarded by the Executive
Director to the following:

- (a) Honorable Patrick Pizzi, Chairman;
- (b) Michele Nugent, Executive Director;
- (c) John Cambra & Chere A. Cambra;
- (d) Guillermo & Melissa Ramos;
- (e) Keith Chiarevallo, P.E.;
- (f) Christopher K. Koutsouris, Esquire.

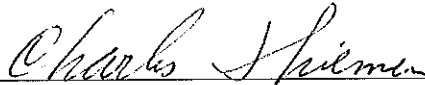
CERTIFICATION


I certify that the foregoing Resolution was duly adopted by the Berkeley
Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular
meeting held on the 24th day of January, 2013, a quorum being present and voting in the
majority.

**DASTI, MURPHY
McGUICKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
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FORKED RIVER, N.J. 08731


_____, Authority Secretary


_____, Authority Chairman

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

CCK:lh/Lisa H 2012/Koutsouris/Berkeley Township Resolutions 2012-GL#20266]

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
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RESOLUTION NO. 2013-03

RESOLUTION AUTHORIZING THE TOWNSHIP OF BERKELEY AND THE BERKELEY TOWNSHIP POLICE DEPARTMENT TO INSTALL AND MAINTAIN SURVEILLANCE CAMERA EQUIPMENT ON THE AUTHORITY'S STATION ROAD TOWER

WHEREAS, the Township of Berkeley has requested that the Berkeley Township Municipal Utilities Authority permit the installation of a surveillance camera antenna equipment on the Authority's Station Road Tower; and

WHEREAS, the Authority has always maintained that the protection and safety of the residents of Berkeley Township and the ratepayers of the Berkeley Township Municipal Utilities Authority is of paramount importance to the Authority; and

WHEREAS, the placement of surveillance camera antenna equipment on the Authority's Station Road Tower will mutually benefit the residents of Berkeley Township and the ratepayers of the Berkeley Township Municipal Utilities Authority by increasing the Police Department's ability to recognize and respond to emergency situations and criminal activity; and

WHEREAS, it is anticipated that in connection with approval by the Authority for the Township's placement of surveillance camera antenna equipment on the Station Road Tower the Authority will be necessitated to expend funds in connection with engineering, legal and other so-called "soft cost" expenses; and

WHEREAS, the Authority is desirous of cooperating with the Township of Berkeley and believes that such cooperation is in the best interests of the Authority and its ratepayers:

NOW THEREFORE BE IT RESOLVED this 10th day of January, 2013, by the Berkeley Township Municipal Utilities Authority as follows:

1. In accordance with a formal vote taken by the Authority on April 26, 2012, the Berkeley Township Municipal Utilities Authority hereby authorizes and approves of the placement of surveillance camera antenna equipment by the Township of

Berkeley and the Berkeley Township Police Department at the Authority's Station Road Tower subject to the conditions contained herein.

2. The authorization by the Authority for the placement of surveillance camera antenna equipment by the Township and the Police Department extends only to the Authority's Station Road Tower, and any further requests by the Township and the Police Department for the placement of surveillance camera antenna equipment at any of the Authority's locations must be presented to the Authority for additional review and approval.
3. A written agreement must be first executed by the Township and the Authority in a form satisfactory to the Authority's staff and the Commissioners of the Authority prior to the placement of any equipment by the Township of Berkeley on the Station Road Tower.
4. The written agreement to be executed by the Township and the Authority must include reference that the Township of Berkeley shall maintain ownership of all equipment placed on the Authority's Tower, and further that the Township of Berkeley is responsible to remove all such equipment if requested to do so by the Authority for any reason, including but not limited to tower painting, maintenance, repairs and upgrades, and in any and all situations where it is determined that there exists a condition of interference in any way relating to the Township's equipment.
5. The Authority hereby agrees to expend an amount up to but not exceeding \$10,000.00 in engineering, legal and other related soft costs in connection with the installation of surveillance camera antenna on the Station Road Tower.
6. The Authority authorizes the Commissioners and Staff of the Authority to execute all such documents necessary to comply with the provisions of this Resolution.
7. A certified copy of this resolution shall be forwarded to:

- a. The Municipal Clerk of the Township of Berkeley.
- b. Michelle Nugent, Executive Director
- c. Chairman and Commissioners of the Authority
- d. Christopher K. Koutsouris, Esquire

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority at a regular meeting held on the 10th day of January, 2013, a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

RESOLUTION NO. 04 - 2013

**RESOLUTION OF THE BEREKELY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPROVING AND ACCEPTING AN ANNUAL PERFORMANCE BOND
REGARDING THE COMMUNICATIONS SITE LEASE WITH METRO PCS
FOR THE AUTHORITY'S NORTHERN BOULEVARD WATER STORAGE
TANK**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has previously entered into a Communications Site Lease Agreement with Metro PCS New York, LLC for the lease of space for telecommunications equipment at the Authority's million gallon water storage tank located at Northern Boulevard in the Bayville Section of the Township of Berkeley, County of Ocean, State of New Jersey; and

WHEREAS, the stated lease agreement requires the tenant, Metro PCS New York, LLC, to provide a surety bond to the Authority in the penal amount of Ten-Thousand Dollars (\$10,000.00) to assure restoration of the site upon the expiration or termination of the lease and to also assure the payment of rent required by the lease; and

WHEREAS, Metro PCS New York, LLC has previously provided to the Authority a Performance Bond issued by Travelers Casualty & Surety Company of America under Bond Number 105377504 in the penal sum of Ten-Thousand Dollars (\$10,000.00) with a term that was set to expire January 28, 2013, which bond was previously reviewed and approved by the Authority's attorney; and

WHEREAS, Metro PCS New York, LLC has provided the Authority with a fully executed Continuation Certificate of Surety Bond, executed by Travelers by January 3, 2013, which extends the term of the stated Bond to January 28, 2014 in the stated penal sum

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

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of Ten-Thousand Dollars (\$10,000.00) in favor of the Berkeley Township Municipal Utilities Authority; and

WHEREAS, the Authority's attorney as reviewed the form and content of the Continuation Certificate of Surety Bond:

NOW, THEREFORE, BE IT RESOLVED, this 24th day of January, 2013, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Performance Bond Number 105377504 issued by Travelers Casualty & Surety Company of America in the penal sum of \$10,000.00 on behalf of Metro PCS New York, LLC, as extended by the Continuation Certificate of Surety Bond dated January 3, 2013, is hereby accepted by the Berkeley Township Municipal Utilities Authority to provide assurances of site restoration upon expiration of termination of the stated lease and to assure the payment of rent required by said lease.

2. The Authority authorizes and directs the Executive Director and the Authority's professional staff to execute any and all necessary documents in order to implement the intent of this Resolution.

3. A certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- (a) Honorable Patrick Pizzi, Chairman
- (b) Michele Nugent, Executive Director
- (c) The Municipal Clerk of the Township of Berkeley;
- (d) Metro PCS New York, LLC
- (e) Travelers Casualty and Surety Company of America
- (f) Christopher K. Koutsouris, Esquire.

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

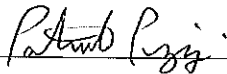
620 WEST LACEY ROAD
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FORKED RIVER, N.J. 08731

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 24th day of January, 2013, a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS

COUNSELLORS AT LAW

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RESOLUTION NO. 05 - 2013

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING NOTICE OF INTENT TO APPLY TO NJDEP AND NJEIT
AND DESIGNATING AUTHORIZED REPRESENTATIVE FOR THE
AUTHORITY'S WELL NO. 4 CLEAN DRINKING WATER APPLICATION**

WHEREAS, the Berkeley Township Municipal Utilities Authority (the "Authority") intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Authority's Well No. 4 Drinking Water Project.

The Well No. 4 Project generally consists of the installation of a water supply well for the Berkeley Township Municipal Utilities Authority (BTMUA). The Authority has a limited amount of its Firm Capacity remaining, which may restrict residents that depend on individual water supply wells in the service area from connecting to the Authority's distribution system. An additional well will increase the Authority's Firm Capacity. It is anticipated that the well will withdraw water from the Piney Point Aquifer. In addition, the project will include the required improvements to connect the proposed Well No. 4 to the existing BTMUA Station Road Water Treatment Plant. The proposed well site is located approximately 900 ft east of the existing Station Road Water Treatment Plant. Well No. 4 will be installed in the Piney Point Aquifer similar to the Authority's three existing wells and will require the installation of approximately 1,000 lf DIP to the existing water treatment plant.

NOW, THEREFORE, BE IT RESOLVED, this 24th day of January, 2013, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, that Michele Nugent, Executive Director, be authorized to act as the Authorized Representative to represent the Authority in all matters relating to the project undertaken

**DASTI, MURPHY
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pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at:

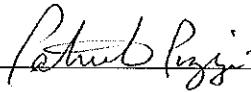
Berkeley Township MUA
42 Station Road
Bayville, New Jersey 08721
Telephone: 732-237-0100
Facsimile: 732-237-0638
Email: Executive-Director@Berkeleymua.org

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 24th day of January, 2013, a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

DASTI, MURPHY, McGUICKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

DASTI, MURPHY
McGUICKIN, ULAKY,
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RESOLUTION NO. 06 - 2013

**RESOLUTION OF THE BEREKELY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING NOTICE OF INTENT TO APPLY TO NJDEP AND NJEIT
AND DESIGNATING AUTHORIZED REPRESENTATIVE FOR THE
AUTHORITY'S PHASE V WATER MAIN IMPROVEMENT CLEAN
WATER PROJECT APPLICATION**

WHEREAS, the Berkeley Township Municipal Utilities Authority (the "Authority") intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Authority's Phase V Water Main Improvement Clean Water Project.

The proposed improvements will include the installation of approximately 10,000 LF of 8" cement lined ductile iron distribution water main along existing right-of-ways within the Authority's Service Area. In addition, the project will include approximately 98 water services for existing residences, valves, hydrants and site restoration.

NOW, THEREFORE, BE IT RESOLVED, this 24th day of January, 2013, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, that Michele Nugent, Executive Director, be authorized to act as the Authorized Representative to represent the Authority in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at:

**DASTI, MURPHY
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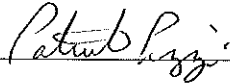
Berkeley Township MUA
42 Station Road
Bayville, New Jersey 08721
Telephone: 732-237-0100
Facsimile: 732-237-0638
Email: Executive-Director@Berkeleymua.org

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 24th day of January, 2013, a quorum being present and voting in the majority.



, Authority Secretary



, Authority Chairman

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
CHERKOS & CONNORS
Forked River, New Jersey 08731

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