

**RESOLUTION NO. 0001 - 2022**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
AUTHORIZING FINAL APPROVAL AND ACCEPTANCE OF A PERFORMANCE  
BOND FOR OL'EAGLE – NORTHERN BLVD., BLOCK 263, LOTS 3 & 4**

WHEREAS, the Applicant is proposing to construct one (1) single family home located on the referenced property; and

WHEREAS, it is the requirement of the Developer to connect to the Authority's water system; and

WHEREAS, the Applicant is proposing to extend 40 LF of water main to the existing main located on Northern Blvd.; and

WHEREAS, Applicant is required, in accord with the Authority's Consulting Engineer's letter of December 28, 2021 to provide sufficient performance guarantees in the total amount of \$19,406.00 (\$17,465.40 - 90% surety / \$1,940.60 - 10% cash); and

WHEREAS, a performance bond has been presented for review and meets the requirements set forth in the Authority's Consulting Engineer's letter of December 28, 2021;

**NOW THEREFORE BE IT RESOLVED** this 27<sup>th</sup> day of January, 2022, by the Berkeley Township Municipal Utilities Authority as follows:


1. The Authority hereby approves the performance bond as submitted by Ol'Eagle, LLC.
2. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Ol'Eagle, LLC; and
- e. Berry, Sahradnik, Kotzas & Benson.

**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 27<sup>th</sup> day of January, 2022, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Michael W. Hale, Authority Chairperson

Prepared by:  
BERRY, SAHRADNIK, KOTZAS & BENSON  
212 Hooper Avenue  
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Toms River, New Jersey 08753

**RESOLUTION NO. 0002 - 2022**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
TO ENTER INTO AN AGREEMENT FOR WATER SYSTEM EMERGENCY REPAIR  
SERVICES**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter “Authority”) faces emergency water repair issues at random times and locations; and

**WHEREAS**, it is necessary to have a contractor that is capable of responding rapidly in cases where the Authority cannot repair said emergency issues in house; and

**WHEREAS**, it is necessary to have an agreement with a contractor who can provide necessary services to ensure a minimal amount of disruption to the water supply to the Authority’s customers; and

**WHEREAS**, a request for proposals was properly advertised and responses thereto were received and reviewed;


**NOW THEREFORE BE IT RESOLVED** this 27<sup>th</sup> day of January, 2022, by the Berkeley Township Municipal Utilities Authority as follows:

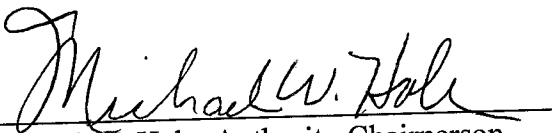
1. A contract for water system emergency repair services is hereby awarded to Crest Construction Group, LLC, located at 880 Route 9, Little Egg Harbor, NJ 08087.
2. After a review of submissions, it was determined that Crest Construction Group, LLC, was the lowest responsible bidder that could satisfy all of the requirements of the Authority.
3. This contract shall be implemented in accordance with the bid specifications and contract requirements of the Authority.

4. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director 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 Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 27<sup>th</sup> day of January, 2022, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Michael W. Hale, Authority Chairperson

Prepared by:  
BERRY, SAHRADNIK, KOTZAS & BENSON  
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**RESOLUTION NO. 0003 - 2022**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
AUTHORIZING ENGAGEMENT OF A WIRELESS TELECOMMUNICATIONS  
CONSULTANT**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter “Authority”) has several leases in existence and to be entered into regarding wireless telecommunications on their water towers; and

**WHEREAS**, there is an ongoing need for review and/or preparation of said leases; and

**WHEREAS**, consultation regarding same is a specialty item; and

**WHEREAS**, the Authority has had an ongoing relation with FSD Enterprises, LLC, regarding said professional services;

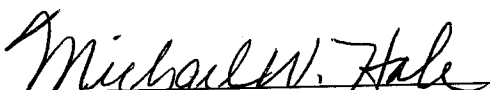
**NOW THEREFORE BE IT RESOLVED** this 27<sup>th</sup> day of January, 2022, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority shall enter into a professional services agreement with wireless telecommunications consultant, FSD Enterprises, LLC, for the period of January 1, 2022 through December 31, 2022. Services provided shall be in accord with the submitted Professional Services Agreement, dated January 10, 2022, as well as the proposal from FSD Enterprises, LLC, dated January 10, 2022.
2. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director 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 Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 27<sup>th</sup> day of January, 2022, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Michael W. Hale, Authority Chairperson

Prepared by:  
BERRY, SAHRADNIK, KOTZAS & BENSON  
212 Hooper Avenue  
P.O. Box 757  
Toms River, New Jersey 08753

**RESOLUTION NO. 0004 - 2022**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
AWARDING A 5-YEAR LEASE AGREEMENT, WITH OPTIONS,  
FOR THE PLACEMENT OF CELLULAR ANTENNAS TO DISH WIRELESS, LLC**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has solicited bids for the lease of space for the construction and maintenance of wireless antennas and communications shelters for the Authority’s water tower located at 42 Station Road in the Bayville section of the Township of Berkeley, County of Ocean, State of New Jersey; and

**WHEREAS**, the bids have been solicited by the Authority in conformance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and N.J.S.A. 40A:12-13 et seq.; and

**WHEREAS**, the bid specifications provide, in part, for a 5-year lease agreement, with four (4) 5-year options; and

**WHEREAS**, the sole bid received by the Authority is from Dish Wireless, LLC, for a five (5) year term with an initial annual rent of \$44,000.00; and

**WHEREAS**, the initial annual rent will be increased annually at three (3%) percent; and

**WHEREAS**, the same terms of rent adjustment shall serve to govern the exercise of any options by Dish Wireless, LLC; and

**WHEREAS**, the Authority finds that the bid submitted is acceptable and in compliance with the Authority’s budgetary constraints;

**NOW THEREFORE BE IT RESOLVED** this 27<sup>th</sup> day of January, 2022, by the Berkeley Township Municipal Utilities Authority as follows:

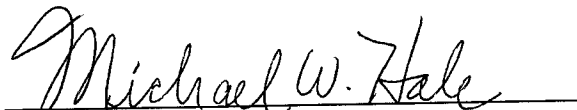
1. The Authority accepts the recommendation of the Authority Solicitor and Cellular Antenna Consultant and awards the bid for this lease agreement to the sole bidder, Dish Wireless, LLC. A copy of the full bid specifications and the bid submission are on file at the office of the Authority and can be reviewed during normal business hours.
2. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.


**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Dish Wireless, LLC;
- d. FSD Enterprises; and
- e. Berry, Sahradnik, Kotzas & Benson.

**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 27<sup>th</sup> day of January, 2022, a quorum being present and voting in the majority.

  
\_\_\_\_\_  
Michael W. Hale, Authority Chairperson

  
\_\_\_\_\_  
Edward F. Cammarato, Authority Secretary

Prepared by:  
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**RESOLUTION NO. 0005 - 2022**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
EXTENDING MEDICAL LEAVE FOR AN AUTHORITY EMPLOYEE**

**WHEREAS**, employee, Kyle Burton, is currently on medical leave from his position with the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) as a result of a non-work related medical condition; and

**WHEREAS**, Kyle Burton was previously approved for leave through February 3, 2022 as authorized in BTMUA Resolution 2021-44; and

**WHEREAS**, Kyle Burton has contacted the Authority and requested that his leave be extended to April 1, 2022 so he can fully recuperate from his medical condition and presented a doctor’s note recommending an extension of medical leave through April 1, 2022;

**WHEREAS**, the Authority does consider the absence of Mr. Burton from employment to constitute a hardship on the Authority’s operations; however, endeavors to support Mr. Burton and concurs with the recommendation of the Personnel Committee to provide this extension and

**NOW THEREFORE BE IT RESOLVED** this 27<sup>th</sup> day of January, 2022, by the Berkeley Township Municipal Utilities Authority as follows:

1. Kyle Burton’s request for leave extension is hereby approved until April 1, 2022.
2. The Authority retains the right to require a “fitness for duty” examination from Mr. Burton’s physician and/or a report from the Authority’s physician indicating that he can perform all essential functions of his job prior to the return to work.
3. During this leave extension period, Kyle Burton will not be receiving any compensation from the Authority since all his leave and vacation time have been exhausted and Mr. Burton shall be responsible to pre-pay the bi-weekly employee contribution payment of his medical coverage through March, 2022.

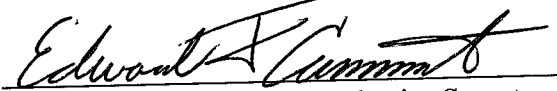
4. The Authority directs that, on or before March 22, 2022, Kyle Burton shall present to the Executive Director of the Authority a note from his physician stating the anticipated full capacity return to work date.
5. This leave extension shall not create a precedent for any future requests by this or any other employee of the Authority for leave.
6. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

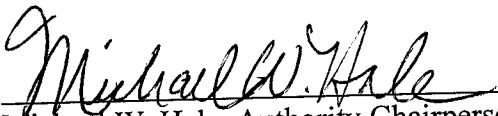
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- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson.

**CERTIFICATION**

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Edward F. Cammarato, Authority Secretary

  
Michael W. Hale, Authority Chairperson

Prepared by:  
BERRY, SAHRADNIK, KOTZAS & BENSON  
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**RESOLUTION NO. 0006 - 2022**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
AUTHORIZING COVID STIPEND FOR ALL FULL TIME EMPLOYEES**

**WHEREAS**, the COVID Pandemic has created hardship for society as a whole and for the employees of the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”); and

**WHEREAS**, the employees of the Authority have faithfully and diligently performed their work functions throughout said Pandemic; and

**WHEREAS**, the Authority wishes to reward its employees for said service in providing uninterrupted and efficient service to the Authority’s customers;

**NOW THEREFORE BE IT RESOLVED** this 27<sup>th</sup> day of January, 2022, by the Berkeley Township Municipal Utilities Authority as follows:

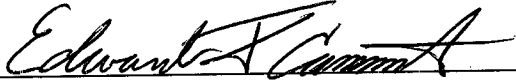
1. The Authority hereby authorizes a stipend in the amount of Two Thousand (\$2,000.00) Dollars to be paid to the Authority’s five (5) operational employees and four (4) administrative employees.
2. This stipend may be modified as to amount and timing of payment if deemed appropriate since it is intended to compensate for the period of the Pandemic.
3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

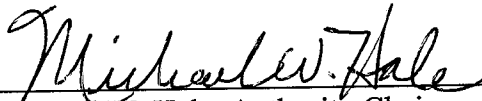
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- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson.

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