

Resolution No: 2017-0002

#17-26-R

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY  
APPOINTING MEMBERS TO THE MUNICIPAL UTILITIES AUTHORITY**

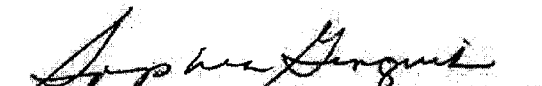
January 4, 2017

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed members to the Municipal Utilities Authority:

Member:	Appointee Name	Term:
Mbr. #2	<b>Kevin Askew</b>	5-yr unexpired term expiring 1/31/2020
Mbr. #5	<b>Karen Davis</b>	5-yr term expiring 12/31/2022
Alt. Mbr. #1	<b>Richard Elliot</b>	5-yr unexpired term expiring 1/31/2018

2. That the above named appointees are required to execute an Oath of Office in the Township Clerk's Office prior to taking his official seat on the Municipal Utilities Authority.
3. That certified copies of this Resolution be forwarded to the Township Administrator, Township Attorney, the Municipal Utilities Authority and the above-listed appointees.

  
\_\_\_\_\_  
Council President

**CERTIFICATION**

I, **BEVERLY M. CARLE, RMC**, Municipal Clerk of the Township of Berkeley do hereby certify that the foregoing resolution was duly adopted by the Township of Berkeley Township Council at a meeting held on the 4<sup>th</sup> day of January, 2017.

  
\_\_\_\_\_  
**BEVERLY M. CARLE**, Township Clerk

**RESOLUTION NO. 0003 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY APPOINTING CHAIRWOMAN OF THE AUTHORITY FOR THE 2017  
AUTHORITY YEAR**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, *N.J.S.A. 40:14B-1, et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, *N.J.S.A. 40:14B-18* requires the Authority to reorganize annually for the purpose of selecting and appointing officers of the Authority from among its membership; and

**WHEREAS**, the Bylaws require that the Chairwoman of the Authority be selected from among the membership of the Authority; and

**WHEREAS**, the Reorganization Meeting of the Authority is being held on this 23<sup>rd</sup> day of February, 2017; and

**WHEREAS**, on motion from the membership of the Board of Commissioners of the Authority, the following individual has been nominated to serve as Chairwoman of the Authority:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:


1. Karen Davis is hereby appointed as Chairwoman of the Authority commencing on February 23, 2017 through the Authority's 2018 reorganization meeting or until such time as a successor can be named.


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

- a. Honorable Karen Davis, Chairwoman;
- b. Honorable Carmen F. Amato, Jr., Mayor;
- c. Beverly M. Carle, Township Clerk; and
- d. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0004-2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY APPOINTING OFFICERS FOR THE 2017 AUTHORITY YEAR**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities law *N.J.S.A. 40:14B-1, et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, *N.J.S.A. 40:14B-18* requires the Authority to reorganize annually for the purpose of selecting and appointing officers of the Authority from among its membership; and

**WHEREAS**, the Bylaws of the Authority establishes the officers of the Authority which must be selected and appointed to serve the Authority during its annual reorganization meeting; and

**WHEREAS**, the Reorganization Meeting of the Authority is being held on this 23<sup>rd</sup> day of February, 2017; and

**WHEREAS**, on motion from the membership of the Board of Commissioners of the Authority, the following individuals have been nominated to serve as officers of the Authority;

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February 2017, by the Berkeley township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follow:

1. Lloyd G. Mullikin is hereby appointed as Vice Chairman of the Authority commencing on February 23, 2017 through the Authority's 2018 reorganization meeting or until such time as a successor can be named.

2. Edward F. Cammarato is hereby appointed as Secretary of the Authority commencing on February 23, 2017 through the Authority's 2018 reorganization meeting or until such time as a successor can be named.


3. Michael W. Hale is hereby appointed as Treasurer of the Authority commencing on February 23, 2017 through the Authority's 2018 reorganization meeting or until such time as a successor can be named.

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

- a. Honorable Karen Davis, Chairwoman;
- b. Honorable Carmen F. Amato, Jr., Mayor;
- c. Beverly M. Carle, Township Clerk; and
- d. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
\_\_\_\_\_  
Karen Davis, Authority Chairwoman

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

Prepared by:

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

**RESOLUTION NO.0005-2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY APPOINTING COMMITTEES OF THE AUTHORITY FOR THE 2017  
AUTHORITY YEAR**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities law *N.J.S.A. 40:14B-1, et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Authority has appointed Karen Davis as its Chairwoman through the 2018 reorganization meeting of the Authority; and


**WHEREAS**, Chairwoman of the Authority may nominate Commissioners to serve on the various committees of the Authority; and

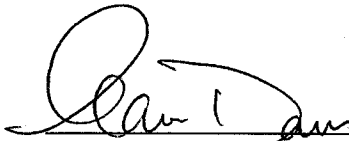
**WHEREAS**, as Chairwoman, Karen Davis, nominates Commissioners of the Authority to serve on Authority Committees as follows:

- |                        |   |
|------------------------|---|
| ENGINEERING:           | Committee Chair Lloyd G. Mullikin and Edward F. Cammarato   |
| PERSONNEL:             | Committee Chair Richard W. Elliott, Jr. and Michael W. Hale |
| SAFETY:                | Committee Chair Edward F. Cammarato and Karen Davis         |
| FINANCE &<br>BUDGET:   | Committee Chair Michael Hale and Richard W. Elliott, Jr.    |
| LEGAL:                 | Committee Chair Kevin M. Askew and Lloyd G. Mullikin        |
| BUILDING &<br>GROUNDS: | Committee Chair Karen Davis and Kevin M. Askew              |

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0006 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY APPOINTING REPRESENTATIVES TO THE NJUAJIF**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, N.J.S.A. 40:14B-1, et seq. is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Authority is a member of the New Jersey Utility Authority Joint Insurance Fund (NJUAJIF); and

**WHEREAS**, it is necessary for the Authority as a member of the NJUAJIF to appoint a representative to the NJUAJIF:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Edward F. Cammarato is hereby appointed as the Authority's representative to the NJUAJIF; and
2. Executive Director, Michele Nugent, is hereby appointed as the alternate representative to the NJUAJIF.

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

- a. Honorable Karen Davis, Chairwoman;
- b. Honorable Carmen F. Amato, Jr., Mayor;
- c. Beverly M. Carle, Township Clerk; and
- d. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.

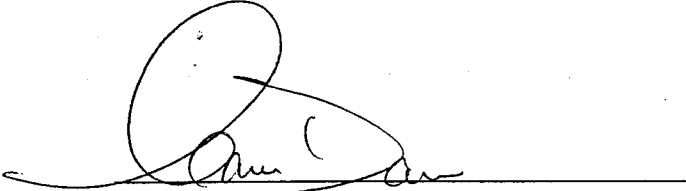


**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.



Edward F. Cammarato, Authority Secretary



Karen Davis, Authority Chairwoman

Prepared by:

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

RESOLUTION NO. 0007 -2017

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY ADOPTING THE 2017 CASH MANAGEMENT PLAN**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, *N.J.S.A.* 40:14B-1, *et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Commissioners of the Authority have reviewed a Cash Management Plan as presented and recommended by its auditor; and

**WHEREAS**, the Commissioners are of the opinion that it is in the best interest of the Authority to adopt the 2017 Cash Management Plan as set forth above:

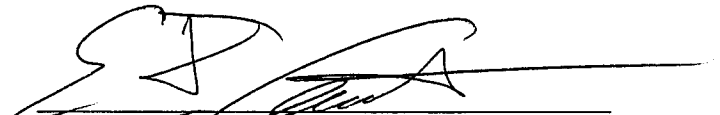
**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, that the Cash Management Plan as set forth on SCHEDULE A annexed hereto and made a part hereof shall serve as the Cash Management Plan for the Authority for the year 2017;

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


- a. Honorable Karen Davis, Chairwoman;
- b. Honorable Carmen F. Amato, Jr., Mayor;
- c. Beverly M. Carle, Township Clerk; and
- d. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.



Edward F. Cammarato, Authority Secretary



Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0008 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY DESIGNATING AS THE OFFICIAL DEPOSITORIES OF THE AUTHORITY TD BANK, WELLS FARGO BANK AND OCEAN FIRST BANK**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, *N.J.S.A. 40:14B-1, et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Authority has the necessity of designating official banking depositories with respect to the Authority's primary and developmental accounts maintained by the Authority; and

**WHEREAS**, the Commissioners of the Authority have reviewed the depositories available to the Authority and have arrived upon a consensus after reviewing rates and other considerations; and

**WHEREAS**, the Commissioners of the Authority have determined that the most favorable rates and greatest accessibility are available to the Authority from TD Bank, Wells Fargo Bank and Ocean First Bank:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:


1. The Authority hereby authorizes and designates TD Bank, Wells Fargo Bank and Ocean First Bank to be the official depositories of all primary and developmental bank accounts of the Authority for the year 2017.

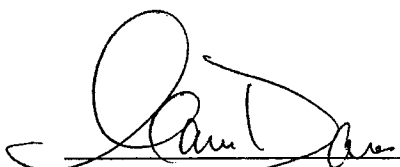
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor;
- d. TD Bank;
- e. Wells Fargo Bank; and
- f. Ocean First Bank.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

RESOLUTION NO. 0009 -2017

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY DESIGNATING AS THE OFFICIAL NEWSPAPERS OF THE AUTHORITY FOR ANY PUBLICATIONS THE ASBURY PARK PRESS, THE STAR LEDGER AND THE BERKELEY TIMES**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, *N.J.S.A. 40:14B-1, et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Authority from time to time needs to make information available to the public through the publication of notices in local newspapers; and

**WHEREAS**, the Authority is obliged by law to designate an official newspaper for the publication of various required notices; and

**WHEREAS**, the Asbury Park Press, the Star Ledger and the Berkeley Times are three local newspapers available to publish notices of the Authority;

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Berkeley Township Municipal Utilities Authority hereby approves and designates the Asbury Park Press, the Star Ledger and the Berkeley Times as the official newspapers of the Authority in which any notices of the Authority will be published.

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

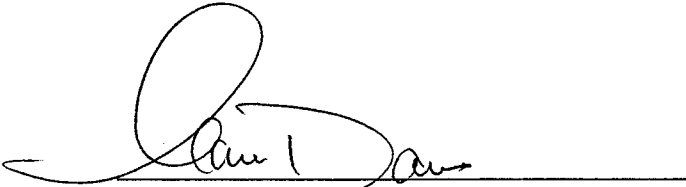
- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director; and
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.



Edward F. Cammarato, Authority Secretary



Karen Davis, Authority Chairwoman

Prepared by:

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

RESOLUTION NO. 0010 -2017

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY AUTHORIZING TRANSFER OF FUNDS FROM REVENUE ACCOUNT  
TO REPLACEMENT AND RENEWAL ACCOUNT**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is a public body corporate and politic of the State of New Jersey and in accordance with the Municipal and Counties Utilities Law, *N.J.S.A. 40:14B-1, et seq.* is authorized to implement and operate a municipal utilities authority; and

**WHEREAS**, the Authority has been advised by its professional staff that the Replacement and Renewal Fund Balance should be increased by \$20,000.00 for the year 2017 budget; and

**WHEREAS**, the Authority has determined that there exists sufficient funds available in the Authority's Revenue Account to meet this recommendation;

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority is hereby authorized to withdraw the amount of TWENTY THOUSAND AND NO/100 (\$20,000.00) DOLLARS from its Revenue Account #23006003338 and to deposit that entire amount into its Renewal and Replacement Fund Account #810288605 for the 2017 budget purposes.

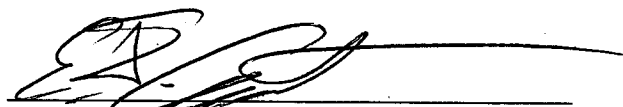
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

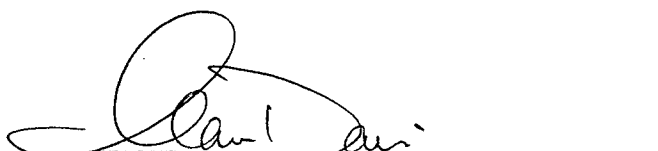
- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director; and
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.



**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0011 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY COUNSEL FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is in need of the appointment of a professional to serve as Authority Counsel in representation of the Authority's interests for the year 2017; and

**WHEREAS**, the Authority has solicited proposals from qualified attorneys pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7* for the position of Authority Counsel for the 2017 Authority year; and

**WHEREAS**, proposals were received and were opened on January 23, 2017 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, the law firm of Berry, Sahradnik, Kotzas & Benson are attorneys at law licensed to practice in the State of New Jersey who meet all of the requirements set forth in the Authority's request for qualifications and are duly qualified to serve as Authority Counsel for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint the Law Firm of Berry, Sahradnik, Kotzas & Benson as Authority Counsel for the Authority for the year 2017; and

**WHEREAS**, Berry, Sahradnik, Kotzas & Benson has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A. 19:44A-20.26*; and

**WHEREAS**, Berry, Sahradnik, Kotzas & Benson has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Berry, Sahradnik, Kotzas & Benson, 212 Hooper Avenue, Toms River, New Jersey, is appointed as Authority Counsel for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with Berry, Sahradnik, Kotzas & Benson in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as legal services are recognized as a professional service and Berry, Sahradnik, Kotzas & Benson are attorneys licensed to practice law in the State of New Jersey.

4. Notice of this action shall be printed once in an official newspaper of the Authority.

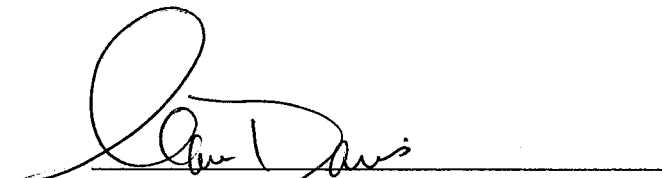
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director; and
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0012 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY AUDITOR FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has a need to acquire the services of an auditor to provide auditing services to the Authority for year 2017; and

**WHEREAS**, the Authority has solicited proposals from qualified auditors pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7* for the position of Authority Auditor for the 2017 Authority year; and

**WHEREAS**, proposals were received and were opened on January 31, 2017 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, Holman, Frenia, Allison, P.C., is a firm engaged in the practice of providing auditing service in the State of New Jersey that meets all of the requirements set forth in the Authority's request for qualifications and is duly qualified to serve as Auditor for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint the firm of Holman, Frenia, Allison, P.C., as Auditor for the Authority for the year 2017; and

**WHEREAS**, Holman, Frenia, Allison, P.C., has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A* 19:44A-20.26; and

**WHEREAS**, Holman, Frenia, Allison, P.C., has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Holman, Frenia, Allison, P.C., 680 Hooper Avenue, Toms River, New Jersey, is appointed as Authority Auditor for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.
2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with Holman, Frenia, Allison, P.C., in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as auditing services are recognized as a professional service and Holman, Frenia, Allison, P.C., is an auditing firm with members licensed as Certified Public Accountants and Consultants in the State of New Jersey.

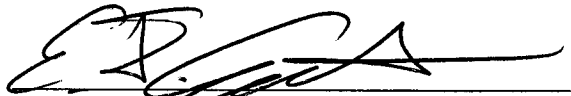
4. Notice of this action shall be printed once in an official newspaper of the Authority.

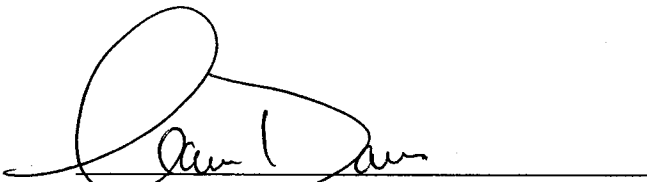
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Holman, Frenia, Allison, P.C.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0013 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF BOND COUNSEL FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is in need of the appointment of a professional to serve as Authority Bond Counsel in representation of the Authority's interests for the year 2017 pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7*; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts law, *N.J.S.A.40A:11-1, et seq.*; and

**WHEREAS**, the firm of Gluck Walrath, LLP, is duly qualified to serve as Authority Bond Counsel for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint the firm of Gluck Walrath, LLP, as Bond Counsel for the Authority for the year 2017; and

**WHEREAS**, Gluck Walrath, LLP, has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A 19:44A-20.26*; and

**WHEREAS**, Gluck Walrath, LLP, has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:



**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Gluck Walrath, LLP, 428 River View Plaza, Trenton, New Jersey, is appointed as Authority Bond Counsel for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with Gluck Walrath, LLP, in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as legal services are recognized as a professional service and Gluck Walrath, LLP, are attorneys licensed to practice law in the State of New Jersey.

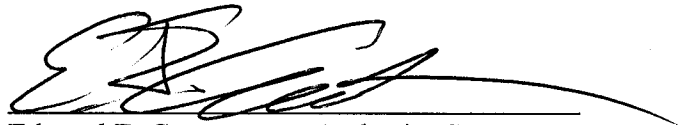
4. Notice of this action shall be printed once in an official newspaper of the Authority.

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

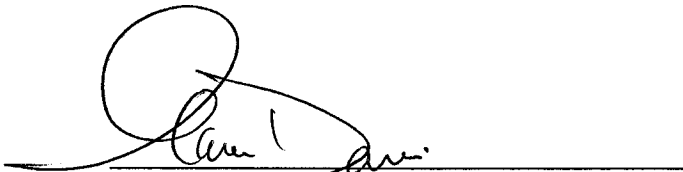
- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Direct;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Gluck Walrath, LLP.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.



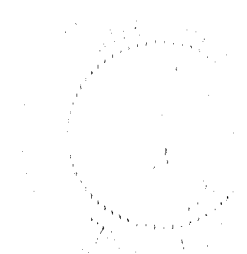
Edward F. Cammarato, Authority Secretary



Karen Davis, Authority Chairwoman

Prepared by:

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



**RESOLUTION NO. 0014 -2017**

**RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT PURSUANT  
TO THE FAIR AND OPEN PROCESS FOR HEALTH BENEFITS INSURANCE  
BROKER AND CONSULTANT**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need for a Health Insurance Broker and Consultant for the year 2017 to be awarded pursuant to the fair and open process set forth in *N.J.S.A.* 19:44A-20.7; and

**WHEREAS**, the Authority’s immediate need for services to be provided by the Health Benefits Insurance Broker and Consultant to be selected is limited to dental benefits because the Authority currently participates in the State Health Benefits Program and the State Prescription Benefits Program; and

**WHEREAS**, the Authority, mindful of its obligation to serve the best interests of its ratepayers and its employees, is desirous of ensuring that it is kept continuously apprised of opportunities for the procurement of health and prescription benefits for its employees that may prove to be more advantageous than maintaining enrollment in the State Health Benefits Program and/or the State Prescription Benefits Program; and

**WHEREAS**, Connor, Strong & Buckelew, Inc., (“Connor Strong”) with offices located at 231 Main Street, Toms River, New Jersey, is duly qualified to serve as Health Benefits Insurance Broker and Consultant for the Authority; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a “professional appointment” and/or constitutes the provision of an extraordinary unspecifiable service and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A.* 40A-11-1, *et seq.*; and

**WHEREAS**, Connor Strong has indicated the ability to provide such services to the Authority at no cost to the Authority; and

**WHEREAS**, Connor Strong has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A.* 19:44A-20.26; and

**WHEREAS**, Connor Strong has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Authority desires to authorize the award of a contract naming Connor Strong as the Authority Health Benefits Insurance Broker and Consultant, as well as identifying Connor Strong as the Broker of Record of the Authority's dental insurance coverage:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority awards the contract for the provision of Health Insurance Broker and Consultant to Connor Strong this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Authority hereby authorizes, approves and designates Connor Strong as the Authority's Broker of Record for the Authority's dental insurance coverage for the term of the agreement.

3. The Authority authorizes the execution of the agreement by the chairman and Secretary. A true copy of the agreement is attached hereto and made a part hereof.

4. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as health insurance broker and consultant services are recognized as a professional service and Connor Strong are licensed to provide such services in the State of New Jersey.


5. Notice of this action shall be printed once in an official newspaper of the Authority.

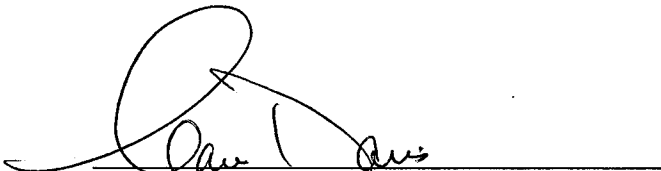
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Connor, Strong & Buckelew, Inc.

**CERTIFICATION**

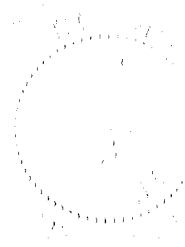
I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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



**RESOLUTION NO. 0015 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY CONSULTING ENGINEER FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has a need to acquire the services of an engineer to serve as Consulting Engineer to the Authority for the year 2017; and

**WHEREAS**, the Authority has solicited proposals from qualified engineers pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7* for the position of Authority Consulting Engineer for the 2017 Authority year; and

**WHEREAS**, proposals were received and were opened on January 31, 2017 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, CME Associates is a firm engaged in the practice of providing engineering service in the State of New Jersey that meets all of the requirements set forth in the Authority's request for qualifications and is duly qualified to serve as Consulting Engineer for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint the firm of CME Associates as Consulting Engineer for the Authority for the year 2017; and

**WHEREAS**, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A* 19:44A-20.26; and

**WHEREAS**, CME Associates has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:


1. CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, is appointed as Authority Consulting Engineer for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.
2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with CME Associates, in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as engineering services are recognized as a professional service and CME Associates is an engineering firm with members licensed as professional engineers in the State of New Jersey.
4. Notice of this action shall be printed once in an official newspaper of the Authority.

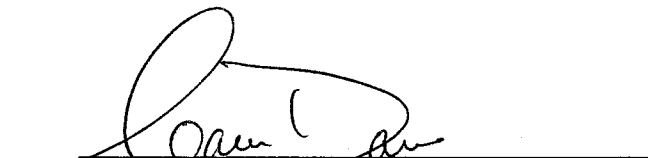
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. CME Associates.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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



RESOLUTION NO. 0016 -2017

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY RISK MANAGER FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has a need to acquire the services of a Risk Management Consultant to provide risk manager and consulting services to the Authority for the year 2017 pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7*; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, John Hill Agency is duly qualified to serve as Authority Risk Management Consultant; and

**WHEREAS**, it is the desire of the Authority to appoint John Hill Agency as the Authority's Risk Management Consultant for the year 2017; and

**WHEREAS**, John Hill Agency has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A. 19:44A-20.26*; and

**WHEREAS**, John Hill Agency has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. John Hill Agency, 635 Route 9, Bayville, New Jersey, is appointed as Authority Risk Management Consultant for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with John Hill Agency, in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as the provision of Risk Management Consultant services are recognized as insurance coverage and consultant services exempt from the formal bidding process and John Hill Agency is an insurance agency regularly engaging in such services in the State of New Jersey.

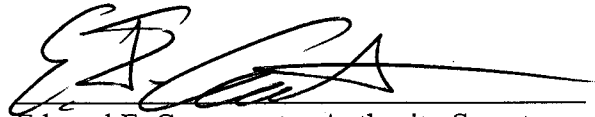
4. Notice of this action shall be printed once in an official newspaper of the Authority.

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

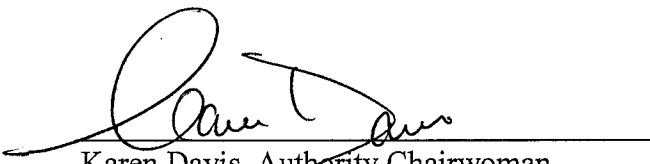
- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. John Hill Agency.

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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.



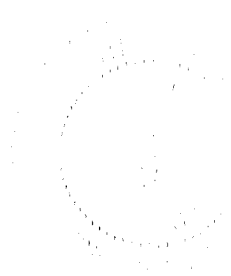
Edward F. Cammarato, Authority Secretary



Karen Davis, Authority Chairwoman

Prepared by:

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



**RESOLUTION NO. 0017 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF CONFLICT COUNSEL FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is in need of the appointment of a professional to serve as Authority Conflict Counsel in representation of the Authority's interests for the year 2017; and

**WHEREAS**, the Authority has solicited proposals from qualified attorneys pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7* for the position of Authority Counsel for the 2017 Authority year; and

**WHEREAS**, proposals were received and were opened on January 31, 2017 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, the law firm of Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors are attorneys at law licensed to practice in the State of New Jersey who meet all of the requirements set forth in the Authority's request for qualifications and are duly qualified to serve as Authority Conflict Counsel for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint the Law Firm of Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors as Authority Conflict Counsel for the Authority for the year 2017; and

**WHEREAS**, Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A. 19:44A-20.26*; and

**WHEREAS**, Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors, 620 West Lacey Road, Forked River, New Jersey, is appointed as Authority Conflict Counsel for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as legal services are recognized as a professional service and Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors are attorneys licensed to practice law in the State of New Jersey.

4. Notice of this action shall be printed once in an official newspaper of the Authority.

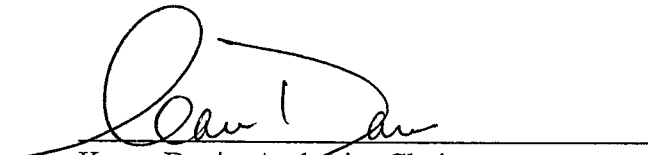
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors.

**CERTIFICATION**

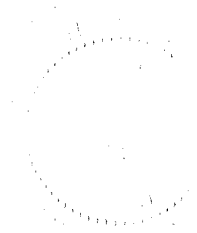
I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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



**RESOLUTION NO. 0018 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF LABOR COUNSEL FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is in need of the appointment of a professional to serve as Authority Labor Counsel in representation of the Authority’s interests for the year 2017 pursuant to the fair and open process in accordance with *N.J.S.A.* 19:44A-20.7; and

**WHEREAS**, the Authority has solicited proposals from qualified attorneys pursuant to the fair and open process in accordance with *N.J.S.A.* 19:44A-20.7 for the position of Authority Labor Counsel for the 2017 Authority year; and

**WHEREAS**, proposals were received and were opened on January 31, 2017 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a “professional appointment” and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts law, *N.J.S.A.* 40A:11-1, *et seq.*; and

**WHEREAS**, the firm of Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors are attorneys at law licensed to practice in the State of New Jersey who meet all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Labor Counsel for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint the firm of Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors as Labor Counsel for the Authority for the year 2017; and

**WHEREAS**, Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A* 19:44A-20.26; and

**WHEREAS**, Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors, 620 West Lacey Road, Forked River, New Jersey, is appointed as Authority Labor Counsel for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as legal services are recognized as a professional service and Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors are attorneys licensed to practice law in the State of New Jersey.

4. Notice of this action shall be printed once in an official newspaper of the Authority.

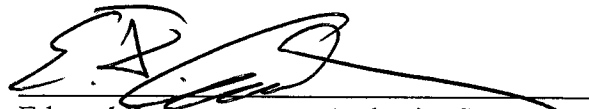


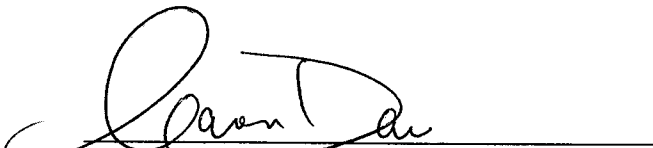
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Dasti, Murphy, McGluckin, Ulaky, Koutsouris & Connors.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0019 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING PROFESSIONAL APPOINTMENT FOR THE POSITION OF CONFLICT ENGINEER FOR THE YEAR 2017**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has a need to acquire the services of an engineer to serve as Conflict Engineer to the Authority for the for the year 2017; and

**WHEREAS**, the Authority has solicited proposals from qualified engineers pursuant to the fair and open process in accordance with *N.J.S.A. 19:44A-20.7* for the position of Conflict Engineer for the 2017 Authority year; and

**WHEREAS**, proposals were received and were opened on January 31, 2017 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the appointment of such aforementioned professional constitutes a "professional appointment" and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.*; and

**WHEREAS**, Alaimo Group is a firm engaged in the practice of providing engineering services in the State of New Jersey that meets all of the requirements set forth in the Authority's request for qualifications and are duly qualified to serve as Authority Conflict <sup>Engineer</sup>~~Council~~ for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint Alaimo Group as Authority Conflict Engineer for the Authority for the year 2017; and

**WHEREAS**, Alaimo Group has completed and submitted a Business Entity Disclosure Certification which certifies compliance with *N.J.S.A* 19:44A-20.26; and

**WHEREAS**, Alaimo Group has completed an Affidavit acknowledging compliance with Berkeley township Ordinance #13-28OA regarding political donations; and

**WHEREAS**, the Local Public Contracts Law authorizes the award of contract for professional services without competitive bids and requires that the appointing resolution and contract be made available for public inspection:

**NOW, THEREFORE, BE IT RESOLVED**, this 23<sup>rd</sup> day of February, 2017, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Alaimo Group, 200 High Street, Mt. Holly, New Jersey, is appointed as Authority Conflict Engineer for the Authority this date and continuing through and until the Authority's 2018 reorganization meeting, or until such time as a successor is appointed.

2. The Chairman and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with Alaimo Group in a form to be approved by the Authority and the Authority's Attorney, a copy of which shall be placed on file and available for inspection in the Authority's office.

3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A.* 40A:11-5(1)(a)(i) of the Local Public Contracts Law as engineering services are recognized as a professional service and Alaimo Group is an engineering firm with members licensed as professional engineers in the State of New Jersey.


4. Notice of this action shall be printed once in an official newspaper of the Authority.

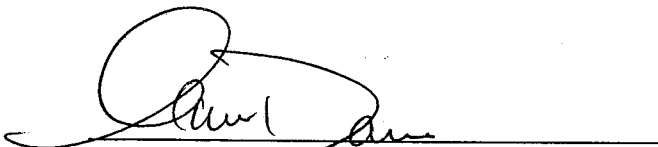
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Alaimo Group.

**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 the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of February 2017, a quorum being present and voting in the majority.

  
Edward F. Cammarato, Authority Secretary

  
Karen Davis, Authority Chairwoman

Prepared by:

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

**RESOLUTION NO. 0020-2017**

**2017 RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED WATER REVENUE BONDS OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (the “Authority”) is a public body corporate and politic organized and existing under the laws of the State of New Jersey pursuant to the Municipal and County Utilities Authorities Law, Chapter 183 of the Laws of 1957 of the State of New Jersey, as amended and supplemented (the “Act”), and was created by virtue of an ordinance, number 88-4-OAB, of the Township Council of the Township of Berkeley, in the County of Ocean, New Jersey (the “Township”) finally adopted on January 18, 1988; and

**WHEREAS**, the Authority was formed to undertake water system projects for and on behalf of the Township; and

**WHEREAS**, the Authority has on July 22, 1993 adopted its resolution entitled “Resolution Authorizing the Issuance of Water Revenue Bonds of the Berkeley Township Municipal Utilities Authority”, as amended and supplemented (the “General Bond Resolution”) providing for the issuance, from time to time, of the Authority's water revenue bonds; and

**WHEREAS**, the Authority has determined to undertake an additional project consisting of installation of approximately 11,400 LF of water main along existing right-of-ways within the Authority's service area, which will include water services for existing residences, valves, hydrants and site restoration (the “Mains Project”), all as more particularly described in plans which are on file in the offices of the Authority together with all costs thereof as are permitted under the Act, including without limitation the costs of issuance of any obligations of the Authority, capitalized interest, engineering and inspection costs and legal expenses and the cost

of financial, professional and other estimates and services; and

**WHEREAS**, the Mains Project is being financed through the New Jersey Environmental Infrastructure Trust (“NJEIT” or “Trust”) Program; and

**WHEREAS**, pursuant to a resolution adopted on April 28, 2016, the Authority has issued a construction note for the Mains Project on May 31, 2016 in the amount of \$3,000,000 (the “Project Note”); and

**WHEREAS**, the Mains Project is included within the definitions of the “Project” and the “System” as contained in the Service Contract dated February 15, 1990 (the “Service Agreement”), between the Authority and the Township; and

**WHEREAS**, the Authority has determined to issue bonds to refinance the Project Note as permitted under the General Bond Resolution; and

**WHEREAS**, such bonds shall constitute subordinate debt within the definition thereof contained in the General Bond Resolution and shall be payable from amounts which may be withdrawn from the General Fund created under the General Bond Resolution in accordance with Sections 511 and 618 of the General Bond Resolution; and

**WHEREAS**, inasmuch as the bonds are to be issued through the New Jersey Environmental Infrastructure Trust Program, in accordance with Section 9(a) of the “New Jersey Environmental Infrastructure Trust Act”, Chapter 334 of the Pamphlet Laws of 1985 of the State of New Jersey (codified at N.J.S.A. 58:11B-1 *et seq.*), neither findings nor approval is required of the State of New Jersey, Department of Community Affairs, Division of Local Government Services, Local Finance Board (the “Board”); however, approval of the Director of the Division of Local Government Services is required prior to issuance of such bonds; and

**WHEREAS**, under the terms of the Service Agreement, the Township, under certain

circumstances, is obligated to pay certain Annual Charges (defined therein) to the Authority in connection with the sale and supplying of water at reasonable rates of service charges, such Annual Charges to include amounts sufficient to provide for the payment of principal of and interest on the said subordinate bonds to the extent the Authority does not have sufficient funds for the payment thereof; and

**WHEREAS**, any Annual Charges payable by the Township pursuant to the Service Agreement constitute direct and general obligations of the Township, for which the Township has the power to levy ad valorem taxes upon all taxable property therein, without limitation as to rate or amount; and

**WHEREAS**, the Trust and the State have expressed their desire to close in escrow the making of one or more of the loans, the issuance of the bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the “Escrow Agreement”) to be entered into by and among the Trust, the State, the Authority, the escrow agent named therein and TD Bank, National Association, as trustee for the holders of the Bonds (the “Trustee”); and.

**WHEREAS**, the Authority now desires to authorize the issuance of the aforementioned bonds in accordance with Section 26 of the Act;

**NOW, THEREFORE, BE IT RESOLVED BY THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, AS FOLLOWS:**

1. This Resolution is a “bond resolution” adopted pursuant to Section 25 of the Act.
2. In accordance with the Act and subject to the limitations regarding subordinate debt set forth in the General Bond Resolution, and for the purposes specified above, two series of bonds of the Authority are hereby authorized to be issued. The first series of bonds (the “Series

A Bonds”) shall be distinguished from all other bonds of the Authority by the title “Berkeley Township Municipal Utilities Authority Subordinated Water Revenue Bond, Series 2017A.” The second series of bonds (the “Series B Bonds”) shall be distinguished from all other bonds of the Authority by the title “Berkeley Township Municipal Utilities Authority Subordinated Water Revenue Bond, Series 2017B.” The Series A Bonds and the Series B Bonds may be issued in two or more subseries, designated A-1, A-2, etc. and B-1, B-2, etc.

3. The aggregate principal amount of the Series A and Series B Bonds shall not exceed \$3,000,000 with the specific principal amount of the Series A Bonds and the Series B Bonds (and any subseries) to be determined by the Authority in accordance with the provisions of the Loan Agreement with the Trust, with respect to the Series A Bonds, and in accordance with the provisions of the Loan Agreement with the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”), with respect to the Series B Bonds, such determinations to be made by an Award Certificate of the Executive Director or Chairman (the “Award Certificate”) or details resolution (the “Details Resolution”) of the Authority to be dated/adopted on or before the date of delivery of each series (or subseries) of Series A Bonds and Series B Bonds to the Trust and to the State, respectively. The Series A and Series B Bonds shall mature on such dates in each of the years and in the principal amounts, as shall be determined by the Details Resolution or the Award Certificate, respectively, provided the final maturity date shall not be later than the later of 30 years from their date of issue or August 1, 2047. The Series A Bonds shall bear interest at the rate or rates per annum not to exceed 6.00%, as shall be determined by the Details Resolution or the Award Certificate. The Series B Bond shall bear interest at the rate of zero per centum (0%) per annum. Notwithstanding anything contained in the General Bond Resolution to the contrary, the Series A and Series B



Bonds shall be issued in the form of one certificate for each series setting forth the required annual or semi-annual installments of principal and interest, if any, payable in each year and shall be in substantially the forms attached hereto as Exhibits A-1 and A-2, with such insertions, omissions or changes as are necessary or desirable. The Series A and Series B Bonds each shall be dated May 25, 2017, or such other date as may be determined by the Details Resolution or the Award Certificate, respectively. Principal on the Series A and Series B Bonds shall be payable each February 1 and August 1 in each year until maturity, commencing August 1, 2017, or such other date or dates as may be determined by the Details Resolution or the Award Certificate, respectively. Interest payable on the Series A Bonds shall be payable each February 1 and August 1 in each year until maturity, commencing August 1, 2017, or such other date or dates as may be determined by the Details Resolution or the Award Certificate, respectively.

4. The substance and form of the Loan Agreements between the Authority and the Trust (the "Trust Loan") and the Loan Agreements between the Authority and the State (the "State Loan," and together with the Trust Loan, the "Loan Agreements"), substantially in the forms attached hereto as Exhibits B-1 and B-2 and hereby made a part hereof, are hereby approved. The Chairman, Vice Chairman and Executive Director of the Authority are hereby authorized and directed to execute and deliver the Loan Agreements with such changes, insertions and omissions as may be approved by the Chairman, Vice Chairman or Executive Director of the Authority, and the Secretary of the Authority is hereby authorized and directed to affix the seal of the Authority on the Loan Agreements and to attest the same. The execution of the Loan Agreements by the Chairman, Vice Chairman or Executive Director of the Authority shall be conclusive evidence of any approval required by this Section.

5. The substance and form of the Escrow Agreement by and among the Authority,

the Trustee, the Trust, the State and the escrow agent as therein referred to, substantially in the form attached hereto as Exhibit C and hereby made a part hereof, is hereby approved. The Chairman, Vice Chairman and Executive Director of the Authority are hereby authorized and directed to execute and deliver the Escrow Agreement with such changes, insertions and omissions as may be approved by the Chairman, Vice Chairman or Executive Director or the Authority, and the Secretary of the Authority is hereby authorized and directed to affix the seal of the Authority on the Escrow Agreement and to attest the same. The execution of the Escrow Agreement by the Chairman, Vice Chairman or Executive Director of the Authority shall be conclusive evidence of any approval required by this Section.

6. The Series A and Series B Bonds shall be subject to redemption prior to maturity by or on behalf of the Authority in accordance with the terms and provisions set forth in the respective Loan Agreements and in accordance with the terms of the General Bond Resolution.

7. The Series A and Series B Bonds shall be executed with the manual or facsimile signature of the Chairman or Vice-Chairman of the Authority and shall have imprinted thereon or affixed thereto a facsimile or impression of the seal of the Authority, attested with the manual or facsimile signature of the Secretary of the Authority. No Series A Bond or Series B Bond shall be valid or binding until it has been authenticated by a manual signature of an officer of TD Bank, National Association (the "Trustee").

8. The principal of and interest, if any, on the Series A and Series B Bonds shall be payable at the office of TD Bank, National Association, as Trustee, or at the principal corporate trust office of any successor Trustee appointed by the Authority. Principal and interest, if any, shall be payable by check or draft, all in the manner set forth in the Loan Agreements, in such coin or currency as at the respective times of payment shall constitute legal tender for the

payment of public and private debts.

9. The Trustee, paying agent and the registrar for the Series A and Series B Bonds shall be TD Bank, National Association, Cherry Hill, New Jersey. The Trustee, as registrar, shall maintain registration books for the registration and transfer of the registered Series A and Series B Bonds. The Trustee is authorized, and is hereby requested, upon written order of any Designated Officer, to authenticate the Series A and Series B Bonds and deliver them to the Trust and the State, respectively. "Designated Officer" means any person who is the Chairman, Vice Chairman, Executive Director, Secretary or Treasurer of the Authority.

10. The Series A and Series B Bonds, as subordinated indebtedness under the General Bond Resolution, shall be payable from amounts that may be withdrawn from the Authority's General Fund pursuant to Paragraph (2) of Section 511 of the General Bond Resolution. The pledge of amounts that may be withdrawn from the General Fund as aforesaid is and shall be in all respects subordinate to the provisions of the General Bond Resolution and the lien and pledge created by the General Bond Resolution in favor of the bonds issued and to be issued thereunder. The Authority hereby assigns and pledges for the benefit of the owners from time to time of the Series A and Series B Bonds all of its rights under the provisions of the Service Agreement to receive payments from the Township.

11. The Authority hereby covenants with the holders from time to time of the Series A and Series B Bonds (if applicable) that it will make no investment or use of the proceeds of the Series A or Series B Bonds (if applicable) or take any other action which would cause the Series A or Series B Bonds (if applicable) to be "arbitrage bonds" or "private activity bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would

cause interest on the Series A or Series B Bonds (if applicable) not to be excludable from gross income for federal income tax purposes, and that it will do and perform all acts and things necessary or desirable to assure that interest paid, if any, on the Series A or Series B Bonds (if applicable) is excludable from gross income under the provisions of the Code, as if such bonds were issued as tax-exempt bonds.

Any Designated Officer of the Authority is hereby authorized to establish with the Trustee a Rebate Account (the "Rebate Account") and provide for the deposit therein, for delivery to the United States Treasury, of "excess investment earnings," as may from time to time be required by Section 148 of the Code.

12. The Authority hereby covenants to charge sufficient rates so that all debt service on the Series A and Series B Bonds can be timely paid. The Authority shall include such debt service for purposes of applying its rate covenant under the General Bond Resolution.

13. As provided in Section 30 of the Act, this Resolution and the Act as in force from time to time shall constitute a contract between the Authority and the holders of the Series A and Series B Bonds. This Resolution may be modified: (i) without the consent of said holders insofar as any such modification does not adversely affect their rights as such; (ii) without the need for further formal action of the Authority, solely for amendments which (a) are required by Bond Counsel; (b) do not materially affect the obligations of the Authority; (c) are ministerial or technical in nature, and (d) are, generally, of a nature, and relate to matters customarily and appropriately approved and administered by any Designated Officer of the Authority (as conclusively established by the inclusion of such modifications in the printed copy of this Resolution delivered to the purchaser at closing on the sale of the Series A and Series B Bonds); and (iii) in all other respects, with the consent of the holders of no less than fifty-one percent

(51%) in principal amount of the Series A and Series B Bonds affected thereby; provided, however, that no such modification may be made which would reduce such percentage required for consent, or affect the rights of the holders of less than all of the outstanding Series A and Series B Bonds, or affect the terms of payment of the principal of and interest on the Series A and Series B Bonds without the consent of the holders of all said Series A and Series B Bonds.

14. The Trustee, upon receipt of any notice, resolution, consent, order, certificate, report, opinion, bond, or other paper or document furnished to it pursuant to any provision of this Resolution, shall examine such instrument to determine whether it conforms to the requirements of this Resolution and shall be protected in acting upon any such instrument believed by it to be genuine and to have been signed or presented by the proper party or parties. The Trustee may consult with counsel, who may or may not be counsel to the Authority, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it under this Resolution in good faith and in accordance herewith.

Whenever the Trustee shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action under this Resolution, such matter (unless other evidence in respect thereof be therein specifically prescribed) may be deemed to be conclusively proved and established by a certificate of a Designated Officer of the Authority, and such certificate shall be full warrant for any action taken or suffered in good faith under the provisions of this Resolution upon the faith thereof; but in its discretion the Trustee may in lieu thereof accept other evidence of such fact or matter or may require such further or additional evidence as to it may deem reasonable.

Except as otherwise expressly provided in this Resolution, any request, order, notice or other direction required or permitted to be furnished pursuant to any provision hereof by the

Authority to the Trustee shall be sufficiently executed if executed in the name of the Authority by a Designated Officer of the Authority.

The Trustee may at any time resign and be discharged of the duties and obligations created by this Resolution by giving not less than 60 days written notice to the Authority of the date it desires to resign, and mailing notice thereof, first class postage prepaid, to the registered owners of the Series A and Series B Bonds at their last addresses, if any, appearing upon the registry books; provided, such resignation shall not become effective until a successor Trustee shall have been appointed by the Authority and shall have accepted such appointment.

15. The Secretary of the Authority is hereby authorized and directed to cause copies of this Resolution (together with such additional information as may be required) to be filed, promptly following the delivery of the Series A and Series B Bonds, with (i) the Clerk of the Township, as provided by Section 412 of the Service Agreement, and (ii) the Director of the Division of Local Government Services (State of New Jersey, Department of Community Affairs), as provided by Section 67 of the Act. Prior to the sale of the Bonds, the Authority shall obtain any required approval thereof from the Township.

16. All prior resolutions or parts thereof, insofar as they are inconsistent herewith, are hereby rescinded; provided, however, that this resolution shall not rescind, or be deemed to rescind, the General Bond Resolution or any part thereof.

17. Any determination that one or more of the provisions of this Resolution is invalid shall not affect the validity of the remaining portions of this Resolution, which shall continue in full force and effect.

18. The Secretary of the Authority is hereby authorized, empowered and directed to cause copies of this Resolution to be filed for public inspection in the office of the Township

Clerk of the Township, at the Town Hall in said Township, and in the office of the Authority.

19. No recourse shall be had for the payment of the principal of or the interest on the Series A and Series B Bonds or for any claim based thereon or on this Resolution or the General Bond Resolution against any member or other officer of the Authority or any person executing the Series A and Series B Bonds. The Series A and Series B Bonds are not and shall not be in any way a debt or liability of the State of New Jersey or of any county or municipality thereof and do not and shall not create or constitute any indebtedness, liability or obligation of said State or of any county or municipality, either legal, moral or otherwise.

20. Said Secretary is hereby authorized, empowered and directed to file a copy of this Resolution with the clerk of the Township and to cause to be published in the “Asbury Park Press”, a legally qualified public newspaper circulating in the district of said Authority, a notice in substantially the following form:

BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
NOTICE OF ADOPTION OF BOND RESOLUTION

PUBLIC NOTICE is hereby given that a resolution entitled: “2017 Resolution Authorizing the Issuance of Subordinated Water Revenue Bonds of the Berkeley Township Municipal Utilities Authority” (the “Resolution”) was adopted by the Berkeley Township Municipal Utilities Authority on February 23, 2017. Copies of said Resolution have been filed and are available for public inspection in the office of the Township Clerk of the Township of Berkeley, in the County of Ocean, New Jersey, in the Town Hall in said Township and in the office of said. Authority, 42 Station Road, Bayville, Berkeley Township, New Jersey.

Any action or proceeding of any kind or nature in any court questioning the validity of the creation or establishment of the Berkeley Township Municipal Utilities Authority, or the

validity or proper authorization of bonds provided for by the Resolution, or the validity of any covenants, agreements or contracts provided for by the Resolution shall be commenced within twenty (20) days after the first publication of this notice, which was first published this 25<sup>th</sup> day of February, 2017.

BERKELEY TOWNSHIP MUNICIPAL  
UTILITIES AUTHORITY

BY:   
Secretary

21. All actions which have been taken prior to the date hereof by the officers, employees, and agents of the Authority with respect to the sale of the Series A and Series B Bonds are hereby approved, ratified, adopted and confirmed. The Chairman and any other officer of the Authority, and the staff and consultants of the Authority are hereby authorized and directed to take all actions and execute any other agreement which may be necessary or convenient to effectuate the terms of the Resolution in connection with the issuance, sale and delivery of the Series A and Series B Bonds.

22. This Resolution shall become effective immediately.



CERTIFICATE

The undersigned Secretary of Berkeley Township Municipal Utilities Authority, a public body corporate and politic of the State of New Jersey, HEREBY CERTIFIES that the foregoing resolution entitled "2017 RESOLUTION AUTHORIZING THE ISSUANCE OF SUBORDINATED WATER REVENUE BONDS OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY" is a true copy of an original resolution which was duly adopted by said Authority at a meeting thereof which was duly called and held on February 23, 2017 and at which meeting quorum were present and acted throughout, and that said copy has been compared by me with the original resolution recorded in the records of the Authority and that it is a correct transcript thereof and of the whole of said resolution, and that said original resolution has not been altered, amended or repealed and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Authority this 23 day of FEB, 2017

[SEAL}

By:   
Secretary