

**RESOLUTION NO. 0021 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY AUTHORIZING THE EXECUTION AND FILING OF A WIRE  
TRANSFER AGREEMENT WITH 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 designated as an official depository of the Authority Ocean First Bank; and

**WHEREAS**, the Authority utilizing the wire transfer services offered by Ocean First Bank; and

**WHEREAS**, Ocean First Bank requires a Wire Transfer Agreement to be executed in order to utilize such services:

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


1. The Chairwoman and Treasurer are hereby authorized to execute said Wire Transfer Agreement and any other documents necessary 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 Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. Berry, Sahradnik, Kotzas & Benson, Authority Solicitor; and
- d. Ocean First Bank.

**CERTIFICATION**

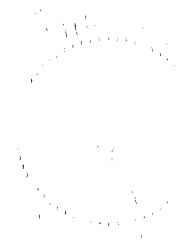
I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at the Authority's Reorganization meeting held on the 23<sup>rd</sup> day of March 2017, a quorum being present and voting in the majority.

  
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. 0022-2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF A PERFORMANCE  
BOND AND ACCEPTANCE OF A CASH MAINTENANCE BOND FOR THE PROJECT  
KNOWN AS HICKORY FARMS - PHASE III, Wet Tap Portion  
BLOCK 939, LOTS 19, 20, 21, 21.04 and 22.01; BLOCK 939.15, LOT 23**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (Authority) had previously granted approval for two 8" diameter water main connections to an existing 12" diameter water main along Hickory Lane; and

**WHEREAS**, a performance bond was provided to the Authority in accord with appropriate rules and regulations; and

**WHEREAS**, the developer, Hope Springs II, has requested a release of the performance guarantees posted in conjunction with the referenced project; and

**WHEREAS**, the Authority's engineers have reviewed the site as well as the project files and have noted that the two 8" diameter water main connections to the existing 12" diameter water main along Hickory Lane have been completed; and

**WHEREAS**, the Authority is in receipt of a February 21, 2017 letter authored by Keith Chiaravallo, PE, recommending the release of the performance guarantee;

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

1. The Authority authorizes the release of the performance bond provided to the Authority in connection with this project together with interest.
2. The release of the performance bond is contingent upon payment of all outstanding escrow fees, if any, and the receipt of an Affidavit from the developer certifying that all contractors and suppliers have been paid in full.


3. Pursuant to Authority rules and regulations, a maintenance guarantee in the amount of 15% of the cost of the improvements or \$5,353.43 which is to be posted in cash shall remain on deposit with the Authority for a period of two years after final acceptance of the improvements.


**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. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Hope Springs II; 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 23<sup>rd</sup> day of March, 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  
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Toms River, New Jersey 08753

**RESOLUTION NO. 0023-2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW  
JERSEY, REGARDING PHASE VI WATER SYSTEM IMPROVEMENTS**

**WHEREAS**, P&A Construction, Inc., was the winning bidder on the Phase VI water improvements project for the Berkeley Township Municipal Utilities Authority; and

**WHEREAS**, there was a Notice to Proceed dated June 10, 2016 and the contractor proceeded to install water lines and appurtenances for that project; and

**WHEREAS**, a fourth voucher was presented to the Authority and CME Associates for work that was completed between December 1, 2016 and February 1, 2017; and

**WHEREAS**, the total construction costs associated with the fourth voucher that was submitted was \$110,587.70; and

**WHEREAS**, the Authority pursuant to Agreement is to release retainage or a total of \$23,585.10; and

**WHEREAS**, the Authority's engineer has reviewed the fourth voucher and supporting documentation and has approved payment of same to P&A;

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

1. The Authority accepts the recommendation of its engineer, CME Associates, with regard to their review of a fourth invoice that was provided for work done on the above-referenced project from December 1, 2016 through February 1, 2017.
2. The Authority authorizes the payment to P&A Construction, Inc., of \$134,172.80 which represents the net amount due from the original invoice.


**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. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. P&A Construction, Inc.; 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 23<sup>rd</sup> day of March, 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  
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Toms River, New Jersey 08753

**RESOLUTION NO. 0024 -2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
APPOINTMENT OF CME ASSOCIATES AS AUTHORITY CONSULTING  
ENGINEER FOR THE BID AND CONSTRUCTION PHASES OF THE  
WELL NUMBER 4/PHASE II CONSTRUCTION PROJECT  
AND AUTHORIZING THE EXECUTION OF AN ENGINEERING AGREEMENT**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to designate an engineering firm as consulting engineer for the bid and construction phases of the Well No. 4/Phase II construction project; and

**WHEREAS**, the Authority has previously appointed CME Associates pursuant to the fair and open process set forth in *N.J.S.A. 19:44A-20.4* to service as Authority Consulting Engineer the year 2017; and

**WHEREAS**, although appointed in a blanket manner as the Authority Engineer for the year 2017, the rules and regulations of the New Jersey Environmental Infrastructure Trust (“NJEIT”) require the designation of a Consulting Engineer of the Well No. 4/Phase II construction project and the execution of an engineering agreement relative to that designation; 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 duly qualified to serve as Authority Consulting Engineer for the Well No. 4/Phase II construction project; and

**WHEREAS**, it is the desire of the Authority to appoint CME Associates as the Authority’s Consulting Engineer for the Well No. 4/Phase II construction project; 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 March, 2017, by the Berkeley Township Municipal Utilities Authority as follows:

1. CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859, is designated and appointed as Authority Consulting Engineer for the Bid and Construction Phase of the Well No. 4/Phase II construction project this date and continuing through and until the bid and construction phases of Well No. 4/Phase II construction project have been completed, or until such time as a successor is appointed.
2. The Chairwoman 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 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:11-2(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. This is a professional services contract and/or constitutes an extraordinary unspecifiable service and is therefore exempt from the formal bidding requirements of the New Jersey Local Public Contracts.





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

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

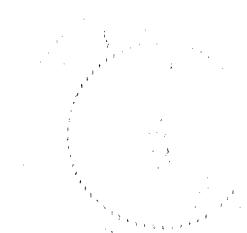
**CERTIFICATION**

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 23<sup>rd</sup> day of March, 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. 0025 - 2017**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING ADVERTISEMENT FOR BIDS  
FOR CONSTRUCTION OF WELL NO. 4/PHASE II**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has previously recognized the need to drill an additional well and has authorized a Well No. 4/Phase II construction project; and

**WHEREAS**, the Authority had previously appointed CME Associates as the Authority's consulting engineer for the Well No. 4/Phase II construction project; and

**WHEREAS**, the Authority has been advised by CME Associates that the plans and bid specifications for bids for the Well No. 4/Phase II construction project are almost complete; and

**WHEREAS**, the Authority wishes to authorize CME Associates to continue with the progress on this much needed improvement in a timely fashion:

**NOW THEREFORE BE IT RESOLVED** this 23<sup>rd</sup> day of March, 2017, by the Berkeley Township Municipal Utilities Authority as follows:


1. CME Associates is authorized to complete the bid package so that bids can be received for the Well No. 4/Phase II project.
2. The Executive Director and CME Associates are authorized to advertise and receive bids for the referenced project in a manner that will ensure maximum bid activity.
3. The Authority authorizes the Chairwoman, Secretary, Executive Director and Consulting Engineer to execute all documents necessary to implement this Resolution.

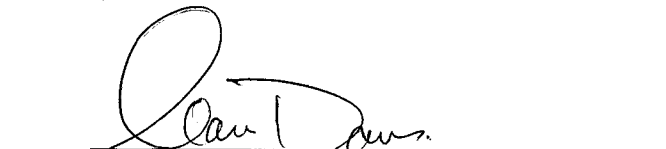
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. Michele Nugent, Executive Director;
- c. CME Associates; and
- d. 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 23<sup>rd</sup> day of March, 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. 0626 -2017**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ,  
GRANTING PRELIMINARY, TENTATIVE AND FINAL WATER APPLICATION  
APPROVAL TO MONTALVO – MCKINLEY AVENUE,  
BLOCK 520, LOTS 1, 2, 5, 7, 9, 11, 13, 15 & 17**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority hereinafter referred to as the Authority has received an application for preliminary, tentative and final water application approval for the property set forth above as designated on the official tax map of the Township of Berkeley; and

**WHEREAS**, the Applicant for the project is Jessica Montalvo; and

**WHEREAS**, the Applicant is proposing to construct four (4) single family homes; and

**WHEREAS**, the applicant is proposing to construct 515 LF of 8” DIP water main extension to provide domestic service to the proposed single family homes; and

**WHEREAS**, applicant has submitted in connection with the application to the Authority plans prepared by Bruce Jacobs, P.E., of Gravatt Consulting Group, dated July 15, 2015, with the latest revision being June 9, 2016; and

**WHEREAS**, the Authority’s Consulting Engineer, CME Associates, has reviewed the application, documents and plans submitted by the Applicant and authored a review letter addressed to the Authority, dated September 30, 2016; and

**WHEREAS**, the Consulting Engineer in the referenced review letter has recommended that the Authority approve Montalvo-McKinley Avenue’s application for preliminary, tentative and final water application approval subject to compliance with the terms and conditions set forth therein; and

**WHEREAS**, it appears that the Applicant by complying with all of the conditions set forth in the September 30, 2016 review letter by the Authority's Consulting Engineer is in compliance with the Authority's Rules and Regulations;

**NOW THEREFORE BE IT RESOLVED** this 23<sup>rd</sup> day of March, 2017, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority accepts the recommendation of its Consulting Engineer for the project and grants preliminary, tentative and final water application approval to the Applicant, Montalvo-McKinley Avenue;
2. This approval is contingent upon the Applicant complying with all of the terms and conditions set forth in the aforementioned September 30, 2016 review letter of the Authority's Consulting Engineer a copy of which is annexed hereto and made a part hereof and incorporated fully herein by reference including the payment of any and all outstanding fees;
3. This approval shall become null and void after one (1) year if no construction takes place and further construction shall be completed within three (3) years of the date of this Resolution or else updated performance guarantees and basic construction service fees shall be required to be posted by the Applicant to the satisfaction of the Authority and the Authority's Consulting Engineer; and
4. The Chairman and Executive Director are authorized to execute any and all documents necessary to comply with the intent of this Resolution.

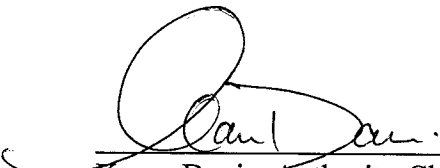
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Jessica Montalvo;
- e. Gravatt Consulting Group; and
- f. 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 23<sup>rd</sup> day of March, 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  
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