

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ,
AUTHORIZING FINAL APPROVAL AND ACCEPTANCE OF A
PERFORMANCE BOND FOR
HICKORY FARMS – PHASE III,
BLOCK 939, LOTS 19, 20, 21, 21.04 AND 22.01, BLOCK 939.15, LOT 23**

WHEREAS, the Applicant is proposing to construct 34 four bedroom single-family homes in Phase III of the Hickory Farms project; and

WHEREAS, the Applicant is proposing to construct 2,600 lineal feet +/- of 8” diameter water main in a looped system connecting at two separate locations to the existing 12” diameter water main along Hickory Lane and further providing 1” domestic water services to each of the 34 homes as well as construction of 5 fire hydrants; and

WHEREAS, Applicant is required, in accord with the Authority’s Consulting Engineer’s letter of May 2, 2017, to provide sufficient performance guarantees in the total amount of \$369,097.41 with \$332,187.67 representing the 90% bond portion and \$36,909.74 representing the 10% cash portion to guarantee construction of the improvements described in the application; and

WHEREAS, a performance bond has been presented for review and meets the requirements set forth in the Authority’s Consulting Engineer’s letter of May 2, 2017;

NOW THEREFORE BE IT RESOLVED this 25th day of May, 2017, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority hereby approves the performance bond as submitted by Hickory Farms – Phase III which bond is attached hereto and made a part hereof as **Exhibit “A”**.
2. The Authority approves the posting of 10% cash with the Authority.
3. This approval is contingent upon review of the Authority’s Engineering Committee.

4. The Authority hereby authorizes and directs the Chairwoman, Secretary, Executive Director and Authority Attorney to execute any and all necessary documents in order to implement the intent of this Resolution.

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

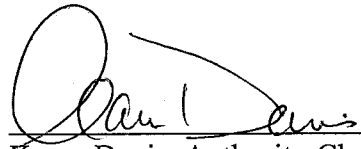
- a. Honorable Karen Davis, Chairwoman;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Hickory Farms – Phase III; and
- e. Berry, Sahradnik, Kotzas & Benson.

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 25th day of May, 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 OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ,
AUTHORIZING FINAL APPROVAL AND ACCEPTANCE OF A
PERFORMANCE BOND FOR
DOLLAR GENERAL PROJECT, BLOCK 956, LOT 7**

WHEREAS, the Applicant is proposing to construct a new 9,346 square foot Dollar General retail store located on the referenced property; and

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

WHEREAS, the Applicant is proposing to utilize a new 1" domestic water service to the existing main located within the northbound side of New Jersey State Highway Route 9; and

WHEREAS, Applicant is required, in accord with the Authority's Consulting Engineer's letter of May 8, 2017, to provide sufficient performance guarantees in the total amount of \$21,803.04 with \$19,622.74 representing the 90% bond portion and \$2,180.30 representing the 10% cash portion to guarantee construction of the improvements described in the application; and

WHEREAS, a performance bond has been presented for review and meets the requirements set forth in the Authority's Consulting Engineer's letter of May 8, 2017;

NOW THEREFORE BE IT RESOLVED this 25th day of May, 2017, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority hereby approves the performance bond as submitted by Dollar General which bond is attached hereto and made a part hereof as **Exhibit "A"**.
2. The Authority approves the posting of a cash deposit or a letter of credit by Dollar General in lieu of cash for the 10% cash portion of the performance bond.
3. This approval is contingent upon review of the Authority's Engineering Committee.

4. The Authority hereby authorizes and directs the Chairwoman, Secretary, Executive Director and Authority Attorney to execute any and all necessary documents in order to implement the intent of this Resolution.

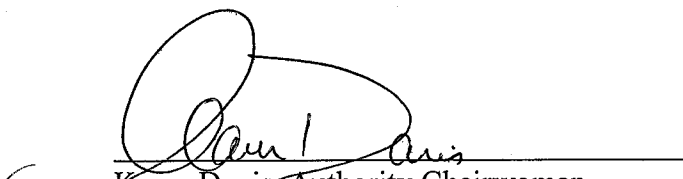
BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the following:

- a. Honorable Karen Davis, Chairwoman;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Dollar General; 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 25th day of May, 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 OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ,
REVISING RATE SCHEDULE AND AUTHORIZING REFUND OF MONIES
TO TALLWOODS CARE CENTER
AND CRYSTAL LAKE REHABILITATION CENTER**

WHEREAS, the current rate schedule of the Berkeley Township Municipal Utilities Authority (hereinafter "Authority") calls for the imposition of a yearly charge for fire protection lines that are installed in residential health care facilities; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40:62-139(b), any fees charged to residential health care facilities for fire protection can only be based on actual water utilized; and

WHEREAS, the Authority wishes to amend its rate schedule to reflect the referenced State statute; and

WHEREAS, the Authority wishes to reimburse two residential health care facilities for charges that were imposed for said fire protection lines;

NOW THEREFORE BE IT RESOLVED this 25th day of May, 2017, by the Berkeley Township Municipal Utilities Authority as follows:

1. The provision of the Authority's rate schedule referring to an annual charge for fire protection lines shall be amended to delete any yearly charges for those services and reserve unto the Authority the right to charge for any costs of water actually utilized in a residential health care facility for fire protection purposes.
2. The Authority authorizes the Executive Director to reimburse Tallwoods Care Center the sum of \$2,295.00 for reimbursement of six years of charges at the rate of \$382.50 per year.

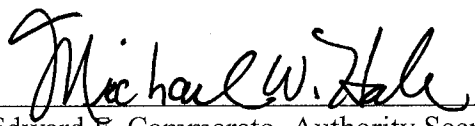
3. The Authority authorizes the Executive Director to reimburse Crystal Lake Rehabilitation Center the sum of \$425.00 for reimbursement of two years of charges at the rate of \$212.50 per year.

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

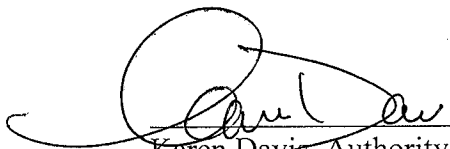
- a. Honorable Karen Davis, Chairwoman;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Tallwoods Care Center;
- d. Crystal Lake Rehabilitation Center; and
- e. Berry, Sahradnik, Kotzas & Benson.

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 25th day of May, 2017, a quorum being present and voting in the majority.



Edward F. Cammarato, Authority Secretary
Michael W. Hale, Treasurer



Karen Davis, Authority Chairwoman

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

Berkeley Township Municipal Utilities Authority

2017- 0035

Resolution Adopting the 2016 Annual Audit Report

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local Authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit for the fiscal year ended December 31, 2016 has been completed and filed with the Berkeley Township Municipal Utilities Authority pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority, within 45 days of receipt of final audit, to certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report and specifically the sections of the audit titled "General Comments and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

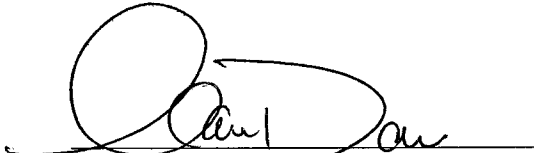
WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments and Recommendations" in accordance with N.J.S.A. 40A:5A-17.

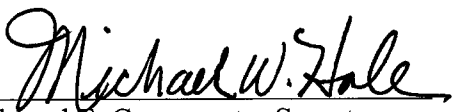
NOW, THEREFORE, BE IT RESOLVED that the governing body of the Berkeley Township Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2016 and specifically has reviewed the sections of the audit report entitled "General Comments and Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Executive Director of the Authority is hereby directed to promptly submit the aforesaid group affidavit to the Local Finance Board, accompanied by a certified true copy of this resolution.

CERTIFICATION

It is hereby certified that this is a true copy of the resolution passed at a Public Meeting of the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, held on MAY 25, 2017.


Karen Davis, Chairwoman


Edward F. Cammarato, Secretary
Michael W. Hale, Treasurer