

RESOLUTION NO. 0047 -2018

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
REGARDING WELL #4, PHASE II**

WHEREAS, Montana Construction Corp., Inc., was the winning bidder on the Well #4, Phase II project for the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority"); and

WHEREAS, there was a Notice to Proceed, dated December 1, 2017, and the contractor initiated the project; and

WHEREAS, a voucher titled Pay Estimate #3 was presented to the Authority and CME Associates for work that was completed between July 14, 2018 through August 10, 2018; and

WHEREAS, the total construction costs associated with the voucher that was submitted was \$217,230.82; and

WHEREAS, the Authority pursuant to Agreement is to deduct a 2% retainage or a total of \$4,344.61; and

WHEREAS, the Authority's Engineer has reviewed the voucher and supporting documentation and has approved payment to Montana Construction Corp., Inc.;

NOW, THEREFORE, BE IT RESOLVED, this 23rd day of August, 2018, 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 an invoice that was provided for work done on the above-referenced project from July 14, 2018 through August 10, 2018.
2. The Authority authorizes the payment to Montana Construction Corp., Inc., of \$212,886.21 which represents the net amount due from the original invoice of \$217,230.82 less a retainage of \$4,344.61.

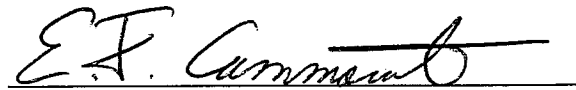
3. The Authority hereby authorizes and directs the Chairperson, Secretary, Executive Director and Authority Attorney to execute any and all necessary documents in order to implement the intent of this Resolution.

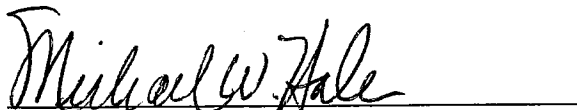
BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Montana Construction Corp., 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 23rd day of August 2018, a quorum being present and voting in the majority.


Edward F. Cammarato, Authority Secretary


Michael W. Hale, Authority Chairperson

Prepared by:

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

Resolution No. 0048-2018

**RESOLUTION FOR RENEWAL OF
MEMBERSHIP IN THE
NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE
FUND**

WHEREAS, the Berkeley Township MUA is a member of the New Jersey Utility Authorities Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2018 unless earlier renewed by agreement between the Authority and the Fund; and

WHEREAS, the Authority desires to renew said

membership; NOW THEREFORE, be it resolved as

follows:

1. The Berkeley Township MUA agrees to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority's intention to renew its membership.

This Resolution agreed to this 23 day of August 2018 by a
vote of: 5 Affirmative
 Negative

CHAIRPERSON



ATTEST



Michael W. Hale
Chairman

8/23/18
DATE

**AGREEMENT TO RENEW MEMBERSHIP IN THE
NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**

WHEREAS, the New Jersey Utility Authorities Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

WHEREAS, the Berkeley Township MUA is currently a member of said Fund, and; WHEREAS,

effective December 31, 2018, said membership will expire unless earlier renewed, and;

WHEREAS, the Governing Body of the Berkeley Township MUA has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:


1. Berkeley Township MUA hereby renews its membership in the New Jersey Utility Authorities Joint Insurance Fund for a three (3) year period, beginning January 1, 2019 and ending January 1, 2022.*
2. The Berkeley Township MUA hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the New Jersey Utility Authorities Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Berkeley Township MUA agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.

*12:01 am

4. In consideration of the continuing membership of the Berkeley Township MUA in the New Jersey Utility Authorities Joint Insurance Fund, the New Jersey Utility Authorities Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Banking & Insurance, to accept the renewal application of the Berkeley Township MUA.
5. Executed the 23 day of August, 2018 as the lawful and binding act and deed of the _____, which execution has been duly authorized by public vote of the governing body.

AUTHORITY CHAIRPERSON


ATTEST


Michael W. Hale
Chairman

NEW JERSEY UTILITY AUTHORITIES
JOINT INSURANCE FUND