

RESOLUTION NO. 0041 -2019

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE RELEASE OF A PERFORMANCE BOND FOR  
RIVERBAY LANDINGS PROJECT,  
BLOCK 956, LOT 4**

**WHEREAS**, by Resolution, dated May 26, 2016, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) required that a performance bond be posted with the Authority for the work to be done on the referenced project; and

**WHEREAS**, said performance bond, in the amount of \$329,461.02 representing 90% of said bond and \$25,606.78 in cash and a letter of credit in the amount of \$11,000.00 representing the 10% cash portion of the bond to guarantee construction of the improvements, was posted with the Authority; and

**WHEREAS**, by Resolution, dated October 27, 2016, the Authority granted a reduction in performance bond as follows:

	<u>Original</u>		<u>Revised Amount</u>
90% Bond Portion	\$329,461.02	To	\$98,838.31
10% Cash Portion	<u>36,606.78</u>	To	<u>10,982.03</u>
Total Performance Guarantee	\$366,067.80		\$109,820.34


**WHEREAS**, Roman Brothers, Inc., for Riverbay Landings has completed the improvements set forth in the original application; and

**WHEREAS**, the Authority has received a request from the developer to release the performance guarantees posted in conjunction with said project; and

**WHEREAS**, the Authority Engineer has reviewed the project files and made site observations indicating that the work associated with the project has been completed; and

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 22<sup>nd</sup> day of August, 2019, 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. 0043 -2019**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
REGARDING ANNUAL AUDIT FOR THE YEAR ENDING DECEMBER 31, 2018**

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

**WHEREAS**, the annual audit report for the fiscal year ended December 31, 2018 has been completed and filed with the Local Finance Board of the State of New Jersey 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 to, within 45 days of receipt of the annual audit, 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 report entitled "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 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, 2018, 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 Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this Resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON AUGUST 22, 2019.

  
Edward F. Cammarato, Authority Secretary

8/22/19  
Date

Prepared by:

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