

RESOLUTION NO. 22 -2024

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING CHAIRPERSON OF THE AUTHORITY FOR THE 2024
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 Chairperson 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 28th day of March, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED, this 28th day of March, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Michael W. Hale is hereby appointed as Chairperson of the Authority commencing on March 28, 2024 through the Authority's 2025 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. 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 the Authority's Reorganization meeting held on the 28th day of March, 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Authority Secretary
Denise Pellecchia, Commissioner



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. 232024

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING OFFICERS FOR THE 2024 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 22nd day of February, 2024; 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 28th day of March, 2024, by the Berkeley township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follow:

1. Jerome Bollettieri is hereby appointed as Vice Chairperson of the Authority commencing on March 28, 2024 through the Authority’s 2025 reorganization meeting or until such time as a successor can be named.

2. Richard W. Elliott is hereby appointed as Secretary of the Authority commencing on March 28, 2024 through the Authority’s 2025 reorganization meeting or until such time as a successor can be named.

3. Samuel Cammarato is hereby appointed as Treasurer of the Authority commencing on March 28, 2024 through the Authority's 2025 reorganization meeting or until such time as a successor can be named.

4. Denise Pellecchia is hereby appointed as Safety Commissioner of the Authority commencing on March 28, 2024 through the Authority's 2025 reorganization meeting or until such time as a successor can be named.

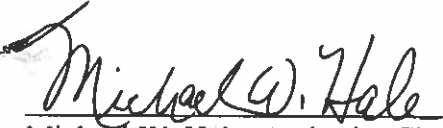
BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. 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 the Authority's Reorganization meeting held on the 28th day of March, 2024, a quorum being present and voting in the majority.


~~Richard W. Elliott, Authority Secretary~~
Denise Pellecchia, Commissioner


Michael W. Hale, Authority Chairperson

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

24-2024

#24-156-R

RESOLUTION OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY APPOINTING MEMBERS TO THE MUNICIPAL UTILITIES AUTHORITY

February 26, 2024

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, to make the following appointments to the Berkeley Township Municipal Utilities Authority:

Member #1 Jerome Bollettieri 5- year term Expiring 01/31/2029

BE IT FURTHER RESOLVED certified copies of this Resolution be forwarded to the Berkeley Township Municipal Utilities Authority and the above-listed appointee.

CERTIFICATION

I, Karen Stallings, 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 26th day of February, 2024.



Karen Stallings, Township Clerk
Berkeley Township

RESOLUTION NO. 25-2024

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING COMMITTEES OF THE AUTHORITY FOR THE
2024 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 Michael W. Hale as its Chairperson through the 2025 reorganization meeting of the Authority; and

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

WHEREAS, as Chairperson, Michael W. Hale, nominates Commissioners of the Authority to serve on Authority Committees as follows:

ENGINEERING: Committee Chair Jerome Bollettieri and William McGrath

PERSONNEL: Committee Chair William McGrath and Michael Hale

SAFETY: Committee Chair Denise Pellecchia and Richard Elliott

FINANCE &

BUDGET: Committee Chair Sam Cammarato and Frederick Bekiarian

LEGAL: Committee Chair Frederick Bekiarian and Denise Pellecchia

BUILDING &

GROUND: Committee Chair Richard Elliott and Sam Cammarato

NOW, THEREFORE, BE IT RESOLVED this 28th day of March, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby appoints the Chairperson's nominees to serve on Authority Committees as follows:

ENGINEERING: Committee Chair Jerome Bollettieri and William McGrath

PERSONNEL: Committee Chair William McGrath and Michael Hale

SAFETY: Committee Chair Denise Pellecchia and Richard Elliott

FINANCE &

BUDGET: Committee Chair Sam Cammarato and Frederick Bekiarian

LEGAL: Committee Chair Frederick Bekiarian and Denise Pellecchia

BUILDING &

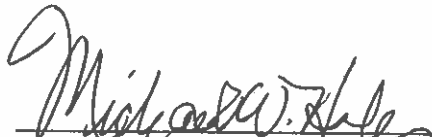
GROUNDS: Committee Chair Richard Elliott and Sam Cammarato

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

- i. Honorable Michael W. Hale, Chairperson;
- ii. The Municipal Clerk of the Township of Berkeley; and
- iii. 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 the Authority's Reorganization meeting held on the 28th day of March, 2024, a quorum being present and voting in the majority.



Michael W. Hale, Authority Chairperson



~~Richard W. Elliott, Authority Secretary~~
Denise Pellecchia, Commissioner

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

RESOLUTION NO. 26 -2024

**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 28th day of March, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:


1. Denise Pellecchia 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. 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 the Authority's Reorganization meeting held on the 28th day of March, 2024, a quorum being present and voting in the majority.


Richard W. Elliott, Authority Secretary
Denise Pellecchia
COMMISSIONER


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. 27 -2024

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY CELL
TOWER CONSULTANT FOR THE YEAR 2024**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of a Cell Tower Consultant to provide consulting services to the Authority for the year 2024 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, FSD Enterprises is duly qualified to serve as Authority Cell Tower Consultant; and

WHEREAS, it is the desire of the Authority to appoint FSD Enterprises as the Authority’s Cell Tower Consultant for the year 2024; and

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

WHEREAS, FSD Enterprises 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 22nd day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. FSD Enterprises, 65 Mechanic Street, Suite 201, Red Bank, New Jersey, is appointed as Authority Cell Tower Consultant for the Authority this date and continuing through February 27, 2024 or until such time as a successor is appointed.

2. The Chairperson and the Secretary of the Authority are hereby authorized to execute and attest to an agreement with FSD Enterprises, 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.

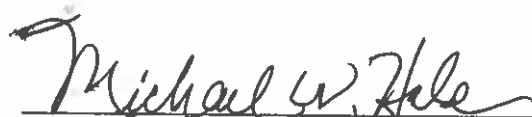
BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. FSD Enterprises.

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 28th day of March 2024, a quorum being present and voting in the majority.


~~Richard W. Elliott, Jr., Authority Secretary~~
Denise Pellicchia, Commissioner


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. 28 - 2024

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
AUTHORIZING TRANSFER OF FUNDS FROM
GENERAL ACCOUNT TO OPERATING ACCOUNT**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") is contractually obliged to make payments of outstanding obligations including obligations in connection with its Northern Boulevard water tower painting and rehabilitation project and must, therefore, have available in its operating account sufficient funds to make proper and prompt payments; and

WHEREAS, the Authority has sufficient funds available in its General Account to meet this obligation;

NOW, THEREFORE, BE IT RESOLVED this 28th day of March, 2024, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority is hereby authorized to withdraw the amount of Four Hundred Thousand (\$400,000.00) Dollars from its TD Bank General Account #81-0289-70-2 and to deposit that amount into its Ocean First Operating Account #23006001399 to comply with the Authority's obligations.
2. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director 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. TD Bank;
- d. Ocean First Bank; 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 28th day of March, 2024, a quorum being present and voting in the majority.



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


Denise Pellecchia
COMMISSIONER

RESOLUTION NO. 29 - 2024

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
REGARDING NORTHERN BOULEVARD
PAINTING AND REHABILITATION PROJECT**

WHEREAS, United Painters, Inc., was the winning bidder on the Northern Blvd. Water Tower Painting and Rehabilitation project for the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”); and

WHEREAS, there was a Notice to Proceed, dated January 3, 2024, and the contractor initiated the project; and

WHEREAS, a voucher titled Pay Estimate #1 was presented to the Authority and CME Associates for work that was completed between January 3, 2024 through March 15, 2024; and

WHEREAS, the total construction costs associated with the voucher that was submitted was \$417,000.00; and

WHEREAS, the Authority, pursuant to agreement, is to deduct a 2% retainage or a total of \$8,340.00; and

WHEREAS, the Authority’s Engineer has reviewed the voucher and supporting documentation and has approved payment to United Painters, Inc;

NOW, THEREFORE, BE IT RESOLVED this 28th day of March, 2024, by the Berkeley Township Municipal Utilities Authority 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 January 3, 2024 through March 15, 2024.


2. The Authority authorizes the payment to United Painters, Inc., of \$408,660.00 which represents the net amount due from the original invoice of \$417,000.00 less a retainage of \$8,340.00.
3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director 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. United Painters, 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 28th day of March, 2024, a quorum being present and voting in the majority.



Michael W. Hale, Authority Chairperson



~~Richard W. Elliott, Authority Secretary~~
Denise Pellecchia, Commissioner

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

RESOLUTION NO. 0030 - 2024

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
AUTHORIZING PREPARATION OF GENERATOR BID**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is desirous of purchasing a new generator for the Station Road treatment plant and Administrative Offices; and

WHEREAS, it is deemed that the installation of a new generator is critical for the continued efficient operation of the Station Road treatment plant and Administrative Offices; and

WHEREAS, a proposal has been submitted by CME Associates, the Authority’s Engineers, to design and prepare bid specifications for the generator project; and

NOW, THEREFORE, BE IT RESOLVED this 25th day of April, 2024, by the Berkeley Township Municipal Utilities Authority as follows:

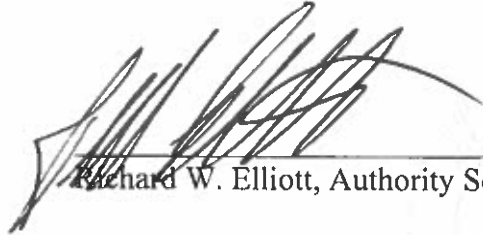
1. The Authority hereby authorizes its Engineers, CME Associates, to design and prepare bid specifications for the Station Road generator.
2. This design and bid specification preparation shall be performed in accordance with the outline set forth in a proposal by CME Associates, dated April 22, 2024, (attached hereto and make a part hereof as **Exhibit “A”**) for an amount not to exceed \$49,974.00.
3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director 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; 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 25th day of April, 2024, a quorum being present and voting in the majority.


Richard W. Elliott, 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. 31 - 2024

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
AUTHORIZING MODIFICATION TO EMPLOYEE'S TITLE**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter "Authority") and its Personnel Committee have reviewed the performance of Kyle Burton; and

WHEREAS, Kyle Burton has successfully passed the NJ DEP Water Operator's "T-1 and W-1" license exam.

WHEREAS, based upon this review, the Personnel Committee and Executive Director have recommended that Kyle Burton receive a title change and pay increase effective April 1, 2024; and

WHEREAS, after emerging from Executive Session on March 28, 2024, the Authority voted to approve the recommendation of the Executive Director and Personnel Committee authorizing the title change and pay increases for Kyle Burton;

NOW THEREFORE BE IT RESOLVED this 28th day of March, 2024, by the Berkeley Township Municipal Utilities Authority as follows:

1. This resolution shall revise Resolution 0069-2023 and memorialize the vote taken by the Authority on this 28th day of March, 2024 approving the recommendation of the Personnel Committee and Executive Director providing for Kyle Burton's salary increases effective April 1, 2024 and July 1, 2024.
2. Kyle Burton's employment title shall change from Utility Worker to Water Operator.
3. Kyle Burton's hourly rate of pay shall increase to \$23.00 commencing on April 1, 2024 and \$23.70 effective July 1, 2024.

4. All other provisions of Resolution 0062-2023 shall remain in full force.
5. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

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 28th day of March, 2024, a quorum being present and voting in the majority.



Michael W. Hale, Authority Chairperson



~~Richard W. Elliott, Authority Secretary~~
Denise Pellecchia, Commissioner

Prepared by:
BERRY, SAHRADNIK, KOTZAS & BENSON
212 Hooper Avenue
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Toms River, New Jersey 08753