

RESOLUTION NO. 0040 - 2025

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING CHAIRPERSON OF THE AUTHORITY FOR THE
REMAINDER OF THE 2025 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 was held on the 27th day of February, 2025; and

WHEREAS, on motion from the membership of the Board of Commissioners of the Authority, Michael W. Hale was nominated and confirmed to serve as Chairperson of the Authority; and

WHEREAS, after many years of valuable service to the Authority, Michael W. Hale advised that he and his wife, Karen, were moving from New Jersey and, therefore, he submitted his resignation effective July 31, 2025; and

WHEREAS, such resignation creates the need to appoint a new Chairperson:

NOW, THEREFORE, BE IT RESOLVED, this 28th day of August, 2025, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Richard W. Elliott is hereby appointed as Chairperson of the Authority commencing on July 31, 2025 through the Authority's 2026 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 Richard Elliott, 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 a regular meeting held on the 28th day of August 2025, a quorum being present and voting in the majority.



Denise M. Pellecchia, Authority Secretary



Richard W. Elliott, Authority Chairperson

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

Resolution No. 2025-0041

#25-375-R

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY APPOINTING
MEMBERS TO THE MUNICIPAL UTILITIES AUTHORITY**

August 18, 2025

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BERKELEY,
COUNTY OF OCEAN, STATE OF NEW JERSEY, as follows:

1. That the following individuals are hereby appointed members to the Municipal Utilities Authority:

Member:	Appointee Name	Term:
Mbr. #3	William McGrath	unexpired Term Expiring 12/31/26
Alt. Mbr. #1	<i>Vincent Papa</i>	unexpired Term expiring 1/31/27

That the above-named appointee is required to execute an Oath of Office in the Township Clerk's Office prior to taking his official seat on the Municipal Utilities Authority.

2. That certified copies of this Resolution be forwarded to the Township Administrator, Township Attorney, the 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 18th day of August, 2025.


KAREN STALLINGS, Township Clerk
Berkeley Township

RESOLUTION NO. 0042-2025

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING A VICE CHAIRPERSON FOR THE
REMAINDER OF THE 2025 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 was held on the 27th day of February, 2025; and

WHEREAS, on motion from the membership of the Board of Commissioners of the Authority, Richard W. Elliott was nominated to serve as Vice Chairman of the Authority at the February, 27, 2025 meeting;

WHEREAS, Richard W. Elliott was nominated to serve as Chairman of the Authority commencing on July 31, 2025 creating a need to appoint a Vice Chairperson.

NOW, THEREFORE, BE IT RESOLVED, this 28th day of August, 2025, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follow:

1. William E. McGrath is hereby appointed as Vice Chairperson of the Authority commencing on July 31, 2025 through the Authority's 2026 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 William E. McGrath, Vice 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 August, 2025, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Authority Chairperson

RESOLUTION NO. 0043 - 2025

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EXECUTION OF DOCUMENTS PERTAINING TO
UNITED STATES DEPARTMENT OF AGRICULTURE LOANS**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has in the past utilized U.S. Department of Agriculture financing (hereinafter referred to “USDA”); and

WHEREAS, the Authority anticipates a continuing relationship from a financial perspective with the USDA; and

WHEREAS, the Authority wishes to be in compliance with all rules and regulations concerning possible loans from the USDA:

NOW, THEREFORE, BE IT RESOLVED, this 28th day of August, 2025, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute United States Department of Agriculture Equal Opportunity Agreement, Form RD 400-1 and Assurance Agreement, USDA Form RD 400-4 attached hereto as **Exhibits “A” and “B”** respectively.
2. The Authority further hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all other documents that may be required of the Authority to obtain financing through the USDA.

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

- a. Honorable Richard W. Elliott, 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 a regular meeting held on the 28th day of August, 2025, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Authority Chairperson

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

RESOLUTION NO. 0044 -2025

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING CME ASSOCIATES AS ENGINEERING FIRM FOR
PHASE VII, CONTRACT 1 (SECTION 3) CONSTRUCTION SERVICES**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is pursuing expansion of its water system; and

WHEREAS, BTMUA Resolution 2025-33 authorized Phase VII, Contract 1 to proceed; and

WHEREAS, plans have been completed for the Phase VII, Contract 1 water system improvements consisting of approximately 10,000 LF of new water main and appurtenances in the Authority’s service area; and

WHEREAS, the Authority is in need of designating an engineering firm to provide services for this project; and

WHEREAS, CME Associates have submitted a proposal to provide such services:

NOW, THEREFORE, BE IT RESOLVED, this 28th day of August, 2025, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby designates CME Associates to provide all necessary engineering services in connection with the Phase VII, Contract 1 water system improvement project.
2. The referenced services shall be provided in accordance with the proposal submitted by CME Associates, dated August 6, 2025, which is attached hereto as **Exhibit “A”**.

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 Richard W. Elliott, 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 28th day of August, 2025, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Authority Chairperson

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

RESOLUTION NO. 0045 - 2025

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ,
AUTHORIZING ACCEPTANCE OF A PERFORMANCE BOND FOR
(JULIANO)– 2G BERKELEY ONE LLC – WOODLAND ACRES,
BLOCK 975, LOTS 1, 2, 5; BLOCK 985, LOTS 17-20;
BLOCK 986, LOT 1; BLOCK 988, LOTS 13-16**

WHEREAS, the Applicant is proposing to construct fifteen (15) single family homes 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 extend 2,170 LF of water main to connect to the Authority's existing facilities located on Wheaton Avenue, Radovan Avenue, Halsey Avenue and Floral Avenue; and

WHEREAS, the Authority provided final approval to this project in Resolution 2024-39; and

WHEREAS, Applicant is required, in accord with the Authority's Consulting Engineer's letter of May 23, 2024, to provide sufficient performance guarantees in the total amount of \$260,778.00 (90% surety - \$234,700.20 and 10% cash - \$26,077.80); 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 23, 2024;

NOW THEREFORE BE IT RESOLVED this 28th day of August, 2025, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority hereby approves the performance bond as submitted by 2G Berkeley One, LLC, Builder.


2. The Authority approves the posting of a 90% surety bond for \$234,700.20 and a 10% cash bond for \$26,077.80 representing a performance bond amount of \$260,778.00 by 2G Berkeley One, LLC.
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 Richard Elliot, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. 2G Berkeley One, LLC; 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 August, 2025, a quorum being present and voting in the majority.



Richard E. Elliot, Authority Chairperson



Denise Pellecchia, Authority Secretary

Prepared by:
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