

RESOLUTION NO. 0053 - 2025

**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
AYRA PROPERTIES, POTTERS COURT,
BLOCK 956, LOT 24**

WHEREAS, the Applicant is proposing to construct 7 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 Authority previously granted final approval to this project in Resolution 2023-10 which, in accordance with the BTMUA Rules & Regulations, is now null and void due to construction inactivity and a change in project ownership; and

WHEREAS, the Applicant is proposing to extend 406 LF of water main to the existing main located at Station Road and an additional 158 LF of main installed within a proposed easement; and

WHEREAS, Applicant is required, in accord with the Authority's Consulting Engineer's letter of November 7, 2025, to provide sufficient performance guarantees in the total amount of \$94,926.00 representing both the bond portion and cash portion to guarantee construction of the improvements described in the application; and

WHEREAS, a surety bond for \$67,234.00 and a cash bond of \$27,692.00 has been presented for review and meets the requirements set forth in the Authority's Consulting Engineer's letter of November 7, 2025;

NOW, THEREFORE, BE IT RESOLVED this 13th day of November, 2025, by the Berkeley Township Municipal Utilities Authority as follows:

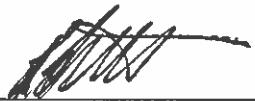
1. The Authority hereby approves the performance bond as submitted by Ayra Properties / Potters Court which bond is attached hereto and made a part hereof as **Exhibit "A"**.
2. The Authority approves the posting of a surety bond for \$67,234.00 and a cash bond of \$27,692.00 by Ayra Properties representing the performance bond.
3. This approval is contingent upon review of the Authority's Engineering Committee.
4. 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 Elliott, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Ayra Properties / Potters Court; 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 13th day of November, 2025, a quorum being present and voting in the majority.



Richard Elliott, Authority Chairperson



Denise Pellecchia, Authority Secretary

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

RESOLUTION NO. 0054 - 2025

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE RELEASE OF A CASH PERFORMANCE BOND FOR
JERMAN – VIRGINIA AVENUE,
BLOCK 404, LOTS 5-7**

WHEREAS, by Resolution #53-2022, dated November 10, 2022, 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 cash amount of \$22,558.00, representing the bond to guarantee construction of the improvements, was posted with the Authority; and

WHEREAS, Jeffrey R. Jerman 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 as stated in the report dated October 28, 2025; and

WHEREAS, the Authority Engineer has recommended a release of the performance guarantees associated with the project:

NOW, THEREFORE, BE IT RESOLVED, this 13th day of November, 2025, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby authorizes the release of the performance bond previously posted with the Authority to ensure completion of the improvements associated with this project.

2. This release is subject to the posting of a cash maintenance guarantee in the amount of 15% of the cost of improvements or \$2,819.70 for a period of two (2) years from the date of this Resolution.
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 Elliott, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Jeffrey R. Jerman; 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 13th day of November, 2025, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard Elliott, Authority Chairperson

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

RESOLUTION NO. 0055 - 2025

**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 #6 was presented to the Authority and CME Associates for work that was completed between December 1, 2024 through August 6, 2025; and

WHEREAS, the total construction costs associated with the voucher that was submitted was \$6,070.00; and

WHEREAS, the Authority, pursuant to agreement, is to release retainage or a total of \$22,330.60; and

WHEREAS, appropriate and necessary supplemental work has been completed resulting in a reduction in total contract monies due of \$28,780.00; and

WHEREAS, the Authority Engineer has recommended final acceptance of the work and approval of the Closeout Change Order and final payment to the contractor in the amount of \$28,400.60;

NOW, THEREFORE, BE IT RESOLVED this 13th day of November, 2025, 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 December 1, 2024 through August 6, 2025.

2. The Authority authorizes the payment to United Painters, Inc., of \$28,400.60 which represents the net amount due from the original invoice of \$6,070.00 and the release of retainage of \$22,330.60.
3. This payment shall be subject to submission of the required Maintenance Guarantee.
4. 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;
- 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 13th day of November, 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 2025-0056

2026 AUTHORITY BUDGET RESOLUTION

Berkeley Municipal Utilities Authority

FISCAL YEAR: January 01, 2026 to December 31, 2026

WHEREAS, the Annual Budget for Berkeley Municipal Utilities Authority for the fiscal year beginning January 01, 2026 and ending December 31, 2026 has been presented before the governing body of the Berkeley Municipal Utilities Authority at its open public meeting of November 13, 2025; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$2,932,000.00, Total Appropriations including any Accumulated Deficit, if any, of \$3,150,848.00, and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$218,848.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$2,408,800.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$892,500.00; and

WHEREAS, the schedule of rents, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Berkeley Municipal Utilities Authority, at an open public meeting held on November 13, 2025 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Berkeley Municipal Utilities Authority for the fiscal year beginning January 01, 2026 and ending December 31, 2026, is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Berkeley Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for Adoption on December 18, 2025.

Administration@BerkeleyMua.org

(Secretary's Signature)

13-Nov-25

(Date)

Governing Body Recorded Vote