

Resolution 2026-0029

#26-182-R

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

April 20, 2026

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. # 1	<i>Vincent Papa</i>	5-yr. unexpired term expiring 1/31/2029
Alt Mbr. # 1	<i>Christopher Burris</i>	5-yr. unexpired term expiring 1/31/2027
Alt Mbr. # 2	<i>Angelo Guadagno</i>	5-yr. unexpired term expiring 1/31/2028

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 20th day of April 2026



KAREN STALLINGS, Township Clerk
Berkeley Township

RESOLUTION NO. 0030 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH ARTHEON, INC., AS CONSULTING ENGINEER FOR THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, on February 26, 2026, the engineering firm of CME Associates was appointed as Consulting Engineer; and

WHEREAS, on May 1, 2026, the engineering firm of CME Associates will become affiliated with the firm of Artheon, Inc.; and

WHEREAS, the governing body desires to amend the appointment of Consulting Engineer to enter into an agreement to reflect the affiliation of CME Associates with Artheon, Inc.:

NOW, THEREFORE, BE IT RESOLVED, this 23rd day of April, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Effective immediately, the engineering firm of Artheon, Inc., is hereby retained for the provision of consulting engineer services for the balance of the one-year term ending February 25, 2027, pursuant to an agreement that shall include the same terms, fees and conditions of the agreement previously authorized on February 25, 2026 for the calendar year 2026.
2. 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Artheon, Inc.; 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 23rd day of April, 2026, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Chairperson


Denise Pellecchia, Authority Secretary
WILLIAM E. McGRATH, VICE CHAIRMAN

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

RESOLUTION NO. 0031 - 2026

**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
204 HICKORY, TRI-STATE RECYCLING,
BLOCK 863, LOT 5.01 VARIOUS**

WHEREAS, the Applicant is proposing to install water service and fire protection located on the referenced property; and

WHEREAS, the subject development is located in the Aqua New Jersey, Inc., franchise service area; and

WHEREAS, Aqua has granted a waiver to the Developer from connecting to its distribution system due to lack of a service line close to the property (i.e., Aqua letter dated April 21, 2025 – **Exhibit “A”**); and

WHEREAS, it is, therefore, a requirement of the Developer to connect to the Authority’s water system; and

WHEREAS, the Applicant is proposing to extend the water main to provide water connection and fire protection to the referenced lot; and

WHEREAS, Applicant is required, in accord with the Authority’s Consulting Engineer’s letter of March 20, 2026, to provide sufficient performance guarantees in the total amount of \$22,247.00 representing both the bond portion and cash portion to guarantee construction of the improvements described in the application; and

WHEREAS, a surety bond for \$20,022.30 and a cash bond of \$2,224.70 has been presented for review and meets the requirements set forth in the Authority’s Consulting Engineer’s letter of March 20, 2026;

NOW, THEREFORE, BE IT RESOLVED this 23rd day of April, 2026, by the Berkeley Township Municipal Utilities Authority as follows:

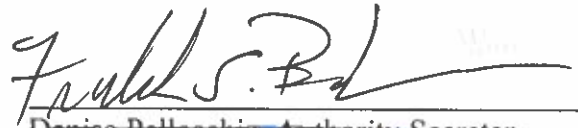
1. The Authority hereby approves the performance bond as submitted by Tri-State Recycling – 204 Hickory which bond is attached hereto and made a part hereof as **Exhibit “B”**.
2. The Authority approves the posting of a surety bond for \$20,022.30 and a cash bond of \$2,224.70 by Tri-State Recycling 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. Tri-State Recycling – 204 Hickory; 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 April, 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary

Frederick S. Bekirian, Commissioner
TREASURER



VICE CHAIRMAN

~~Richard Elliott~~, Authority Chairperson

Prepared by:

BERRY, SAHRADNIK, KOTZAS & BENSON

212 Hooper Avenue

P.O. Box 757

Toms River, New Jersey 08753

RESOLUTION NO. 0032 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EXTENDED PAID AND UNPAID LEAVE
TO EMPLOYEE KYLE BURTON FOR THE PERIOD COMMENCING
FROM APRIL 2, 2026 THROUGH AUGUST 17, 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has received a request from employee, Kyle Burton, to take a medical leave of absence for the period commencing April 2, 2026 and continuing through August 17, 2026; and

WHEREAS, Kyle Burton has Earned Time Off (hereinafter referred to as “ETO”) for the current employee fiscal year totaling 348 hours; and

WHEREAS, Kyle Burton’s anniversary date with the Authority is August 22, 2026; and

WHEREAS, in connection with his medical leave and, in order to alleviate financial hardship, Kyle Burton has requested to use 348 hours of ETO and receive unpaid leave for the balance of required time off; and

WHEREAS, the Authority and Kyle Burton have discussed that there are two (2) full day paid holidays during this leave period and that Kyle Burton will be paid for these two (2) full day holidays and will not utilize ETO for these two (2) full day holidays; and

WHEREAS, the Personnel Committee of the Authority has received the request of Kyle Burton and has considered the employee’s request; and

WHEREAS, the Personnel Committee has noted the concerns of the employee which include the employee’s medical wellbeing and health, financial wellbeing during the period of medical leave and job protection during the period of medical leave; and

WHEREAS, the Authority is obligated to comply with the Federal Family Medical Leave Act (“FMLA”) and generally endeavors to accommodate the needs of the Authority’s employees; and

WHEREAS, the Authority understands and appreciates the health difficulties experienced by Kyle Burton and desires to relieve his anxiety and stress concerning his job while he focuses on his medical wellbeing; and

WHEREAS, the Authority recognizes the concerns of the employee including job protection for the requested period of leave and the Authority chooses, voluntarily and in the Authority’s sole discretion, to protect Kyle Burton’s job at the Authority for the granted medical leave period of April 2, 2026 through August 17, 2026; and

WHEREAS, during the requested period of leave from April 2, 2026 through August 17, 2026, the Authority would continue to pay Kyle Burton’s family health, dental and prescription benefits (collectively “health benefits”) through August 17, 2026 on the condition that Kyle Burton prepays his required health benefits contribution of approximately \$136.34 every two weeks as required by applicable law, the Authority’s Rules and Regulations and the Authority’s FMLA Policy; and

WHEREAS, Kyle Burton’s ETO anniversary date will be extended or moved by the number of days of unpaid leave granted; and

WHEREAS, on or by August 13, 2026, Kyle Burton shall present to the Executive Director a note from his physicians as to his anticipated return date to work with certification that he is medically able to return to work if such a note has not already been received by the Authority; and

WHEREAS, before Kyle Burton may return to assume duties at the Authority, he may be required to present himself to the Authority's physician for an examination as to functional capacity; and

WHEREAS, should Kyle Burton indicate that additional medical leave time is required beyond August 17, 2026, such a request must be made in writing and the Authority will thereafter undertake an additional review to determine the Authority's response to said request; and

WHEREAS, the situation presented by Kyle Burton is recognized by the Authority to constitute extraordinary circumstances; and

WHEREAS, the Commissioners of the Authority recognize that the greatest asset to the Authority is the Authority's staff; and

WHEREAS, the Authority wishes Kyle Burton a speedy recovery; and

WHEREAS, the Authority finds that the recommendation from its Personnel Committee is fair, reasonable, in the best interests of the Authority and in accordance with the Authority's Rules and Regulations; and

WHEREAS, Counsel for the Authority has reviewed the recommendations of the Authority's Personnel Committee and concurs with the Personnel Committee's recommendations;

NOW, THEREFORE, BE IT RESOLVED, this 23rd day of April, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the recommendation of the Authority's Personnel Committee and Counsel.
2. The Authority grants employee, Kyle Burton, a medical leave of absence for the period ranging from April 2, 2026 through August 17, 2026.

3. The Authority grants employee Kyle Burton's request to use 348 hours of ETO time accumulated in order to cover the employee's medical leave for the period ranging from April 2, 2026 through August 17, 2026.
4. The Authority will continue to pay Kyle Burton's family health, dental and prescription benefits through August 17, 2026 on the expressed condition that Kyle Burton prepays his health benefits contribution of approximately \$136.34 which will be deducted from his paid leave pay checks or submitted every other week to the Authority during the unpaid period.
5. The Authority will continue to pay the scheduled two (2) full day holidays to Kyle Burton during his leave period which will not require use of ETO.
6. Pension contributions and ETO time earned accumulations are suspended during his unpaid leave period.
7. The Authority directs that, on or before August 13, 2026, Kyle Burton shall present to the Executive Director of the Authority a note from his physician as to his anticipated return date to work if such a note has not already been received by the Authority.
8. The Authority directs that, before Kyle Burton returns to full employment with the Authority, he may be required to present himself to the Authority's physician for an examination as to functional capacity.
9. The Authority directs that Kyle Burton's job with the Authority is protected during the period of leave ranging from April 2, 2026 through August 17, 2026.
10. The Authority directs that any leave sought by Kyle Burton beyond August 17, 2026 will be subject to additional review by the Authority.


11. 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. Brian Blair, Chief of Operations;
- d. Kyle Burton; 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 April, 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary
William E. McGrath, Vice Chairman



Richard W. Elliott, Jr., Authority Chairperson

Prepared by:
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