

RESOLUTION NO. 0001 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING CHAIRPERSON OF THE AUTHORITY FOR THE 2026
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 26th day of February, 2026; 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Richard W. Elliott, Jr., is hereby appointed as Chairperson of the Authority commencing on February 27, 2026 through the Authority’s 2027 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 W. Elliott, Jr., 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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

Resolution No. 2026-0002

#25-450-R

**RESOLUTION OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY
APPOINTING INDIVIDUALS TO THE MUNICIPAL UTILITIES AUTHORITY (Alt. Mbr. #2 Christopher
Burris)**

November 17, 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:
Alt. Mbr. #2	<i>Christopher Burris</i>	5 yr unexpired Term expiring 1/31/28

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 17th day of
November, 2025.



KAREN STALLINGS, Township Clerk
Berkeley Township

Resolution No. 2026-0003

#26-07-R

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

January 1, 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. # 2	<i>Denise Pellechia</i>	5-yr. term expiring 1/31/2031

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 1st day of January 2024.



KAREN STALLINGS, Township Clerk
Berkeley Township

RESOLUTION NO. 0004-2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING OFFICERS FOR THE 2026 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 26th day of February, 2026; 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 26th day of February, 2026, 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 February 27, 2026 through the Authority’s 2027 reorganization meeting or until such time as a successor can be named.

2. Denise Pellecchia is hereby appointed as Secretary of the Authority commencing on February 27, 2026 through the Authority’s 2027 reorganization meeting or until such time as a successor can be named.

3. Frederick S. Bekiarian is hereby appointed as Treasurer of the Authority commencing on February 27, 2026 through the Authority's 2027 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 February 27, 2026 through the Authority's 2027 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 W. Elliott, Jr., 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 26th day of February, 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary


Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO.0005-2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY APPOINTING COMMITTEES OF THE AUTHORITY FOR THE
REMAINDER OF THE 2026 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 Reorganization Meeting of the Authority was held on the 26th day of February, 2026; and

WHEREAS, due to a vacancy the Board is required to re-organize the committee positions.

WHEREAS, Richard W. Elliott was nominated to serve as Chairman and the Chairperson may nominate Commissioners to serve on the various committees of the Authority as follows:

ENGINEERING:	Committee Chair William McGrath and Richard Elliott
PERSONNEL:	Committee Chair Christopher Burris and Frederick Bekiarian
SAFETY:	Committee Chair Denise Pellecchia and Vincent Papa
FINANCE & BUDGET:	Committee Chair Frederick Bekiarian and Denise Pellecchia
LEGAL:	Committee Chair Vincent Papa and Christopher Burris
BUILDING & GROUNDS:	Committee Chair Richard Elliott and William McGrath

NOW, THEREFORE, BE IT RESOLVED this 27th day of February, 2025, 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 William McGrath and Richard Elliott
PERSONNEL:	Committee Chair Christopher Burriss and Frederick Bekiarian
SAFETY:	Committee Chair Denise Pellecchia and Vincent Papa
FINANCE & BUDGET:	Committee Chair Frederick Bekiarian and Denise Pellecchia
LEGAL:	Committee Chair Vincent Papa and Christopher Burriss
BUILDING & GROUNDS:	Committee Chair Richard Elliott and William McGrath

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

- i. Honorable Richard W. Elliott, 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 27th day of February 2026, a quorum being present and voting in the majority.


Richard W. 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. 0006 - 2026

**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 26th day of February, 2026, 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 Richard W. Elliott, Jr., 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 26th day of February, 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0007 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY ADOPTING THE 2026 CASH MANAGEMENT PLAN**

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 Commissioners of the Authority have reviewed a Cash Management Plan as presented and recommended by its auditor; and

WHEREAS, the Commissioners are of the opinion that it is in the best interest of the Authority to adopt the 2026 Cash Management Plan as set forth above:

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, that the Cash Management Plan as set forth on SCHEDULE A annexed hereto and made a part hereof shall serve as the Cash Management Plan for the Authority for the year 2026;


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; 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 26th day of February, 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary


Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0008 - 2026

RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY DESIGNATING AS THE OFFICIAL DEPOSITORIES OF THE AUTHORITY TD BANK, WELLS FARGO BANK AND OCEAN FIRST BANK

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 the necessity of designating official banking depositories with respect to the Authority’s primary and developmental accounts maintained by the Authority; and

WHEREAS, the Commissioners of the Authority have reviewed the depositories available to the Authority and have arrived upon a consensus after reviewing rates and other considerations; and

WHEREAS, the Commissioners of the Authority have determined that the most favorable rates and greatest accessibility are available to the Authority from TD Bank, Wells Fargo Bank and Ocean First Bank:

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby authorizes and designates TD Bank, Wells Fargo Bank and Ocean First Bank to be the official depositories of all primary and developmental bank accounts of the Authority for the year 2026.

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. Berry, Sahradnik, Kotzas & Benson;
- d. TD Bank;
- e. Wells Fargo Bank; and
- f. Ocean First Bank.

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 26th day of February, 2026, a quorum being present and voting in the majority.



Denise Pellicchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0009 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY DESIGNATING AS THE OFFICIAL NEWSPAPERS OF THE
AUTHORITY FOR ANY PUBLICATIONS THE ASBURY PARK PRESS, THE STAR
LEDGER AND THE BERKELEY TIMES**

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 from time to time needs to make information available to the public through the publication of notices in local newspapers; and

WHEREAS, the Authority is obliged by law to designate an official newspaper for the publication of various required notices; and

WHEREAS, the Asbury Park Press, the Star Ledger and the Berkeley Times are three local newspapers available to publish notices of the Authority;

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Berkeley Township Municipal Utilities Authority hereby approves and designates the Asbury Park Press, the Star Ledger and the Berkeley Times as the official newspapers of the Authority in which any notices of the Authority will be published.

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; 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 26th day of February, 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary


Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0010 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING TRANSFER OF FUNDS FROM REVENUE ACCOUNT
TO REPLACEMENT AND RENEWAL ACCOUNT**

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 been advised by its professional staff that the Replacement and Renewal Fund Balance should be increased by \$20,000.00 for the year 2026 budget; and

WHEREAS, the Authority has determined that there exists sufficient funds available in the Authority’s Revenue Account to meet this recommendation;

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority is hereby authorized to withdraw the amount of TWENTY THOUSAND AND NO/100 (\$20,000.00) DOLLARS from its Revenue Account #23006003338 and to deposit that entire amount into its Renewal and Replacement Fund Account #810288605 for the 2026 budget purposes.


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; 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 26th day of February, 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary


Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0011 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY COUNSEL
FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is in need of the appointment of a professional to serve as Authority Counsel in representation of the Authority’s interests for the year 2026; and

WHEREAS, the Authority has solicited proposals from qualified attorneys pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Authority Counsel for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, the law firm of Berry, Sahradnik, Kotzas & Benson are attorneys at law licensed to practice in the State of New Jersey who meet all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Counsel for the Authority; and

WHEREAS, it is the desire of the Authority to appoint the Law Firm of Berry, Sahradnik, Kotzas & Benson as Authority Counsel for the Authority for the year 2026; and

WHEREAS, Berry, Sahradnik, Kotzas & Benson has completed and submitted a Business Entity Disclosure Certification which certifies compliance with N.J.S.A. 19:44A-20.26; and

WHEREAS, Berry, Sahradnik, Kotzas & Benson 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Berry, Sahradnik, Kotzas & Benson, 212 Hooper Avenue, Toms River, New Jersey, is appointed as Authority Counsel for the Authority and shall begin February 27, 2026 and end February 25, 2027, 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 Berry, Sahradnik, Kotzas & Benson 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 legal services are recognized as a professional service and Berry, Sahradnik, Kotzas & Benson are attorneys licensed to practice law in the State of New Jersey.

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; 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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0012 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY AUDITOR
FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of an auditor to provide auditing services to the Authority for year 2026; and

WHEREAS, the Authority has solicited proposals from qualified auditors pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Authority Auditor for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, Holman, Frenia, Allison, P.C., is a firm engaged in the practice of providing auditing service in the State of New Jersey that meets all of the requirements set forth in the Authority’s request for qualifications and is duly qualified to serve as Auditor for the Authority; and

WHEREAS, it is the desire of the Authority to appoint the firm of Holman, Frenia, Allison, P.C., as Auditor for the Authority for the year 2026; and

WHEREAS, Holman, Frenia, Allison, P.C., has completed and submitted a Business Entity Disclosure Certification which certifies compliance with N.J.S.A. 19:44A-20.26; and

WHEREAS, Holman, Frenia, Allison, P.C., 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Holman, Frenia, Allison, P.C., 680 Hooper Avenue, Toms River, New Jersey, is appointed as Authority Auditor for the Authority and shall begin February 27, 2026 and end February 25, 2027, 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 Holman, Frenia, Allison, P.C., 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 auditing services are recognized as a professional service and Holman, Frenia, Allison, P.C., is an auditing firm with members licensed as Certified Public Accountants and Consultants in the State of New Jersey.

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; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Holman, Frenia, Allison, P.C.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellicchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0013 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF BOND COUNSEL FOR
THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is in need of the appointment of a professional to serve as Authority Bond Counsel in representation of the Authority’s interests for the year 2026 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, the firm of Dilworth Paxson, LLP, is duly qualified to serve as Authority Bond Counsel for the Authority; and

WHEREAS, it is the desire of the Authority to appoint the firm of Gluck Walrath, LLP, as Bond Counsel for the Authority for the year 2026; and

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

WHEREAS, Dilworth Paxson, LLP, 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dilworth Paxson, LLP, 4 Paragon Way, Freehold, New Jersey, is appointed as Authority Bond Counsel for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 Dilworth Paxson, LLP, 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 legal services are recognized as a professional service and Dilworth Paxson, LLP, are attorneys licensed to practice law 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Dilworth Paxson, LLP.

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 26th day of February 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary


Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0014 - 2026

**RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT PURSUANT
TO THE FAIR AND OPEN PROCESS FOR HEALTH BENEFITS INSURANCE
BROKER AND CONSULTANT**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need for a Health Insurance Broker and Consultant for the year 2026 to be awarded pursuant to the fair and open process set forth in N.J.S.A. 19:44A-20.7; and

WHEREAS, the Authority’s immediate need for services to be provided by the Health Benefits Insurance Broker and Consultant to be selected is limited to dental benefits because the Authority currently participates in the State Health Benefits Program and the State Prescription Benefits Program; and

WHEREAS, the Authority, mindful of its obligation to serve the best interests of its ratepayers and its employees, is desirous of ensuring that it is kept continuously apprised of opportunities for the procurement of health and prescription benefits for its employees that may prove to be more advantageous than maintaining enrollment in the State Health Benefits Program and/or the State Prescription Benefits Program; and

WHEREAS, Connor, Strong & Buckelew, Inc., (“Connor Strong”) with offices located at 231 Main Street, Toms River, New Jersey, is duly qualified to serve as Health Benefits Insurance Broker and Consultant for the Authority; and

WHEREAS, the appointment of such aforementioned professional constitutes a “professional appointment” and/or constitutes the provision of an extraordinary unspecifiable service 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, Connor Strong has indicated the ability to provide such services to the Authority at no cost to the Authority; and

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

WHEREAS, Connor Strong has completed an Affidavit acknowledging compliance with Berkeley Township Ordinance #13-28OA regarding political donations; and

WHEREAS, the Authority desires to authorize the award of a contract naming Connor Strong as the Authority Health Benefits Insurance Broker and Consultant, as well as identifying Connor Strong as the Broker of Record of the Authority's dental insurance coverage:

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority awards the contract for the provision of Health Insurance Broker and Consultant to Connor Strong and shall begin February 27, 2026 and end February 25, 2027, or until such time as a successor is appointed.
2. The Authority hereby authorizes, approves and designates Connor Strong as the Authority's Broker of Record for the Authority's dental insurance coverage for the term of the agreement.
3. The Authority authorizes the execution of the agreement by the Chairperson and Secretary. A true copy of the agreement is attached hereto and made a part hereof.

4. 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 health insurance broker and consultant services are recognized as a professional service and Connor Strong are licensed to provide such services in the State of New Jersey.

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; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Connor, Strong & Buckelew, Inc.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0015 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY
CONSULTING ENGINEER FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of an engineer to serve as Consulting Engineer to the Authority for the year 2026; and

WHEREAS, the Authority has solicited proposals from qualified engineers pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Authority Consulting Engineer for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, CME Associates is a firm engaged in the practice of providing engineering service in the State of New Jersey that meets all of the requirements set forth in the Authority’s request for qualifications and is duly qualified to serve as Consulting Engineer for the Authority; and

WHEREAS, it is the desire of the Authority to appoint the firm of CME Associates as Consulting Engineer for the Authority for the year 2026; and

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

WHEREAS, CME Associates 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, is appointed as Authority Consulting Engineer for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 CME Associates, 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 engineering services are recognized as a professional service and CME Associates is an engineering firm with members licensed as professional engineers 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. CME Associates.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0016 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF LABOR COUNSEL FOR
THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is in need of the appointment of a professional to serve as Authority Labor Counsel in representation of the Authority’s interests for the year 2026 pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7; and

WHEREAS, the Authority has solicited proposals from qualified attorneys pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Authority Labor Counsel for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, the firm of Dasti, McGuckin, McNichols, Connors, Anthony & Buckley are attorneys at law licensed to practice in the State of New Jersey who meet all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Labor Counsel for the Authority; and

WHEREAS, it is the desire of the Authority to appoint the firm of Dasti, McGuckin, McNichols, Connors, Anthony & Buckley as Labor Counsel for the Authority for the year 2026; and

WHEREAS, Dasti, McGuckin, McNichols, Connors, Anthony & Buckley has completed and submitted a Business Entity Disclosure Certification which certifies compliance with N.J.S.A. 19:44A-20.26; and

WHEREAS, Dasti, McGuckin, McNichols, Connors, Anthony & Buckley 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dasti, McGuckin, McNichols, Connors, Anthony & Buckley, 620 West Lacey Road, Forked River, New Jersey, is appointed as Authority Labor Counsel for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 Dasti, McGuckin, McNichols, Connors, Anthony & Buckley 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 legal services are recognized as a professional service and Dasti, McGuckin, McNichols, Connors, Anthony & Buckley are attorneys licensed to practice law 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Dasti, McGuckin, McNichols, Connors, Anthony & Buckley.

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 26th day of February 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary


Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0017 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF AUTHORITY RISK
MANAGER FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of a Risk Management Consultant to provide risk manager and consulting services to the Authority for the year 2026 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, John Hill Agency is duly qualified to serve as Authority Risk Management Consultant; and

WHEREAS, it is the desire of the Authority to appoint John Hill Agency as the Authority’s Risk Management Consultant for the year 2026; and

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

WHEREAS, John Hill Agency 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. John Hill Agency, 635 Route 9, Bayville, New Jersey, is appointed as Authority Risk Management Consultant for the Authority and shall begin February 27, 2026 and end February 25, 2027, 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 John Hill Agency, 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.

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; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. John Hill Agency.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellicchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0018 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF CONFLICT COUNSEL
FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is in need of the appointment of a professional to serve as Authority Conflict Counsel in representation of the Authority’s interests for the year 2026; and

WHEREAS, the Authority has solicited proposals from qualified attorneys pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Authority Counsel for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, the law firm of Dasti, McGuckin, McNichols, Connors, Anthony & Buckley are attorneys at law licensed to practice in the State of New Jersey who meet all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Conflict Counsel for the Authority; and

WHEREAS, it is the desire of the Authority to appoint the Law Firm of Dasti, McGuckin, McNichols, Connors, Anthony & Buckley as Authority Conflict Counsel for the Authority for the year 2026; and

WHEREAS, Dasti, McGuckin, McNichols, Connors, Anthony & Buckley has completed and submitted a Business Entity Disclosure Certification which certifies compliance with N.J.S.A. 19:44A-20.26; and

WHEREAS, Dasti, McGuckin, McNichols, Connors, Anthony & Buckley 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dasti, McGuckin, McNichols, Connors, Anthony & Buckley, 620 West Lacey Road, Forked River, New Jersey, is appointed as Authority Conflict Counsel for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 Dasti, McGuckin, McNichols, Connors, Anthony & Buckley 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 legal services are recognized as a professional service and Dasti, McGuckin, McNichols, Connors, Anthony & Buckley are attorneys licensed to practice law 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Dasti, McGuckin, McNichols, Connors, Anthony & Buckley.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0019 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF CONFLICT ENGINEER
FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of an engineer to serve as Conflict Engineer to the Authority for the for the year 2026; and

WHEREAS, the Authority has solicited proposals from qualified engineers pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Conflict Engineer for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, Alaimo Group is a firm engaged in the practice of providing engineering services in the State of New Jersey that meets all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Conflict Engineer for the Authority; and

WHEREAS, it is the desire of the Authority to appoint Alaimo Group as Authority Conflict Engineer for the Authority for the year 2026; and

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

WHEREAS, Alaimo Group 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Alaimo Group, 200 High Street, Mt. Holly, New Jersey, is appointed as Authority Conflict Engineer for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 Alaimo Group 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 engineering services are recognized as a professional service and Alaimo Group is an engineering firm with members licensed as professional engineers 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Alaimo Group.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0020 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF CONFLICT ENGINEER
FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of an engineer to serve as Conflict Engineer to the Authority for the for the year 2026; and

WHEREAS, the Authority has solicited proposals from qualified engineers pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Conflict Engineer for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, Colliers Engineering is a firm engaged in the practice of providing engineering services in the State of New Jersey that meets all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Conflict Engineer for the Authority; and

WHEREAS, it is the desire of the Authority to appoint Colliers Engineering as Authority Conflict Engineer for the Authority for the year 2026; and

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

WHEREAS, Colliers Engineering 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Colliers Engineering, 331 Newman Springs Road, Suite 203, Red Bank, New Jersey, is appointed as Authority Conflict Engineer for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 Colliers Engineering 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 engineering services are recognized as a professional service and Colliers Engineering is an engineering firm with members licensed as professional engineers 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Colliers Engineering.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0021 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING
PROFESSIONAL APPOINTMENT FOR THE POSITION OF CONFLICT ENGINEER
FOR THE YEAR 2026**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) has a need to acquire the services of an engineer to serve as Conflict Engineer to the Authority for the for the year 2026; and

WHEREAS, the Authority has solicited proposals from qualified engineers pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.7 for the position of Conflict Engineer for the 2026 Authority year; and

WHEREAS, proposals were received and were opened on February 5, 2026 and were later evaluated by the Board of Commissioners who sought the individual or firm that was most advantageous to the Authority, with due consideration given to the qualifications, experience, compensation and other factors and criteria; 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, Van Cleef Engineering is a firm engaged in the practice of providing engineering services in the State of New Jersey that meets all of the requirements set forth in the Authority’s request for qualifications and are duly qualified to serve as Authority Conflict Engineer for the Authority; and

WHEREAS, it is the desire of the Authority to appoint Van Cleef Engineering as Authority Conflict Engineer for the Authority for the year 2026; and

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

WHEREAS, Van Cleef Engineering 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Van Cleef Engineering, 1705 Route 37 East, Toms River, New Jersey, is appointed as Authority Conflict Engineer for the Authority this date and continuing through and until the Authority's 2027 reorganization meeting, 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 Van Cleef Engineering 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 engineering services are recognized as a professional service and Van Cleef Engineering is an engineering firm with members licensed as professional engineers 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Van Cleef Engineering.

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 26th day of February 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., 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 PROFESSIONAL APPOINTMENT FOR THE POSITION OF
AUTHORITY CELL TOWER CONSULTANT FOR THE YEAR 2026**

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 2026 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 Cell Tower Consultant for the year 2026; 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 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. FSD Enterprises, P.O. Box 69, Little Silver, New Jersey, is appointed as Authority Cell Tower Consultant for the Authority this date and continuing through February 25, 2027 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 Richard W. Elliott, Jr., Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. FSD Enterprises; 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 the Authority's Reorganization meeting held on the 26th day of February 2026, a quorum being present and voting in the majority.


Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION NO. 0023 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,
STATE OF NEW JERSEY TO TRANSFER BUDGET LINE ITEMS**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) prepares a budget on a calendar year basis; and

WHEREAS, the 2025 budget has been reviewed based on actual expenditures for the 2025 calendar year; and

WHEREAS, the Authority auditors have recommended certain minimal modifications to line items in the 2025 budget; and

WHEREAS, it is prudent and appropriate to make the said transfers in accord with proper accounting practices;

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. That the following transfers shall be effected in accord with the auditor’s recommendation:
 - a. Eight Thousand (\$8,000.00) Dollars from budget line item 5008 Bank Trustee Fees to budget line item 5140 Utilities.

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; 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 26th day of February, 2026, a quorum being present and voting in the majority.



Denise Pellecchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

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

RESOLUTION: 0024-2026

RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,400,000 PRINCIPAL AMOUNT OF PROJECT NOTES RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK AND DETERMINING VARIOUS MATTERS PERTAINING THERETO

ADOPTED: February 26, 2026

WHEREAS, the Berkeley Township Municipal Utilities Authority (the “Authority”) is a public body corporate and politic organized and existing under the laws of the State of New Jersey pursuant to the Municipal and County Utilities Authorities Law, Chapter 183 of the Laws of 1957 of the State of New Jersey, as amended and supplemented (the “Act”), and was created by virtue of an ordinance, number 88-4-OAB, of the Township Council of the Township of Berkeley, in the County of Ocean, New Jersey (the “Township”) finally adopted on January 18, 1988; and

WHEREAS, the Authority was formed to undertake water system projects for and on behalf of the Township; and

WHEREAS, the Authority has on July 22, 1993 adopted its resolution entitled “Resolution Authorizing the Issuance of Water Revenue Bonds of the Berkeley Township Municipal Utilities Authority”, as amended and supplemented (the “General Bond Resolution”) providing for, among other things, the acquisition or construction of part or parts of the Water System (as defined therein) and the issuance of obligations to provide for the costs therefor; and

WHEREAS, the Authority has determined to undertake an additional project consisting of the furnishing and installation of approximately 11,000 LF of new 8-inch cement lined ductile iron water mains within the Authority Service Area, including, but not limited to, the construction of water mains and appurtenances, valves, valve boxes, hydrant assemblies, water service connections, connections to existing water mains, excavation, backfill, restoration, site clearing and all other associated work, corresponding New Jersey Infrastructure Bank Project No. 1505004-010, all as more particularly described in plans which are on file in the offices of the Authority, together with all costs thereof as are permitted under the Act, including without limitation the costs of issuance of any obligations of the Authority, capitalized interest, engineering and inspection costs and legal expenses and the cost of financial, professional and other estimates and services (collectively, the “Phase VII Water Main Project-Contract 1”); and

WHEREAS, the Phase VII Water Main Project-Contract 1 is expected to be financed by the New Jersey Infrastructure Bank (the “I-Bank”) and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the “State”); and

WHEREAS, the Authority expects to permanently finance all or a portion of the cost of the Phase VII Water Main Project-Contract 1 through the issuance of subordinate bonds to the I-Bank and the State pursuant to the I-Bank's construction financing program (the "Construction Financing Program"); and

WHEREAS, in anticipation of the issuance of such subordinate bonds, the Authority has determined to issue project notes to temporarily finance all or a portion of the cost of the Phase VII Water Main Project-Contract 1; and

WHEREAS, such project notes shall constitute subordinate debt within the definition thereof contained in the General Bond Resolution and shall be payable from amounts which may be withdrawn from the General Fund created under the General Bond Resolution in accordance with Sections 511 and 618 of the General Bond Resolution; and

WHEREAS, the Act and N.J.S.A. 58:11B-9 each allow for the sale of the project notes to the I-Bank, without any public offering, all pursuant to the terms and conditions set forth therein; and

WHEREAS, inasmuch as the project notes are to be issued through the New Jersey Infrastructure Bank Program, neither findings nor approval is required of the State of New Jersey, Department of Community Affairs, Division of Local Government Services, Local Finance Board; however, approval of the Director of the Division of Local Government Services is required prior to issuance of such project notes; and

WHEREAS, the Phase VII Water Main Project-Contract 1 is included within the definitions of the "Project" and the "System" as contained in the 1989 Service Contract dated February 15, 1990 (the "Service Contract"), between the Authority and the Township; and

WHEREAS, under the terms of the Service Contract, the Township, under certain circumstances, is obligated to pay certain Annual Charges (defined therein) to the Authority in connection with the sale and supplying of water at reasonable rates of service charges, such Annual Charges to include amounts sufficient to provide for the payment of principal of and interest on the said subordinate bonds to the extent the Authority does not have sufficient funds for the payment thereof; and

WHEREAS, any Annual Charges payable by the Township pursuant to the Service Contract constitute direct and general obligations of the Township, for which the Township has the power to levy ad valorem taxes upon all taxable property therein, without limitation as to rate or amount; and

WHEREAS, the Authority now desires to authorize the issuance of the aforementioned project notes in accordance with Section 26 of the Act;

NOW THEREFORE, BE IT RESOLVED BY THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, as follows:

Section 1. The Authority hereby determines to undertake the construction of the Phase VII Water Main Project-Contract 1, which has an estimated total cost of \$3,400,000. In accordance with the Act and N.J.S.A. 58:11B-9, in order to provide funds with which to provide for the temporary financing of the costs of Phase VII Water Main Project-Contract 1 and in anticipation of the application of the proceeds of the issuance and sale of permanent bonds of the Authority to be issued for such purpose, the Authority hereby determines to borrow a sum not to exceed Three Million Four Hundred Thousand Dollars (\$3,400,000) and to issue its negotiable notes, in one or more series, in the aggregate principal amount not exceeding said sum (collectively, the “Notes”). The obligation represented by the Notes is authorized by this Note Resolution (the “Note Resolution”), the Act and other applicable law. This Note Resolution constitutes a “bond resolution” adopted pursuant to N.J.S.A. 40:14B-25.

Section 2. Each such Note shall be designated “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank,” and shall contain such other or additional designation as may be determined by the Executive Director of the Authority (the “Executive Director”). Said Notes may be sold at one time or in blocks from time to time as may be determined by the Executive Director. The Executive Director is hereby authorized to determine pursuant to the terms and conditions of this Note Resolution (i) the final principal amount of the Notes (subject to the maximum limitation set forth in Section 3(a) hereof) and (ii) the dated date of the Notes. Any determination made by the Executive Director pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Notes by the parties authorized pursuant to Section 4 hereof.

Section 3. The Authority hereby determines that certain terms of the Notes shall be as follows:

- (a) The principal amount of the Notes to be issued shall be an amount up to \$3,400,000;
- (b) The maturity date of the Notes shall be as determined by the I-Bank;
- (c) The interest rate of the Notes shall be as determined by the I-Bank;
- (d) The purchase price for the Notes shall be par;
- (e) The Notes shall be subject to prepayment prior to their stated maturity in accordance with the terms and conditions of the Notes;
- (f) The Notes shall be issued in a single denomination and shall be numbered “NJWB-CFP-26-1”; and
- (g) The Notes shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America.

Section 4. The Notes shall be signed in the name of the Authority by the manual or facsimile signature of the Chairperson or Vice Chairperson of the Authority and shall have the seal of the Authority (or a facsimile thereof) impressed, imprinted or otherwise reproduced thereon and attested by the manual signature of the Secretary or any Assistant Secretary of the Authority.

Section 5. The Notes shall be issued in substantially the form of the Note attached hereto as Exhibit A with such changes therein or variations thereof as the Chairperson, Vice Chairperson or Executive Director (each, an “Authorized Officer”), in consultation with bond counsel to the Authority (“Bond Counsel”), may deem necessary and advisable. The law firm of Dilworth Paxson LLP is hereby authorized to arrange for the printing of the Notes, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 6. The Notes, as subordinated indebtedness under the General Bond Resolution, shall be special and limited obligations of the Authority, payable from amounts that may be withdrawn from the Authority's General Fund pursuant to Paragraph (2) of Section 511 of the General Bond Resolution. The pledge of amounts that may be withdrawn from the General Fund as aforesaid is and shall be in all respects subordinate to the provisions of the General Bond Resolution and the lien and pledge created by the General Bond Resolution in favor of the bonds issued and to be issued thereunder, and is subject to any agreements the Authority has with holders of any particular notes, bonds or other obligations heretofore issued and pledging specific revenues for the payment thereof. The Authority hereby assigns and pledges for the benefit of the owners from time to time of the Notes all of its rights under the provisions of the Service Contract to receive payments from the Township in respect of said Notes. In addition, without limiting the foregoing obligation, for the punctual payment of the principal of and interest on the Notes, the Authority hereby expressly and irrevocably promises to pay such sums received from the sale of any long-term bonds or other obligations to be issued by the Authority to permanently finance the Phase VII Water Main Project-Contract 1, as shall be sufficient to pay the principal of and interest on the Notes.

Section 7. The Authority hereby appoints TD Bank, National Association, Mount Laurel, New Jersey, as the trustee, paying agent and registrar for the Notes (the “Paying Agent”). The proceeds derived from the sale of the Notes (if any) shall be deposited with and held by the Paying Agent in an account or subaccount herein created and established with the Paying Agent (the “Project Note Account”). Monies so deposited in said Project Note Account shall be used and applied solely for the purpose of: (i) paying the costs of the Project; and (ii) paying the costs of issuance of the Notes. Monies shall be withdrawn from the Project Note Account from time to time for any of such purposes upon checks, drafts or orders for payments therefrom, signed by an Authorized Officer.

Pending the application of the monies deposited in the Project Note Account to fund the Project, to the extent any funds are advanced prior to payment, such monies shall be invested and reinvested by the Paying Agent on behalf of the Authority in direct obligations of the United States of America or the State of New Jersey, or obligations the principal of and interest on which are guaranteed by the United States of America or agencies of the United States of America. The monies in the Project Note Account to be so invested, and the maturity date or dates, or date or dates

of redemption at the option of the holders of such obligations, shall be such as an Authorized Officer shall direct the Paying Agent in writing.

In lieu of the investment of such monies in obligations of the State of New Jersey or the United States of America or agencies thereof, as aforesaid, the Paying Agent shall, upon direction of the Authority in writing, signed by an Authorized Officer, deposit monies from the Project Note Account in interest-bearing time deposits, provided further that each such interest-bearing time deposit or other similar banking arrangement shall permit the monies so placed to be available for use at the times provided with respect to the investment or reinvestment of such monies; and provided further that all monies in each such interest-bearing time deposit or other similar banking arrangement shall be, except to the extent of federal deposit insurance, continuously and fully secured by direct obligations of the United States of America, the State of New Jersey or the Authority, of a market value equal at all times to the amount of the deposit or of the other similar banking arrangement.

Section 8. With respect to the Notes, the Authority covenants and agrees as follows:

(1) It shall neither take any action nor fail to take any action which, if either taken or not taken, would adversely affect the exclusion of the interest on the Notes from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), or any permanent bonds, as if issued on a tax-exempt basis. To the extent permitted by law, however, nothing contained herein shall prevent the Authority from issuing bonds, the interest on which is not excluded from gross income for federal income tax purposes, provided that such issuance will not adversely affect such exclusion of interest on any Note issued hereunder (as if issued on a tax-exempt basis).

(2) The Authority shall not use or permit the use of any proceeds of the Notes or any other funds of the Authority directly or indirectly, to acquire securities or obligations, and shall not use or permit the use of any amounts received by the Authority in any manner, and shall not permit to be taken any other action or actions, which would cause any Note to be an "arbitrage bond" within the meaning of Section 148 of the Code if the Notes are issued with the expectation that interest will be excludable from gross income. In order to assure compliance with the rebate requirements of Section 148 of the Code, the Authority further covenants that it will establish such accounting procedures as are necessary to adequately determine, account for and pay over any amount or amounts required to be paid to the Treasury Department of the United States in a manner consistent with the requirements of Section 148 of the Code.

(3) The Authority shall not be required to comply with any provision in this Section 8 in the event the Authority receives an opinion of nationally recognized bond counsel (a "Bond Counsel's Opinion") that compliance therewith is not required to maintain the exclusion from gross income for federal income tax purposes of interest on the Notes, or in the event the Authority receives a Bond Counsel's Opinion that compliance with some other requirement in lieu of a requirement specified herein will be sufficient to maintain the exclusion from gross income for federal income tax purposes of interest on the Notes, in which case compliance with such other requirement specified in the Bond Counsel's Opinion shall constitute compliance with the requirement specified in this Section.

Section 9. If the Authority shall pay, or shall deposit in escrow with a bank or trust company, monies or investments in direct obligations of the United States of America, or obligations the principal of and interest on which are guaranteed by the United States of America, the principal of and interest on which when due will provide monies which together with the monies, if any, on deposit in escrow at the same time, shall be sufficient to pay, when due, the principal and interest due and to become due on the Notes on the maturity date thereof, then and in that event, the covenants, agreements and other obligations of the Authority to the holders of the Notes shall be discharged, defeased and satisfied.

Section 10. Nothing contained in the foregoing provisions of this Note Resolution is intended to limit, nor shall be construed as limiting, in any way, the authorization, issuance or securing of any additional notes, bonds or other obligations of the Authority.

Section 11. All covenants, stipulations, promises, agreements and obligations of the Authority contained in this Note Resolution shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the Authority and not of any member, officer or employee of the Authority in his individual capacity, and no recourse shall be had for the payment of the principal of or interest on the Notes or for any claim based thereon or on this Note Resolution against any member, officer or employee of the Authority or any person executing said Notes.

Section 12. The Authorized Officers of the Authority are hereby further authorized to (i) execute and deliver, and the Secretary is hereby further authorized to attest to such execution and to affix the corporate seal of the Authority to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Executive Director or the Secretary, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Authority and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection the issuance and sale of the Notes and the participation of the Authority in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, (ii) file a certified copy of this Note Resolution with the Municipal Clerk of the Township in accordance with N.J.S.A. 40:14B-28 and Section 412 of the Service Contract, (iii) publish notice of the adoption of this Note Resolution in accordance with N.J.S.A. 40:14B-28 substantially in the form attached hereto as Exhibit B, and (iv) perform such other actions as the Executive Director and the Secretary deem necessary, desirable or convenient in relation to the execution and delivery of the Notes and the participation of the Authority in the Construction Financing Program. Costs of issuance of the Notes are hereby authorized to be paid in such amounts and to the persons or firms listed on a certificate executed by an Authorized Officer and delivered in connection with the issuance of any Notes.

Section 13. Upon the adoption hereof, the Secretary shall forward certified copies of this Note Resolution to Dilworth Paxson LLP, bond counsel to the Authority, and to Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

Section 14. Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the General Bond Resolution.

Section 15. This Note Resolution shall take effect immediately.

<u>Commissioner</u>	<u>Recorded Vote</u>			
	<u>AYE</u>	<u>NO</u>	<u>ABST</u>	<u>ABSENT</u>
Richard W. Elliott, Jr., Chairman	X			
William E. McGrath, Vice Chairman	X			
Denise Pellecchia, Secretary	X			
Frederick S. Bekiarian, Treasurer	X			
Jerome F. Bollettieri, Commissioner				ABSENT
Vincent C. Papa, Alt. Commissioner #1				ABSENT
Christopher J. Burris, Alt. Commissioner #2	X			

The foregoing is a true copy of a resolution adopted by the Berkeley Township Municipal Utilities Authority on February 26, 2026


_____, Secretary
Denise Pellecchia

RESOLUTION NO. 0025 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING THE EXECUTION AND FILING OF SIGNATURE
CARDS FOR AND WITH TD BANK**

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 designated as an official depository of the Authority TD Bank; and

WHEREAS, it is necessary to update and place on file the legal and authorized signatories to all accounts open, to be opened, maintained and to be maintained at TD Bank on behalf of the Authority; and

WHEREAS, TD Bank has specific signature cards which must be completed and returned by the appropriate Commissioners of the Authority:

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority Board Members are hereby authorized to execute the appropriate signature cards for all accounts maintained at TD Bank.

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. Berry, Sahradnik, Kotzas & Benson; and
- d. TD Bank.

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 26th day of February, 2026, a quorum being present and voting in the majority.



Denise Pellicchia, Authority Secretary



Richard W. Elliott, Jr., Authority Chairperson

Prepared by:

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

RESOLUTION NO. 0026 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY AUTHORIZING THE EXECUTION AND FILING OF SIGNATURE
CARDS AND BANKING AUTHORIZATION AGREEMENTS
FOR AND WITH OCEAN FIRST BANK**

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 designated as an official depository of the Authority Ocean First Bank; and

WHEREAS, it is necessary to update and place on file the legal and authorized signatories to all accounts open, to be opened, maintained and to be maintained at Ocean First Bank on behalf of the Authority; and

WHEREAS, Ocean First Bank has specific signature cards and banking authorization agreements which must be completed and returned by the appropriate Commissioners of the Authority:

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Chairman and Treasurer are hereby authorized to execute the appropriate signature cards and banking authorization agreements for all accounts maintained at Ocean First Bank.

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., Chairman;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Ocean First Bank.

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 26th day of February, 2026, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., 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. 0037 - 2026

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PURCHASE OF A
2026 KUBOTA TRACTOR**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the “Authority”) is in need of a tractor for the efficient operation of the Authority; and

WHEREAS, monies have been budgeted in the current Authority budget for such a purpose; and

WHEREAS, a vehicle which satisfies the requirements of the Authority was located by Sourcewell Co-Op Contract 082923-KBA; and

WHEREAS, the Authority wishes to authorize the purchase of the desired vehicle and additional necessary attachments; and

WHEREAS, the desired vehicle has been located through vendor Ocean County Equipment AKA Ace Outdoor Power 1, 395 Route 9, Bayville, NJ 08721; and

WHEREAS, the Authority Sourcewell Member # is 48220:

NOW, THEREFORE, BE IT RESOLVED, this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority hereby authorizes the purchase of a 2026 Kubota Tractor with front loader and rotary cutter from Ocean County Equipment AKA Ace Outdoor Power 1, 395 Route 9, Bayville, NJ 08721.
2. This vehicle is a proper addition to assist in the efficient operation of the Authority and is deemed to be an appropriate and necessary purchase.

3. The total cost for said vehicle shall be in the amount of Forty Nine Thousand Eight Hundred Ninety Two Dollars and Eighty Two Cents (\$49,892.82) which includes all necessary and appropriate upgrades that are required by the Authority (see **Exhibit "A"** attached hereto and made a part hereof).
4. 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; 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 26th day of February, 2026, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., 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. 0028 - 2026

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
AUTHORIZING CHANGE IN COMPENSATION
FOR MICHELE NUGENT, EXECUTIVE DIRECTOR**

WHEREAS, Authority Resolution 2025-31 established terms of employment and compensation for Michele Nugent for the period of April 2025 through April 2028; and

WHEREAS, the Authority and its Personnel Committee have recommended a change in compensation as set forth in that Resolution;

NOW THEREFORE BE IT RESOLVED this 26th day of February, 2026, by the Berkeley Township Municipal Utilities Authority as follows:


1. Compensation for Michele Nugent shall now be computed at an annual rate according to the following schedule:
 - \$142,140.00 effective January 1, 2026
 - \$146,405.00 effective April 18, 2026
 - \$150,800.00 effective April 18, 2027
2. The balance of the terms set forth in said Resolution consisting of Nos. 2-14, 16-24 with the deletion of No. 15 shall still be applicable to Michele Nugent's employment.
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, Jr., Chairperson;
- b. Michele Nugent, Executive Director; 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 26th day of February, 2026, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Chairperson



Denise Pellecchia, Authority Secretary

Prepared by:
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