RESOLUTION NO. 0049- 2026

RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, REGARDING PHASE VII – CONTRACT 1 WATER SYSTEM IMPROVEMENTS

WHEREAS, P&A Construction, Inc., was the winning bidder on the Phase VII water improvements project for the Berkeley Township Municipal Utilities Authority; and

WHEREAS, there was a Notice to Proceed, dated June 8, 2026, and the contractor proceeded to install water lines and appurtenances for that project; and

WHEREAS, a voucher was presented to the Authority and Artheon for work that was completed between August 1, 2026 and August 31, 2026; and

WHEREAS, the Authority, pursuant to the Agreement, is required to adjust the previous 10% materials retainage or add $16,678.70 to this application; and

WHEREAS, the total cost of non-material contract items associated with this voucher that was submitted was $764,428.38; and

WHEREAS, the Authority, pursuant to the Agreement, is to deduct 2% or $18,624.31 for the non-material contract items; and

WHEREAS, the Authority's engineer has reviewed the voucher and supporting documentation and has approved payment to P&A;

NOW THEREFORE BE IT RESOLVED this 24th day of September, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the recommendation of its engineer, Artheon, with regard to their review of an invoice that was provided for work done on the above-referenced project from August 1, 2026 through August 31, 2026.

2. The Authority authorizes the payment to P&A Construction, Inc., of $762,482.77 which represents the net amount due from the total material and construction costs of $764,428.38 plus the materials retainage adjustment of $16,678.70 and less the construction retainage of $18,624.31.

3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

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

a. Honorable Richard W. Elliott, Chairperson;
b. The Municipal Clerk of the Township of Berkeley;
c. Artheon;
d. P&A Construction, Inc.; and
e. Berry, Sahradnik & 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 24th day of September, 2026, a quorum being present and voting in the majority.

Denise Pellecchia, Authority Secretary

Richard W. Elliott, Authority Chairperson

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

RESOLUTION NO. 0050 - 2026

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
GRANTING A REDUCTION IN PERFORMANCE BOND REQUIREMENT TO
WOODLAND ACRES, BLOCK 975, LOTS 1, 2 & 5, BLOCK 985, LOTS 17-20,
BLOCK 986, LOT 1, BLOCK 988, LOTS 13-16**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") granted an application for preliminary, tentative and final water approval for the property set forth above as designated on the official tax map of the Township of Berkeley by Resolution 2024-39; and

WHEREAS, Woodland Acres had posted with the Authority a performance bond consisting of $234,700.20 in surety bond and a cash amount of $26,077.80; and

WHEREAS, Woodland Acres has requested a reduction in the amount of performance; and

WHEREAS, the Authority Engineer, Keith Chiaravallo, P.E., of Artheon, has reviewed the status of the project and has provided a recommendation to reduce the performance guarantees in compliance with the Rules and Regulations of the Authority in a report, dated September 14, 2026, due to the fact that a substantial amount of the infrastructure has been completed; and

WHEREAS, the same Artheon report calculates the bond requirements for the project;

NOW THEREFORE BE IT RESOLVED this 24th day of September, 2026, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority accepts the recommendation of its Consulting Engineering for the reduction in performance guarantees to the following levels:

	Original		Revised Amount
90% Bond Portion	$234,700.20	To	$70,410.06
10% Cash Portion	$26,077.80	To	$7,823.34
Total Performance Guarantee	$260,778.00		$78,233.40

2. This approval is contingent upon Woodland Acre's submission of an affidavit to the Authority certifying that all contractors and suppliers in connection with the project have been paid in full as of the date of this resolution.

3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

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

a. Honorable Richard W. Elliott, Chairperson;

b. The Municipal Clerk of the Township of Berkeley;

c. Artheon;

d. Woodland Acres; and

e. Berry, Sahradnik & 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 24th day of September, 2026, a quorum being present and voting in the majority.

Denise Pellecchia, Authority Secretary

Richard W. Elliott, Authority Chairperson

Prepared by:
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212 Hooper Avenue
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Toms River, New Jersey 08753

RESOLUTION NO. 0051 - 2026

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
MEMORIALIZING L. THOMAS GROSSE AS THE
NEW EXECUTIVE DIRECTOR OF THE AUTHORITY**

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority") was in need of a new Executive Director in light of the fact that the current Executive Director, Michele Nugent, is retiring as of October 30, 2026; and

WHEREAS, the Authority had negotiated with L. Thomas Grosse to be the new Executive Director of the Authority effective September 21, 2026; and

WHEREAS, at the meeting of August 27, 2026, the Authority took a vote to offer a contract to L. Thomas Grosse as Executive Director for a five (5) year period with initial yearly pay of One Hundred Thirty Five Thousand ($135,000.00) Dollars; and

WHEREAS, subsequent to that vote, several changes to the contract were approved by Authority members by polling of said members; and

WHEREAS, the parties have agreed to the terms of the contract and same has been executed;

NOW THEREFORE BE IT RESOLVED this 24th day of September, 2026, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority confirms the fact that a true copy of the five (5) year contract with L. Thomas Grosse as the new Executive Director is attached hereto and made a part hereof as **Exhibit "A"**.
2. It is further acknowledged by the Authority that said contract has been executed by the respective parties and it is in full force and effect.

3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

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

a. Honorable Richard W. Elliott, Chairperson;

b. The Municipal Clerk of the Township of Berkeley;

c. L. Thomas Grosse; and

d. Berry, Sahradnik & 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 24th day of September, 2026, a quorum being present and voting in the majority.

Denise Pellecchia, Authority Secretary

Richard W. Elliott, Authority Chairperson

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

RESOLUTION NO. 0052 - 2026

RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THOMAS GROSSE, EXECUTIVE DIRECTOR, TO MONITOR AND ASSIST WITH MONEY FLOWS AND TD BANK ACCOUNTS

WHEREAS, the Berkeley Township Municipal Utilities Authority (hereinafter referred to as the "Authority"), in accord with Resolution 2026-08, authorized TD Bank as an official depository; and

WHEREAS, Resolution 2026-25 authorized Board Members of the Authority to execute appropriate signature cards for all accounts maintained at TD Bank; and

WHEREAS, it is the desire of the Board of the Authority to authorize Thomas Grosse, in his capacity as Executive Director of the Authority, to monitor and assist with the flow of money from certain operational and debit service accounts:

NOW, THEREFORE, BE IT RESOLVED, this 24th day of September, 2026, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Thomas Grosse, Executive Director of the Berkeley Township Municipal Utilities Authority, is hereby authorized to be in communication with TD Bank regarding the efficient monthly flow of money between accounts and to review account balances.

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

a. Honorable Richard W. Elliott, Chairperson;

b. The Municipal Clerk of the Township of Berkeley;

c. TD Bank; and

d. Berry, Sahradnik & 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 24th day of September, 2026, a quorum being present and voting in the majority.

Denise Pellecchia, Authority Secretary

Richard W. Elliott, Authority Chairperson

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

RESOLUTION NO. 0053 - 2026

**RESOLUTION OF THE
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ
GRANTING RETIRING MICHELE NUGENT
A $5,000.00 STIPEND FOR THE PURPOSE OF TRAINING
THE NEW EXECUTIVE DIRECTOR L. THOMAS GROSSE**

WHEREAS, Michele Nugent has agreed to extend her retirement date to October 30, 2026; and

WHEREAS, the new Executive Director, L. Thomas Grosse, has taken that position as of September 21, 2026; and

WHEREAS, the Authority feels it is in their best interest to utilize the expertise of Michele Nugent regarding the operation of the Authority; and

WHEREAS, Michele Nugent has agreed to assist to effect a smooth transition to the new Executive Director; and

NOW THEREFORE BE IT RESOLVED this 24th day of September, 2026, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority hereby authorizes the payment of a Five Thousand ($5,000.00) Dollar stipend to Michele Nugent in addition to her regular pay until her retirement date of October 30, 2026.
2. This stipend is deemed to be in the best interest of the Authority so that Michele Nugent can impart her expertise and practical knowledge to help in the transition of the new Executive Director to that position.
3. The Authority hereby authorizes and directs the Chairperson, Secretary and Executive Director to execute any and all necessary documents in order to implement the intent of this Resolution.

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

a. Honorable Richard W. Elliott, Chairperson;

b. The Municipal Clerk of the Township of Berkeley;

c. Michele Nugent; and

d. Berry, Sahradnik & 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 24th day of September, 2026, a quorum being present and voting in the majority.

Denise Pellecchia, Authority Secretary

Richard W. Elliott, Authority Chairperson

Prepared by:
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