

Resolution No. 2024-0001

#24-25-R

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

January 1, 2024

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>William McGrath</i>	5-year term expiring 1/31/2028

2. 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.
3. 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. 0002 - 2024**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY,  
GRANTING FINAL APPROVAL FOR  
JERMAN – FREEMONT AVENUE  
BLOCK 590, LOT 13.01**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter “Authority”) has received an application for final water approval for the property set forth above as designated on the official tax map of the Township of Berkeley; and

**WHEREAS**, the applicant for the project is Jerman – Freemont Avenue; and

**WHEREAS**, the applicant is proposing to construct one (1) single family home at the property on Freemont Avenue in the Township of Berkeley; and

**WHEREAS**, the applicant is proposing to construct 452 LF of waterline to the planned development; and

**WHEREAS**, the applicant has submitted, in connection with this application, plans prepared by William A. Stevens of Professional Design Services, LLC, dated August 30, 2022, last revised September 27, 2023; and

**WHEREAS**, the Authority’s Consulting Engineer, CME Associates, has reviewed the application, documents and plans submitted by the Applicant and authored a review letter addressed to the Authority, dated December 8, 2023; and

**WHEREAS**, the Authority's Consulting Engineer, in accord with the referenced review letter, has recommended that the Authority approve Jerman – Freemont Avenue's application for final water approval subject to compliance with the terms and conditions set forth therein; and

**WHEREAS**, it appears that, by complying with all of the conditions set forth in the Authority's Consulting Engineer's review letter, the applicant is in compliance with the Authority's rules and regulations;

**NOW, THEREFORE, BE IT RESOLVED**, this 22<sup>nd</sup> day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority accepts the recommendation of its Consulting Engineer for the project and grants final water approval to the applicant, Jerman – Freemont Avenue.
2. This approval is contingent upon the applicant complying with all the terms and conditions set forth in the aforementioned December 8, 2023 review letter of the Authority's Consulting Engineer, a copy of which is attached hereto and made a part hereof and incorporated fully herein by reference, including the payment of any and all outstanding fees.
3. This approval shall become null and void after one (1) year if no construction takes place and, further, construction shall be completed within three (3) years of the date of this Resolution or else updated performance guarantees and basic construction service fees shall be required to be posted by the applicant to the satisfaction of the Authority and the Authority's Consulting Engineer.

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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. CME Associates;
- d. Jerman – Fremont Avenue; and
- e. Berry, Sahradnik, Kotzas & Benson.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Authority Secretary



Michael W. Hale, Authority Chairperson

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

**RESOLUTION NO. 0003 - 2024**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
TO ENTER INTO AN AGREEMENT FOR WATER SYSTEM EMERGENCY REPAIR  
SERVICES**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter “Authority”) faces emergency water repair issues at random times and locations; and

**WHEREAS**, it is necessary to have a contractor that is capable of responding rapidly in cases where the Authority cannot repair said emergency issues in house; and

**WHEREAS**, it is necessary to have an agreement with a contractor who can provide necessary services to ensure a minimal amount of disruption to the water supply to the Authority’s customers; and

**WHEREAS**, a request for proposals was properly advertised and responses thereto were received and reviewed;

**NOW THEREFORE BE IT RESOLVED** this 22<sup>nd</sup> day of February, 2024, by the Berkeley Township Municipal Utilities Authority as follows:

1. A contract for water system emergency repair services is hereby awarded to Crest Construction Group, LLC, located at 880 Route 9, Little Egg Harbor, NJ 08087.
2. After a review of submissions, it was determined that Crest Construction Group, LLC, was the lowest responsible bidder that could satisfy all of the requirements of the Authority.
3. This contract shall be implemented in accordance with the bid specifications and contract requirements of the Authority.

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

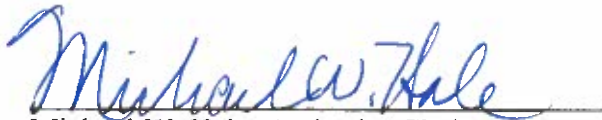
**CERTIFICATION**

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 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Authority Secretary



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Michael W. Hale, Authority Chairperson

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

**RESOLUTION NO. 0004 - 2024**

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

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

**WHEREAS**, the 2023 budget has been reviewed based on actual expenditures for the 2023 calendar year; and

**WHEREAS**, the Authority auditors have recommended certain minimal modifications to line items in the 2023 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 22nd day of February, 2024, 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. Eleven Thousand (\$11,000.00) Dollars from budget line item 6105 Health Benefits to budget line item 5600 PERS.
  - b. Two Thousand Two Hundred (\$2,200.00) Dollars from budget line item 6105 Health Benefits to budget line item 6106 Health Benefits in Lieu.
  - c. Three Thousand (\$3,000.00) Dollars from budget line item 5080 Telephones to budget line item 5090 Insurance.

- d. Four Thousand (\$4,000.00) Dollars from budget line item 5008 Trustee Fees and Four Thousand Two Hundred (\$4,200.00) Dollars from budget line item 5170 Accounting Fees to 5150 Legal Fees.
- e. Five Thousand (\$5,000.00) Dollars from budget line item 5145 Fuel to budget line item 5700 Chemicals.
- f. Twenty One Thousand (\$21,000.00) Dollars from budget line item 5160 Engineering 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 Michael W. Hale, 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 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.

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Richard W. Elliott, Authority Secretary

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Michael W. Hale, Authority Chairperson

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



**RESOLUTION NO. 0005 - 2024**

**RESOLUTION OF THE  
BERKELEY TOWNSHIP MUNICIPAL UTILITIES AUTHORITY,  
TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NJ  
AUTHORIZING EXECUTION OF FIRST AMENDMENT TO STANDARD  
LEASE AGREEMENT WITH METRO PCS NY, LLC**

**WHEREAS**, the Berkeley Township Municipal Utilities Authority (hereinafter “Authority”) previously entered into a Standard Lease Agreement with Metro PCS NY, LLC, (hereinafter “Metro”) whereby Metro leases space at the Authority’s Northern Boulevard facility for the purpose of installing and maintaining its telecommunications antennas and facilities (hereinafter “Antenna Facilities”); and

**WHEREAS**, Metro is the named tenant but Metro has now merged with T-Mobile; and

**WHEREAS**, Metro has requested that the Authority enter into a First Amendment to said Standard Lease Agreement for the purpose of temporarily relocating the Antenna Facilities due to the required maintenance and painting of the water tower; and

**WHEREAS**, Metro has entered into a separate arrangement to relocate the Antenna Facilities on the scaffolding to be installed and managed by United Painters, contractor for the rehabilitation project; and

**WHEREAS**, the Authority acknowledges this separate arrangement but was not involved in the planning or implementation of the Antenna Facilities on the scaffolding; and

**WHEREAS**, the First Amendment to Standard Lease Agreement, as presented by Metro, has been reviewed and revised by the Attorney and Cellular Antenna Consultant for the Authority and found acceptable; and

**NOW THEREFORE BE IT RESOLVED** this 22<sup>nd</sup> day of February, 2024, by the Berkeley Township Municipal Utilities Authority as follows:

1. The Authority is hereby authorized to execute a First Amendment to Standard Lease Agreement with Metro in the form revised and recommended for execution by the Attorney and Cellular Antenna Consultant for the Authority.
2. The Executive Director, Chairperson or Secretary are authorized to execute said First Amendment to Standard Lease Agreement.
3. The First Amendment to Standard Lease Agreement was executed prior to the February 22, 2024 public meeting and this is a memorialization resolution.


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

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. FSD Enterprises, LLC;
- d. Metro PCS NY, LLC; and
- e. Berry, Sahradnik, Kotzas & Benson.

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey at a regular meeting held on the 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.

  
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Richard W. Elliott, Authority Secretary

  
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Michael W. Hale, Authority Chairperson

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

**RESOLUTION NO. 0006 -2024**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY ADOPTING THE 2024 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 2024 Cash Management Plan as set forth above:

**NOW, THEREFORE, BE IT RESOLVED**, this 22nd day of February, 2024, 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 2024;

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

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley; and
- c. Berry, Sahradnik, Kotzas & Benson.

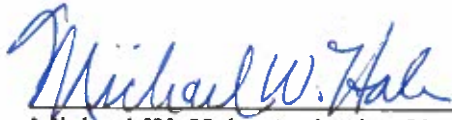
**CERTIFICATION**

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 22nd day of February, 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Authority Secretary



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Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0007 -2024**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY DESIGNATING AS THE OFFICIAL DEPOSITORIES OF THE  
AUTHORITY TD BANK, LAKELAND 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, Lakeland Bank and Ocean First Bank:

**NOW, THEREFORE, BE IT RESOLVED**, this 22<sup>nd</sup> day of February, 2024, 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, Lakeland Bank and Ocean First Bank to be the official depositories of all primary and developmental bank accounts of the Authority for the year 2024.

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

- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson;
- d. TD Bank;
- e. Lakeland 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 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Authority Secretary



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Michael W. Hale, Authority Chairperson

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

RESOLUTION NO. 0008 -2024

**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 22<sup>nd</sup> day of February, 2024, 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 Michael W. Hale, 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 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Authority Secretary



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Michael W. Hale, Authority Chairperson

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

**RESOLUTION NO. 0009 -2024**

**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 2024 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 22<sup>nd</sup> day of February, 2024, 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 2024 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 Michael W. Hale, 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 22<sup>nd</sup> day of February, 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Authority Secretary



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Michael W. Hale, Authority Chairperson

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

**RESOLUTION NO. 0010 -2024**

**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 2024**

**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 2024; 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 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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 2024; 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 22<sup>nd</sup> day of February, 2024, 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 23, 2024 and continue through February 27, 2025 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.


4. Notice of this action shall be printed once in an official newspaper of the Authority.

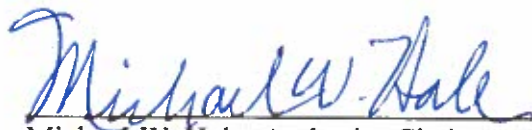
**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded by the Executive Director to the following:

- a. Honorable Michael W. Hale, 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.

  
\_\_\_\_\_  
Richard W. Elliott, Jr., Authority Secretary

  
\_\_\_\_\_  
Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0011 -2024**

**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 2024**

**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 2024; 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 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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 2024; 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 23<sup>rd</sup> day of February, 2023, 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 from February 23, 2024 and continue through February 27, 2025 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.
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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Jr., Authority Secretary



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Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0012 -2024**

**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 2024**

**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 2024 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 Dilworth Paxson, LLP, as Bond Counsel for the Authority for the year 2024; 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 22<sup>nd</sup> day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dilworth Paxson, LLP, 428 River View Plaza, Trenton, New Jersey, is appointed as Authority Bond Counsel for the Authority and shall begin February 23, 2024 and end February 20, 2025, 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Secretary



Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0013 -2024**

**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 2024 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 22<sup>nd</sup> day of February, 2024, 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 23, 2024 and continuing through February 27, 2025 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.
5. 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Connor, Strong & Buckelew, Inc.

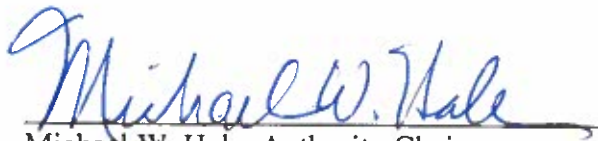
**CERTIFICATION**

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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Jr., Authority Secretary



Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0014 -2024**

**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 2024**

**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 2024; 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 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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 2024; 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 22<sup>nd</sup> day of February, 2024, 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 and shall begin February 23, 2024 and continuing through February 27, 2025 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Secretary



Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0015 -2024**

**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 2024**

**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 2024 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 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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, Murphy & McGuckin, P.C. 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, Murphy & McGuckin, P.C. as Labor Counsel for the Authority for the year 2024; and

**WHEREAS**, Dasti, Murphy & McGuckin, 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**, Dasti, Murphy, & McGuckin, PC 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 22nd day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dasti, Murphy, & McGuckin, PC, 620 West Lacey Road, Forked River, New Jersey, is appointed as Authority Labor Counsel for the Authority and shall begin February 23, 2024 and continue through February 27, 2025 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, Murphy, & McGuckin, PC 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, Murphy, & McGuckin, PC 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and

d. Dasti, Murphy & McGuckin, 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Jr., Authority Secretary



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Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0016 -2024**

**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 2024**

**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 2024 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 2024; 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 22nd day of February, 2024, 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 23, 2024 and continuing through February 27, 2025, 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.

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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Jr., Authority Secretary



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Michael W. Hale, Authority Chairperson

Prepared by:

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



**RESOLUTION NO. 0017 -2024**

**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 2024**

**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 2024; 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 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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, Murphy, McGuckin, P.C 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, Murphy, McGuckin, P.C as Authority Conflict Counsel for the Authority for the year 2024; and

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

**WHEREAS**, Dasti, Murphy, McGuckin, 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 22<sup>nd</sup> day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Dasti, Murphy, McGuckin, PC, 620 West Lacey Road, Forked River, New Jersey, is appointed as Authority Conflict Counsel for the Authority and shall begin February 23, 2024 and continue through February 27, 2025, 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, Murphy, McGuckin, PC 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 Dasti, Murphy, McGuckin, PC 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Dasti, Murphy, McGuckin, 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Secretary



Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0018 -2024**

**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 2024**

**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 2023; 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 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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 2024; 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 22<sup>nd</sup> day of February, 2024, 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 and shall begin February 23, 2024 and end February 20, 2025, 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- 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 22<sup>nd</sup> day of February 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Secretary



Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0019 -2024**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
PROFESSIONAL APPOINTMENT FOR THE POSITION OF ALTERNATE  
ENGINEER FOR THE YEAR 2024**

**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 Alternate Engineer to the Authority for the for the year 2024; 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 Alternate Engineer for the 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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 & Design 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 Alternate Engineer for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint Colliers Engineering & Design as Authority Alternate Engineer for the Authority for the year 2024; and

**WHEREAS**, Colliers Engineering & Design 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 & Design 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 22nd day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Colliers Engineering & Design, 101 Crawford's Corner Road, Holmdel, NJ 07733, is appointed as Authority Alternate Engineer for the Authority and shall begin February 23, 2024 and end February 20, 2025, 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 & Design 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 & Design 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Colliers Engineering & Design.


**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 22nd day of February 2024, a quorum being present and voting in the majority.



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Richard W. Elliott, Jr., Authority Secretary



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Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0020 -2024**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
PROFESSIONAL APPOINTMENT FOR THE POSITION OF ALTERNATE  
ENGINEER FOR THE YEAR 2024**

**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 Alternate Engineer to the Authority for the for the year 2024; 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 Alternate Engineer for the 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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**, Morgan Engineering, LLC 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 Alternate Engineer for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint Morgan Engineering, LLC as Authority Alternate Engineer for the Authority for the year 2024; and

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

**WHEREAS**, Morgan Engineering, LLC 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 22nd day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Morgan Engineering, LLC, 130 Central Ave, Island Heights, NJ 08732, New Jersey, is appointed as Authority Alternate Engineer for the Authority and shall begin February 23, 2024 and end February 20, 2025, 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 Morgan Engineering, LLC 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 Morgan Engineering, LLC 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 Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Morgan Engineering, LLC.

**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 22nd day of February 2024, a quorum being present and voting in the majority.

  
\_\_\_\_\_  
Richard W. Elliott, Jr., Authority Secretary

  
\_\_\_\_\_  
Michael W. Hale, Authority Chairperson

Prepared by:

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

**RESOLUTION NO. 0051 -2024**

**RESOLUTION OF THE BERKELEY TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING  
PROFESSIONAL APPOINTMENT FOR THE POSITION OF ALTERNATE  
ENGINEER FOR THE YEAR 2024**

**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 Alternate Engineer to the Authority for the for the year 2024; 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 Alternate Engineer for the 2024 Authority year; and

**WHEREAS**, proposals were received and were opened on February 7, 2024 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 Alternate Engineer for the Authority; and

**WHEREAS**, it is the desire of the Authority to appoint Van Cleef Engineering as Authority Alternate Engineer for the Authority for the year 2024; 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 22nd day of February, 2024, by the Berkeley Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. Van Cleef Engineering, 32 Brower Lane, Hillsborough, NJ 08844, is appointed as Authority Alternate Engineer for the Authority and shall begin February 23, 2024 and end February 20, 2025, 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:

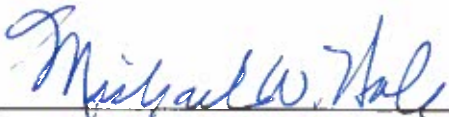
- a. Honorable Michael W. Hale, Chairperson;
- b. The Municipal Clerk of the Township of Berkeley;
- c. Berry, Sahradnik, Kotzas & Benson; and
- d. Van Cleef Engineering

**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 22nd day of February 2024, a quorum being present and voting in the majority.



Richard W. Elliott, Jr., Authority Secretary



Michael W. Hale, Authority Chairperson

Prepared by:

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