

**AUTHORIZING THE REDUCTION OF PERFORMANCE BOND AND CASH SURETY FOR THE CAMELOT WEST AT MARLBORO, PROJECT #622**

**WHEREAS**, the Kaplan Companies the developer of Project #622, Camelot West at Marlboro, has requested a reduction of the Performance Bond and Cash Surety and;

**WHEREAS**, CME Associates has recommended the Performance Guarantee and Cash Surety be reduced retaining 30%, and

**WHEREAS**, CME Associates has reviewed the above application and per site observations, the Applicant has substantially completed all of the improvements in compliance with the approved drawings and approval conditions, and

**WHEREAS**, the Consulting Engineer recommends that the performance bond in the amount of \$359,460.08 be reduced to \$107,838.02 (plus accrued interest) and the cash surety in the amount of \$39,940.01 (plus accrued interest) be reduced to \$11,982.00 as per CME’s letter dated July 26<sup>th</sup>, 2019, and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Performance Bond in the amount of \$359,460.08 (plus accrued interest be reduced to \$107,838.02.
2. Cash Surety in the amount of \$39,940.01 (plus accrued interest) be reduced to \$11,982.00.
3. All professional fees must be current.
4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to
  - a) Kathy Leatherman, Chief Administrative Officer
  - b) Camelot West at Marlboro, Project #622

**DATE: AUGUST 20, 2019**

<u><b>Commissioner</b></u>	<u><b>Motion</b></u>		<u><b>Recorded Vote</b></u>			
	<u><b>1st</b></u>	<u><b>2nd</b></u>	<u><b>Aye</b></u>	<u><b>Nay</b></u>	<u><b>Abstain</b></u>	<u><b>Absent</b></u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			

**AWARDING CONTRACT FOR THE SECONDARY DIGESTER CLEANING AS PER SPECIFICATIONS TO SPECTRASERV**

**WHEREAS**, a notice to bidders was published in the Asbury Park Press on July 26, 2019 and;

**WHEREAS**, bids were received on August 14<sup>th</sup>, 2019 at 9:00am, and

**WHEREAS**, on August 14<sup>th</sup>, 2019, at 9:00am, bids were received by the Authority for the Secondary Digester Cleaning, including Complete Removal and Disposal of Digester Contents, and

**WHEREAS**, Katherine Leatherman, Chief Administrative Officer reviewed the bids set forth on the bid tally sheet of August 14<sup>th</sup>, 2019, and

**WHEREAS**, Spectraserv was the apparent low bidder in the amount of \$520,000.00, and

**WHEREAS**, funds are or will be available for this purpose;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The bid from Spectraserv in the amount of \$520,000.00 is accepted for The Secondary Digester Cleaning as per Specifications.
2. The Chief Administrative Officer is authorized to enter into a contract between the Western Monmouth Utilities Authority and
3. Spectraserv is required to comply with requirements of P.L. 1975 C.127 (N.J.A.C. 17:27)
4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to;
  - a) Jim Carr, Chief Operating Officer
  - b) Spectraserv
  - c) Coleen Weber, Office Manager

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			

**AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FOR 70  
GREENWOOD ROAD LLC, PROJECT #616**

**WHEREAS**, the developer of 70 Greenwood Road LLC, Project #616 has requested a Performance Bond release, and;

**WHEREAS**, the developer of 70 Greenwood Road LLC has posted an all cash Maintenance Guarantee in the amount of \$1,335.00 which will be kept for a period of two years, and

**WHEREAS**, James Carr, the Chief Operating Officer has reviewed the project and stated that the project is complete with no remaining deficiencies. Mr. Carr has recommended that the Performance Guarantee which is an irrevocable letter of credit be released in accordance with his letter dated August 14<sup>th</sup>, 2019, and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Performance Guarantee be released.
2. The WMUA should retain the all cash Maintenance Guarantee in the amount of \$1,335.00 for a period of no less than two years.
3. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to
  - a) James Carr, Chief Operating Officer
  - b) Kathy Leatherman, Chief Administrative Officer
  - c) 70 Greenwood Road LLC, Project #616

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			

**AWARDING RFP FOR WEBSITE DESIGN TO WINGMAN LLC**

**WHEREAS**, an RFP was published in the Asbury Park Press on June 15, 2019, and;

**WHEREAS**, on July 9, 2019 at 12:00 PM, seven proposals were received for Web Design, and

**WHEREAS**, the CEO, Brian J Valentino reviewed the proposal set forth on the bid tally sheet of July 9, 2019, and

**WHEREAS**, Wingman LLC was the lowest proposal received, and

**WHEREAS**, the CEO has recommended that the contract for Web Design be awarded to Wingman LLC, and

**WHEREAS**, funds are or will be available for this purpose;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Web Design Contract is hereby awarded to Wingman LLC for the base amount of \$5000.00.
2. The Chief Administrative Officer is authorized to enter into a contract between the Western Monmouth Utilities Authority and Wingman LLC.
3. Wingman LLC is required to comply with requirements of P.L. 1975 C.127 (N.J.A.C. 17:27)
4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to;
  - a) Wingman LLC
  - b) Katherine Leatherman, Chief Administrative Officer
  - c) Coleen Weber, Office Manager

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			

**DISMISSING KRISTEN PETRISKO FROM SERVICE FROM THE  
WESTERN MONMOUTH UTILITIES AUTHORITY**

**WHEREAS**, Kristen Petrisko was employed by the Western Monmouth Utilities Authority as an Operator; and

**WHEREAS**, the CEO has recommended that Kristen Petrisko be dismissed from service, effective July 24, 2019 and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. Kristen Petrisko is hereby dismissed from service from the Western Monmouth Utilities Authority, effective July 24, 2019; and
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
  - a) Vita Mazzola, Accountant
  - b) Ron Lake, Local 701
  - c) Rachael Brandt, HR

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						
<b>ROSEN</b>						
<b>PERNICE</b>						
<b>MENDEZ</b>						

**19-95 TABLED**

**RESOLUTION APPROVING MINUTES**

**BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the regular minutes of the meeting and the closed session minutes of July 16, 2019 be and the same are hereby accepted for filing by the Authority.

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>					<b>X</b>	
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			

**AUTHORIZING EXECUTION OF DEVELOPERS AGREEMENT, HOLD HARMLESS AND INDEMNIFICATION AGREEMENT WITH AMERICAN PLAZA 3, LLC, PROJECT #668**

**BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the Chairman and Secretary be and they are hereby authorized and directed to execute a Developer’s Agreement, Hold Harmless and Indemnification Agreement between the Western Monmouth Utilities Authority and American Plaza 3, LLC, Project #668; and

**BE IT FURTHER RESOLVED**, the Commissioners of the Western Monmouth Utilities Authority are authorized to execute a Developers Agreement, Hold Harmless and Indemnification Agreement; and

**BE IT FURTHER RESOLVED**, that the Clerk is authorized to forward copies of this Resolution, certified to be true copies to:

1. American Plaza 3, LLC, Project #668
2. CME Associates, Michael Dziubeck, Consultant Engineer
3. Francis J. Borin, Esq, Authority Attorney

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			

**AUTHORIZING THE CHIEF ADMINISTRATIVE OFFICER TO PREPARE  
PLANS AND SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS FOR THE  
TWO CHANNEL MONSTERS**

**WHEREAS**, the Chief Administrative Officer has requested to prepare plans and specifications, advertise and receive bids for the purchase of Two Channel Monsters;

**WHEREAS**, the Commissioners of the Western Monmouth Utilities Authority need to authorize the Chief Administrative Officer to prepare plans and specifications, advertise and receive bids for the purchase of Two Channel Monsters, and

**THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Chief Administrative Officer is hereby authorized to prepare plans and specifications, advertise and receive bids for the purchase of Two Channel Monsters.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy:
  - a) Coleen Weber, Office Manager
  - b) Katherine Leatherman, Chief Administrative Officer
  - c) George Kasternakis, Plant Maintenance Manager

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			



**AUTHORIZING THE COMMISSIONERS TO GO INTO CLOSED  
SESSION FOR THE PURPOSE OF DISCUSSING MATTERS  
PURSUANT TO N.J.S.A. 10:4-12(b)**

**WHEREAS**, in order to exclude the public from a discussion of a matter as provided in **N.J.S.A. 10:4-12(b)**, the Commissioners must first adopt a resolution stating the general nature of the subject or subjects to be discussed and the time and circumstance when such discussion can be disclosed to the public. **N.J.S.A. 10:4-13**

**WHEREAS**, the Commissioners find it necessary to adjourn to closed session and will not return to public session for the purpose of taking action on the matters discussed in closed session, and

**WHEREAS**, the Commissioners will discuss litigation, and

**NOW THEREFORE BE IT RESOLVED**, the Commissioners have adjourned the public portion of the meeting, and are beginning the closed session meeting, and will not return to open session.

**DATE: AUGUST 20, 2019**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>						<b>X</b>
<b>ROSEN</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>			<b>X</b>			

**AUTHORIZING PAYMENT PLAN FOR CONNECTION FEES  
FOR ORLANDO RODRIGUEZ, PROJECT #690**

**WHEREAS**, the Western Monmouth Utilities Authority (“WMUA”), from time to time, and on a case-by-case basis, reviews requests for payment plans of its connection fees; and

**WHEREAS**, Orlando Rodriguez of 126 Robertsville Road in Freehold Township, Project #690 has requested a connection fee payment plan; and

**WHEREAS**, the WMUA has been advised of a hardship by the owner in paying the connection fees in full, and

**WHEREAS**, such connection fees are paid prior to the connection in order to obtain the necessary permits, and

**WHEREAS**, the Authority will grant payment plans for connection fees not to exceed a period of 3 years or 36 months.

**WHEREAS**, Orlando Rodriguez has requested a connection fee payment plan for a period of 3 years. A total of \$4,351.00 for a total of 1 EDCU is the connection fee due for 126 Robertsville Road in Freehold Township. The initial payment received will be \$121.00, leaving a balance of \$4,230.00. He is requesting to pay \$121.00 per month for 36 months, and

**WHEREAS**, The OWNERS will be required to pay quarterly sewer service fees going forward in addition to the connection fee payment plan; and

**WHEREAS**, the Commissioners of the WMUA have reviewed the request and approve of it subject to the OWNERS making timely payments to the WMUA and entering into an agreement to this effect with the WMUA; and

WHEREAS, the OWNERS are advised that if he files for protection under the Federal Bankruptcy Act, 11 U.S.C.A. § 101 *et seq.*, the entire unpaid balance, plus interest at one and one half percent (1½%) per month, will be due and payable to the Authority; and

WHEREAS, the OWNERS are advised that if it closes title and sells the Property, the entire unpaid balance, plus interest at one and one half percent (1½%) per month, will be due and payable to the Authority.

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. Orlando Rodriguez agrees to the plan and agrees to pay \$121.00 per month for 36 months beginning September 1, 2019.
4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
  - a) Leslie Warshauer, Chief Financial Officer
  - b) Orlando Rodriguez, Project #690

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Orlando Rodriguez

DATE: AUGUST 20, 2019

<u>ROLL CALL</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1st</u>	<u>2nd</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
McENERY						X
ROSEN	X		X			
PERNICE		X	X			
MENDEZ			X			