

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 February 6, 2018 be and the same are hereby accepted for filing by the Authority.

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ	X		X			
PERNICE			X			
ROSEN		X	X			

AUTHORIZING CENTRAL JERSEY HEALTH INSURANCE FUND FOR DENTAL INSURANCE

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the CENTRAL JERSEY HEALTH INSURANCE FUND, hereafter referred to as "the FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint health insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such the FUND;

WHEREAS, the governing body of Western Monmouth Utilities Authority, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Initiating membership with the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MELENDEZ	X		X			
PERNICE			X			
ROSEN		X	X			

AUTHORIZING EXECUTION OF DEVELOPER’S AGREEMENT AND HOLD HARMLESS AND INDEMNIFICATION AGREEMENT WITH TDA CAPITAL LLC, PROJECT #498

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 and a Hold Harmless and Indemnification Agreement between the Western Monmouth Utilities Authority and TDA Capital LLC, Project #498; and

BE IT FURTHER RESOLVED, the Commissioners of the Western Monmouth Utilities Authority are authorized to execute a developers agreement and a 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. TDA Capital LLC, Project #498
2. CME Associates, Consultant Engineer
3. Frank Borin, Attorney

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ	X		X			
PERNICE			X			
ROSEN		X	X			

**RESOLUTION REJECTING ALL BIDS FOR TEXAS ROAD FORCE MAIN AIR RELEASE
MANHOLE REPLACEMENT AND AUTHORIZING RE-BID**

WHEREAS, a notice to bidders was published in the Asbury Park Press on December 22, 2017; and

WHEREAS, on January 25, 2018, at 10:00AM, a bid was received by the Authority for Texas Road Force Main Air Release Manhole Replacement, and

WHEREAS, the Consultant Engineer, CME Associates has reviewed the bid set forth on the bid tally sheet of January 25, 2018, and

WHEREAS, Lucas Construction Group, Inc. was the only bidder, and

WHEREAS, the bid substantially exceeded the cost estimate for the Texas Road Force Main Air Release Manhole Replacement Project;

WHEREAS, pursuant to N.J.S.A. 40A: 11-13.2a, the Authority is permitted to reject the bid if the bid substantially exceeds the cost estimate for goods or services; and

WHEREAS, the Authority desires to reject the bid opened on January 25, 2018 for the Texas Road Force Main Air Release Manhole Replacement Project, and

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

1. That the January 25, 2018 receipt of bids is hereby rejected.
2. The Commissioners authorize CME Associates to advertise and re-bid the Texas Road Force Main Air Release Manhole Replacement.

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

1. CME Associates
2. Lucas Construction Group, Inc.

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ	X		X			
PERNICE			X			
ROSEN		X	X			

AUTHORIZING GENERAL MANAGER TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS FOR PAVING AT THE WMUA TREATMENT PLANT

WHEREAS, the General Manager has requested to prepare plans and specifications, advertise and receive bids for Paving at the WMUA Treatment Plant, and

WHEREAS, the Commissioners of the Western Monmouth Utilities Authority need to authorize the General Manager to advertise and receive bids, and

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

1. The General Manager is hereby authorized to prepare plans and specifications, advertise and receive bids for Paving at the WMUA Treatment Plan.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy:
 - a) Coleen Weber, Office Manager
 - b) Robert Smith, Facilities Manager

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ		X	X			
PERNICE			X			
ROSEN	X		X			

**ESTABLISHING THE MANAGER OF ENGINEERING SERVICES BILLING RATE EFFECTIVE
FEBRUARY 1, 2018**

WHEREAS, there exists a need to establish a billing rate to apply the cost of the Developer Reviews and Inspections done by the Manager of Engineering services on behalf of the Western Monmouth Utilities Authority; and

WHEREAS, under the provisions of Local Finance Notice #CFO-97-2, dated January 13, 1997 the Western Monmouth Utilities Authority has authorized its Auditor to calculate such rate (s); and

WHEREAS, the Executive Director has evaluated the calculations and find them to be reasonable; and

WHEREAS, by way of Resolution 16-74 dated June 14, 2016 James Carr has been hired as Manager of Engineering Services; and

WHEREAS, it is the job description of the Manager of Engineering to process Developer applications and perform all necessary inspections;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that James Carr is the Manager of Engineering and as part of his job duty will review Developer applications and perform all necessary inspections; and

BE IT FURTHER RESOLVED that as required by the nature of the review it will be necessary for James Carr to have the use of an Authority vehicle for said inspections, and

BE IT FURTHER RESOLVED that James Carr will keep adequate record of time spent on Developer Reviews and Inspections and mileage for said Authority vehicle and,

BE IT FURTHER RESOLVED that an internal invoice shall be submitted from the Engineering Department to the Finance Department for services rendered; and

BE IT FURTHER RESOLVED, it shall be the duty of the Director of Finance to review all such invoices and to bi-annually review and adjust if necessary any or all rates used for these billable hours; and

BE IT FURTHER RESOLVED that the hourly rate shall be billed at \$79.79 and the mileage shall be calculated at the current IRS business mileage rate.

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

1. Brian Valentino, Executive Director
2. James Carr, Manager of Engineering Services
3. Leslie Warshauer, Director of Finance

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ		X	X			
PERNICE			X			
ROSEN	X		X			

AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE WESTERN MONMOUTH UTILITIES AUTHORITY AND THE BOROUGH OF MATAWAN

WHEREAS, the Western Monmouth Utilities Authority (hereinafter, “the WMUA”), and the Borough of Matawan mutually seek to share in the costs of paving at the Texas Road Pump Station, and;

WHEREAS, the WMUA Commissioners are of the opinion that the preparation and execution of a Shared Service Agreement with the Borough of Matawan would be in the best interests of the WMUA ratepayers; and

WHEREAS, pursuant to *N.J.S.A. 40:8A-1 et seq.*, the WMUA is authorized to facilitate and promote interlocal and regional shared service agreements;

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

1. The WMUA Executive Director is authorized to prepare a Shared Service Agreement by and between the WMUA and the Borough of Matawan to share in the costs of performing paving at the Texas Road Pump Station.
2. Upon their review and approval, the WMUA Commissioners are authorized to execute such Shared Service Agreement.
3. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
 - a. Borough of Matawan Borough Administrator
 - b. Leslie Warshauer, Director of Finance
 - c. Coleen Weber, Office Manager

DATE: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ		X	X			
PERNICE			X			
ROSEN	X		X			

**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 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 contract negotiations and personnel, 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: FEBRUARY 27, 2018

<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>
McENERY			X			
MENDEZ			X			
PERNICE			X			
ROSEN			X			