

**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 May 8, 2018 be and the same are hereby accepted for filing by the Authority.

**DATE: JUNE 12, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**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 May 22, 2018 be and the same are hereby accepted for filing by the Authority.

**DATE: JUNE 12, 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>
<b>McENERY</b>					<b>X</b>	
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

## **AUTHORIZING EXTENSION OF APPROVAL TO FRIENDSHIP CIRCLE, PROJECT #549**

**WHEREAS**, Friendship Circle has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #549 located in Block #172 on Lots #27 and 29 in the Township of Marlboro; and

**WHEREAS**, *the applicant has requested that the application approval be extended for an additional two (2) years to allow for the construction of sanitary sewer improvements. CME recommends the approval of this time extension as per their letter dated June 5, 2018, and*

**WHEREAS**, the applicant proposes to construct a private pump station and approximately 2,188 linear feet of 2" HDPE force main to service the proposed Friendship Circle facility. The proposed private force main will contain a check valve within a manhole and an isolation valve and will connect to the existing 6" WMUA force main in Texas Road from the Elizabeth Hills Pump Station. The Applicant will make connection to the Authority's existing force main via wet tap connection. The flow will then go the Mill Ponds Pump Station, the Central Jersey Interceptor and ultimately to the Pine Brook Plant for Treatment.

Flow: The Applicant has indicated that the ultimate population of students and staff serviced by the facilities will be 300. Per N.J.A.C. 7:14A-23.3(a) schools with cafeteria, flows will be 15 gpd for a total flow of 4500 GPD. Per the Authority's Rules and Regulations Section 9.A.15 schools equals 1 EDCU per 28 students and staff, thus equating 11 EDCU's.

**WHEREAS**, CME Associates recommends that this application for connection to WMUA's sanitary sewer facilities be granted Approval subject to the following:

- a. Conformance with the Privately Owned Pump Station provision in the WMUA Rules and Regulations.
- b. Conformance with the Rules and Regulations of the NJDEP, WMUA and all other applicable regulatory agencies;
- c. Payment of all application, escrow and connection fees of the WMUA
- d. Payment of all other fees of other governmental and/or regulatory agencies having jurisdiction over same
- e. Applicants compliance with all 'issues' and terms, including plan revisions as noted above
- f. Applicant obtaining all required permits;
- g. Applicant is required to furnish sufficient performance guarantees per the attached, in the amounts of \$108,346.37 and \$12,038.49 representing the 90% bond portion and 10% cash portion, respectively, to guarantee construction of the improvements described in the application. No construction work may begin until the required performance bond is submitted and approved by the Authority. The posting of a performance guarantee must be in form acceptable to Authority Attorney.
- h. Applicant shall furnish the required escrow for construction observation as per the attached, in the amount of \$12,861.63 in accordance with the Authority's Rules and Regulations. The Applicant has the option of posting an initial deposit representing 5% of the total anticipated construction cost in the amount of \$4,287.21. If applicable, the Applicant may be required to post additional fees to cover extra work or overtime costs as documented by the Authority and/or its consulting Engineer;

- i. Applicant's compliance with the Authority's Rules and Regulations associated with grease traps and associated monitoring and reporting thereon (see attached Exhibits F and G).
- j. Submittal of an acceptable insurance certificate naming the WMUA and its consulting engineer additionally insured and
- k. Applicant's attendance at a preconstruction meeting.
- l. The Developer is required to post \$3,500.00 additional engineering inspection fees prior to the release of this resolution.

Upon the Authority granting approval of the Application, construction of the project shall start within two (2) years of the date of the resolution by the Authority granting approval. If construction does not start within two (2) years of the date of the Resolution by the Authority granting approval, the Approval will automatically expire unless the Authority acts, by Resolution, to extend the time period.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the application for an extension of the approval in connection with Friendship Circle, Project #549 is hereby granted, subject to any and all conditions set forth in this resolution, as well as any conditions set forth in the report of the Consultant Engineer, dated June 5, 2018, and

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

- 1) Friendship Circle, Project #549
- 2) CME Associates. Consultant Engineer
- 3) Frances J. Borin, Esq.

**DATE: JUNE 12, 2018**

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

**AUTHORIZING CME ASSOCIATES TO CONDUCT A CAPACITY EVALUATION AND  
CONDITION OF ASSESSMENT OF SELECT INTERCEPTORS**

**WHEREAS**, the Executive Director has requested that CME Associates begin a capacity evaluation and condition assessment of select interceptors and,

**WHEREAS**, the Executive Director will execute a contract with CME Associates not to exceed \$346,656.00, and

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

1. The Executive Director will execute an acceptable contract with CME Associates to begin a capacity evaluation and condition assessment of select interceptors not to exceed \$346,656.00.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
  - a) CME Associates, Consulting Engineer
  - b) Leslie Warshauer, Director of Finance
  - c) Coleen Weber, Office Manager

**DATE: June 12, 2108**

<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>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**AUTHORIZING T&M ASSOCIATES TO CONDUCT A CAPACITY EVALUATION AND  
CONDITION OF ASSESSMENT OF SELECT INTERCEPTORS**

**WHEREAS**, the Executive Director has requested that T&M Associates begin a capacity evaluation and condition assessment of select interceptors and,

**WHEREAS**, the Executive Director will execute a contract with T&M Associates not to exceed \$265,000.00, and

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

1. The Executive Director will execute an acceptable contract with T&M Associates to begin a capacity evaluation and condition assessment of select interceptors not to exceed \$265,000.00.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
  - a) T&M Associates, Consulting Engineer
  - b) Leslie Warshauer, Director of Finance
  - c) Coleen Weber, Office Manager

**DATE: June 12, 2108**

<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>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**AUTHORIZING T&M ASSOCIATES TO ADVERTISE, PROVIDE CONTRACT ADMINISTRATION AND INSPECTION SERVICES FOR THE CONCRETE EQUALIZATION TANK**

**WHEREAS**, the Director of Engineering Services has requested that T&M Associates; provide contract administration and inspection services for the concrete equalization tank for the amount of \$372,550.00

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

1. The Executive Director is hereby authorized to enter into an agreement authorizing T&M Associates to provide contract administration and inspection services for the concrete equalization tank not to exceed \$372,550.00.
  
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy.
  - a) Leslie Warshauer, Director of Finance
  - b) Coleen Weber, Office Manager

**DATE: JUNE 12, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**RESOLUTION AUTHORIZING THE REMOVAL OF INTEREST  
FOR ACCOUNT #14499**

**WHEREAS**, interest in the amount of \$112.50 was charged to Rafael Erukashzili 335 Sunshine Court, Marlboro, New Jersey on his user account #14499; and

**WHEREAS**, the bill was sent to 335 Sunshine Court, Marlboro, when the mailing address should have been Manalapan; and the customer bills were returned to the Authority and the customer never received a bill, and

**WHEREAS**, the Authority now wishes to remove interest of \$112.50; and

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

1. Remove interest of \$112.50, from Account #14499, Marlboro.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be true copies to
  - a) Leslie Warshauer, Director of Finance
  - b) Bridget Fiorino, Accounts Receivable Clerk

**DATE: JUNE 12, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			



**AUTHORIZING THE REDUCTION OF PERFORMANCE BOND AND CASH SURETY FOR OAK HILL ESTATES, PROJECT #563**

**WHEREAS**, the developer of Project #563, Oak Hill Estates, 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 \$184,183.60 be reduced to \$55,255.08 (plus accrued interest) and the cash surety in the amount of \$20,464.84 (plus accrued interest) be reduced to \$6,139.45 as per CME’s letter dated May 29<sup>th</sup>, 2018, 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 \$184,183.60 (plus accrued interest be reduced to \$55,255.08.
2. Cash Surety in the amount of \$20,464.84 (plus accrued interest) be reduced to \$6,139.45.
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, General Manager
  - b) CME Associates
  - c) Oak Hill Estates, Project #563

**DATE: JUNE 12, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>		<b>X</b>	<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>	<b>X</b>		<b>X</b>			

**RESOLUTION AWARDING CONTRACT FOR MAGNESIUM HYDROXIDE TO PREMIER  
MAGNESIA LLC**

**WHEREAS**, a notice to bidders was published in the Asbury Park Press on May 24<sup>th</sup>, 2018; and

**WHEREAS**, on June 8<sup>th</sup>, 2018 at 9:00AM, a bid was received by the Authority for Magnesium Hydroxide , for a period of 1 year thru May 31<sup>st</sup>, 2019 for the Pinebrook Treatment Plant, and

**WHEREAS**, the General Manager reviewed the only bid set forth on the bid tally sheet of May 18<sup>th</sup>, 2016, and

**WHEREAS, Premier Magnesia LLC**, was the only bidder in the amount of \$498,000.00 per year for Magnesium Hydroxide, and

**WHEREAS**, the General Manager has recommended that the contract for Magnesium Hydroxide be awarded to Premier Magnesia 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 bid from Premier Magnesia LLC in the amount of \$498,000.00 per year for Magnesium Hydroxide Contract for a period of one year, to expire on May 30<sup>th</sup>, 2019, be awarded and,
2. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and Premier Magnesia LLC.
3. Premier Magnesia LLC is required to comply with requirements of P.L. 1975 C.127 (N.J.A.C. 17:27)
4. The Secretary is hereby authorized to forward copies of this resolution, certified to be a true copy to;
  - a) Premier Magnesia LLC
  - b) Robert Smith, Facility Manager

**DATE: JUNE 12, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</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 return to public session for the purpose of taking action on the matters discussed in closed session, and

**WHEREAS**, the Commissioners closed the meeting at 7:03pm to discuss litigation and contracts and returned to public session at 7:14pm for the purpose of taking action on matters discussed in closed session, 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/will not return to open session.

**DATE: JUNE 12, 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>
<b>McENERY</b>						
<b>MENDEZ</b>						
<b>PERNICE</b>						
<b>ROSEN</b>						

**18-86 ADJOURNED**