

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 October 23, 2018 be and the same are hereby accepted for filing by the Authority.

DATE: NOVEMBER 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 FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM:**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;


WHEREAS, on November 27, 2018 the governing body of the Western Monmouth Utilities Authority , County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

THEREFORE BE IT RESOLVED, as follows:

Brian J. Valentino, Chief Executive Officer of the Western Monmouth Utilities Authority. Pursuant to the provisions of *N. J.S.A. 40A:11-11(5)*, is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the, *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.


 Brian J. Valentino, C.E.O.

DATE: NOVEMBER 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 AUTHORIZING THE ISSUANCE OF NOTICES AND CRITERIA FOR
CONTRACT AWARDS FOR PROFESSIONAL AND OTHER CONTRACTS FOR
FISCAL YEAR 2019**

WHEREAS, the Western Monmouth Utilities Authority is subject to certain requirements of the Local Public Contracts Law and the local Pay to Play Law (N.J.S.A. 19:44-20.4, 20.5 et seq.); and

WHEREAS, the Chief Administrative Officer of the Western Monmouth Utilities Authority has deemed it necessary and appropriate to award contracts over \$17,500.00 for services in 2019 for Professional Contract Positions in accordance with the “Fair and Open” contract provisions of the Local Pay to Play Law.

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

1. The Chief Administrative Officer of the Western Monmouth Utilities Authority shall hereby advertise the enclosed legal notice in the *Asbury Park Press* and shall make available to interested vendors and professionals the enclosed Western Monmouth Utilities Authority Criteria for Submission of Qualifications for Professional and other contracts under the Fair and Open Process.
2. The Clerk is hereby authorized to forward copies of this Resolution, certified to be a true copy to:
 - a) Katherine Leatherman, Chief Administrative Officer

DATE: NOVEMBER 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			

LEGAL NOTICE

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CONTRACT POSITIONS
IN THE WESTERN MONMOUTH UTILITIES AUTHORITY**

NOTICE IS HEREBY GIVEN, that pursuant to N.J.S.A. 19:44A-20.4, 20.5 et seq. that the Western Monmouth Utilities Authority shall pursue a “Fair and Open Process” in awarding contracts for positions set forth more fully below, and hereby solicit **ONE PDF FILE** of qualifications in the form of resumes and letter applications for the below stated positions of the Western Monmouth Utilities Authority, and **ONE ORIGINAL COPY** shall be submitted to Brian J. Valentino, Chief Executive Officer, Western Monmouth Utilities Authority, 103 Pension Road, Manalapan, New Jersey 07726 documentation showing qualifications and compliance with criteria set forth by the Western Monmouth Utilities Authority and State Statute. The PDF file shall be e-mailed to the Authority Clerk (afinnerty@wmua.manalapan.nj.us) and the Chief Administrative Officer (kleatherman@wmua.manalapan.nj.us). The original qualifications and the e-mailed PDF file shall be submitted no later than January 15th, 2019 at 12:00PM. Interested parties may view the criteria for these services on the Authority’s website: www.wmuaj.org

Professional services for the following positions are hereby requested:

**Authority Attorneys
Authority Auditor
Authority Bond Counsel
Authority Engineers
Authority Financial Advisor
Authority Labor, Regulatory and Conflict Counsel
Authority Risk Management Consultant**

Western Monmouth Utilities Authority

WESTERN MONMOUTH UTILITIES AUTHORITY
CRITERIA FOR SUBMISSION OF QUALIFICATIONS FOR
PROFESSIONAL CONTRACTS UNDER THE
FAIR AND OPEN PROCESS

NOTICE IS HEREBY GIVEN, for all applicants in positions set forth more fully in a notice of publication authorized by the Board of Commissioners of the Western Monmouth Utilities Authority by Resolution 18-132, November 27th, 2018 for submission of qualifications that shall take into consideration the following factors which will be weighed by the Board of Commissioners of the Western Monmouth Utilities Authority as the basis of an award for professional services most advantageous to the Authority:

- I. Resume and letter application for professional position including all documentation that provides the following for evaluation by the Western Monmouth Utilities Authority Board of Commissioners:
 - a. Experience and reputation in the field for the position sought.
 - b. Knowledge of the area of expertise for the position sought; Professional Contract Positions
 - c. Experience and knowledge of utility authorities.
 - d. References in general and in particular from entities where the professional has provided similar services as sought in the Western Monmouth Utilities Authority.
 - e. Copy of Business Registration Certificate and Certificate of Employee Information Report with the State of New Jersey.
 - f. Copy of all applicable professional licenses.
 - g. ***The Original is to be mailed to:*** WMUA, 103 Pension Rd., Manalapan, NJ 07726
- II. **Appointed firms must accept Authority Rate Schedule.**
- III. Selection of professionals shall be solely on the Western Monmouth Utilities Authority Board of Commissioners evaluation of the submitted material in the criteria set forth in this document.

WESTERN MONMOUTH UTILITIES AUTHORITY

2019 RATE SCHEDULE

PROFESSIONAL SERVICE	2019 HOURLY RATE SCHEDULE
ATTORNEYS:	
1. Regular/Financial	\$195.00
2. Special Counsel	\$195.00
3. Labor Regulatory And Conflict	\$195.00
AUDITOR	\$32,000.00 Per Audit
BOND COUNSEL	\$160.00
ENGINEERS	See Schedule Below
FINANCIAL ADVISORS	\$160.00
RISK MANAGEMENT SVS	6% Set By JIF LAWS

ENGINEERING RATE SCHEDULE

Administrative Support Staff	\$83.00
Junior Technical Staff	\$83.00
Technical Assistant	\$83.00
Field Staff	\$99.00
Professional Entry Level	\$99.00
Construction Engineer	\$99.00
Land Surveyor	\$121.00
Senior Construction Engineer	\$121.00
Junior Professional Staff	\$121.00
Technical Staff	\$121.00
Senior Design Engineer	\$132.00
Project Engineer	\$132.00
Professional Land Surveyor	\$132.00
Professional Staff	\$132.00
Senior Technical & Field Staff	\$132.00
Senior Project Engineer	\$151.00
Professional Engineer	\$151.00
Senior Professional Staff	\$151.00
Supervising Technical Staff	\$151.00
Project Leader	\$156.00
Project Manager	\$156.00
Senior Project Manager	\$156.00
Principal	\$16300
Managing Partner/Administrative Partner	\$175.00
Partner	\$175.00
Division Manager	\$175.00
Corporate Manager	\$175.00

AUTHORIZING CME ASSOCIATES TO ADVERTISE AND RECEIVE BIDS FOR THE FORCE MAIN AIR RELEASE MANHOLE REPLACEMENT

WHEREAS, CME Associates has requested to advertise and receive bids for The Force Main Air Release Manhole Replacement, and;

WHEREAS, the Commissioners of the Western Monmouth Utilities Authority hereby authorize CME Associates to advertise and receive bids, as follows, and

- | | |
|-----------------------------------|-------------------|
| 1. Permission to receive bids | November 27, 2018 |
| 2. Projected Advertised Newspaper | December 7, 2018 |
| 3. Receive bids | January 10, 2019 |
| 4. Award Project | January 22, 2019 |

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

1. CME Associates is hereby authorized to advertise, and receive bids for The Force Main Air Release Manhole Replacement.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
 - a) Coleen Weber, Office Manager
 - b) James Carr, Chief Operating Officer
 - c) CME Associates, Mike Dziubeck

DATE: NOVEMBER 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			

WESTERN MONMOUTH UTILITIES AUTHORITY

AUTHORITY BUDGET AMENDMENT NO. 1 RESOLUTION

FISCAL YEAR: FROM FEBRUARY 1, 2018 to JANUARY 31, 2019

WHEREAS, the Annual Budget and Capital Budget for the Western Monmouth Utilities Authority for the fiscal year beginning February 1, 2018 and ending January 31, 2019 was presented before the Commissioners of the Western Monmouth Utilities Authority at its open public meeting of November 28, 2017; and

WHEREAS, such budget was adopted on January 23, 2018; and

WHEREAS, it is the desire of the Authority to amend the Capital Budget; and

WHEREAS, the Chief Financial Officer and Chief Operating Officer have reviewed the Authority's financial records and recommend the amendment; and

WHEREAS, the Financial Accounting Advisor to the Authority on this matter has reviewed and concurs with the recommendation on the amendment; and

WHEREAS, the Authority has determined that additional funds exist without certain budgeted capital projects which are not needed this year however, the excess funds are needed for other critical capital projects; and

WHEREAS, the Authority is in the process of upgrading three (3) critical assets equalization tank, raw sewerage pump and the Route 79 pump station. Additional funds are needed over and above the original engineering estimates and the related financing limit in accordance with the Service Contract approved by the "Townships"; and

WHEREAS, N.J.A.C. 5:31-2.2 and 5:31-2.8 provides that all amendments to the adopted capital budget shall be approved and adopted by resolution of the Authority, passed by not less than a majority of the full membership; and

WHEREAS, such amendment is beneficial to the environmental condition, financial condition and necessary for proper maintenance and operation of the Authority on behalf of the ratepayers; and

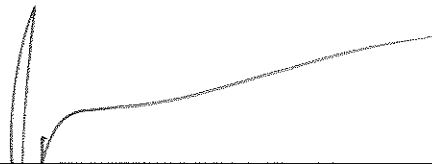
WHEREAS, the Capital Budget is amended as follows in accordance with attached detailed budget schedules (CB-3A, CB-4A and CB-5A):

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the Capital Budget for the fiscal year ended January 31, 2019 is hereby amended in accordance with the attached schedules labeled CB-3A, CB-4A and CB-5A.

BE IT FURTHER RESOLVED that the Secretary is authorized to forward copies of this Resolution, certified to be a true copy, to Katherine Leatherman, Chief Administrative Officer; Leslie Warshauer, Chief Financial Officer; Gerard Stankiewicz, CPA; T&M Associates; CME, Consulting Engineer; State of New Jersey Department of Community Affairs, Bureau of Authority Regulation (two copies within 3 days); Township Clerk of Marlboro and Manalapan (within 3 days) and copy to file.

CERTIFICATION

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Commissioners on the 27th day of November, 2018.



Jeff Rosen, Secretary
Western Monmouth Utilities Authority

DATE: NOVEMBER 27, 2018

<u>Commissioners</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	X			
MENDEZ	X		X			
PERNICE			X			
ROSEN			X			

18-134

2019 AUTHORITY BUDGET RESOLUTION

Western Monmouth Utilities Authority

FISCAL YEAR: FROM: February 1, 2019 TO: January 31, 2020

WHEREAS, the Annual Budget and Capital Budget for the Western Monmouth Utilities Authority for the fiscal year beginning, 2/1/19 and ending, 1/31/20 has been presented before the governing body of the Western Monmouth Authority at its open public meeting of November 27, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 14,919,513 Total Appropriations, including any Accumulated Deficit if any, of \$14,043,744 and Total Unrestricted Net Position utilized of 0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$7,523,500.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$6,647,731.78; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Western Monmouth Utilities Authority, at an open public meeting held on November 27, 2018 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Western Monmouth Utilities Authority for the fiscal year beginning, 2/1/19 and ending, 1/31/20 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Western Monmouth Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on January 22, 2019.

Jeffrey Rosen, Secretary

November 27, 2018

DATE: NOVEMBER 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	X			
MENDEZ			X			
PERNICE	X		X			
ROSEN			X			

2019 CERTIFICATION OF AUTHORITY CAPITAL BUDGET/PROGRAM

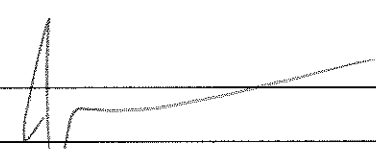
Western Monmouth Utilities Authority

FISCAL YEAR: FROM: February 1, 2019 **TO:** January 31, 2020

It is hereby certified that the Authority Capital Budget/Program annexed hereto is a true copy of the Capital Budget/Program approved, pursuant to N.J.A.C. 5:31-2.2, along with the Annual Budget, by the governing body of the Western Monmouth Utilities Authority, on the 27th day of November, 2018.

OR

It is hereby certified that the governing body of the _____ Authority have elected **NOT** to adopt a Capital Budget /Program for the aforesaid fiscal year, pursuant to N.J.A.C. 5:31-2.2 for the following reason(s):

Officer's Signature:			
Name:	Jeffrey Rosen		
Title:	Secretary		
Address:	103 Pension Road, Manalapan, NJ 07726		
Phone Number:	732-446-9300	Fax Number:	732-446-1203
E-mail address	jrosen@wmua.manalapan.nj.us		

2019 APPROVAL CERTIFICATION

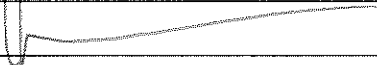
Western Monmouth Utilities Authority

AUTHORITY BUDGET

FISCAL YEAR: FROM: February 1, 2019 **TO:** January 31, 2020

It is hereby certified that the Authority Budget, including all schedules appended hereto, are a true copy of the Annual Budget and Capital Budget/Program approved by resolution by the governing body of the Western Monmouth Utilities Authority, at an open public meeting held pursuant to N.J.A.C. 5:31-2.3, on the 27th day of November, 2018.

It is further certified that the recorded vote appearing in the resolution represents not less than a majority of the full membership of the governing body thereof.

Officer's Signature:			
Name:	Jeffrey Rosen		
Title:	Secretary		
Address:	103 Pension Road, Manalapan, NJ 07726		
Phone Number:	732-446-9300	Fax Number:	732-446-1203
E-mail address	jrosen@wmua.manalapan.nj.us		

INTERNET WEBSITE CERTIFICATION

Authority's Web Address:	www.wmuanj.org
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All authorities shall maintain either an Internet website or a webpage on the municipality's or county's Internet website. The purpose of the website or webpage shall be to provide increased public access to the authority's operations and activities. N.J.S.A. 40A:5A-17.1 requires the following items to be included on the Authority's website at a minimum for public disclosure. Check the boxes below to certify the Authority's compliance with N.J.S.A. 40A:5A-17.1.

- A description of the Authority's mission and responsibilities
- Budgets for the current fiscal year and immediately preceding two prior years
- The most recent Comprehensive Annual Financial Report (Unaudited) or similar financial information (**Similar Information is such as PIE Charts, Bar Graphs etc. for such items as Revenues, Expenditures, and other information the Authority deems relevant to inform the public**)
- The annual audits of the most recent fiscal year and immediately two prior years
- The Authority's rules, regulations and official policy statements deemed relevant by the governing body of the authority to the interests of the residents within the authority's service area or jurisdiction
- Notice posted pursuant to the "Open Public Meetings Act" for each meeting of the Authority, setting forth the time, date, location and agenda of each meeting
- The approved minutes of each meeting of the Authority including all resolutions of the board and their committees; for at least three consecutive fiscal years
- The name, mailing address, electronic mail address and phone number of every person who exercises day-to-day supervision or management over some or all of the operations of the Authority
- A list of attorneys, advisors, consultants and any other person, firm, business, partnership, corporation or other organization which received any remuneration of \$17,500 or more during the preceding fiscal year for any service whatsoever rendered to the Authority.

It is hereby certified by the below authorized representative of the Authority that the Authority's website or webpage as identified above complies with the minimum statutory requirements of N.J.S.A. 40A:5A-17.1 as listed above. A check in each of the above boxes signifies compliance.

Name of Officer Certifying compliance

Brian J. Valentino

Title of Officer Certifying compliance

C.E.O.

Signature
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AWARDING CONTRACT FOR THE PRESTRESSED CONCRETE EQUALIZATION TANK IMPROVEMENTS

WHEREAS, a notice to bidders was published in the Asbury Park Press on July 12, 2018, and;

WHEREAS, an addendum was added and a letter was issued on October 5, 2018 to all bidders requesting a time extension and bids were originally supposed to be received on August 21, 2018, and

WHEREAS, on September 6, 2018 at 11:00am, bids were received by T&M Associates at the Authority for The Prestressed Concrete Equalization Tank Improvements, and

WHEREAS, T&M Associates and Frank Borin, Esq. reviewed the bids set forth on the bid tally sheet of September 6, 2018, and

WHEREAS, **Stone Hill Contracting Co., Inc.** was the apparent low bidder in the amount of \$6,911,208.00, and

WHEREAS, the award is conditional subject to contract approval from the NJDEP, 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 Stone Hill Contracting Co., Inc. in the amount of \$6,911,208.00 is accepted for The Prestressed Concrete Equalization Tank Improvements.
2. The Chief Administrative Officer is authorized to enter into a contract between the Western Monmouth Utilities Authority and Stone Hill Contracting Co., Inc.
3. Stone Hill Contracting Co., Inc. 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) Stone Hill Contracting Co., Inc.
 - c) Coleen Weber, Office Manager

DATE: NOVEMBER 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			

AWARDING CONTRACT FOR THE ROUTE 79 PUMP STATION AND FORCEMAIN REPLACEMENT PROJECT

WHEREAS, a notice to bidders was published in the Asbury Park Press on October 13, 2018, and;

WHEREAS, bids were received on October 23, 2018 at 10:00am, and

WHEREAS, on October 23, 2018, 2018 at 10:00am, bids were received by CME Associates at the Authority for Route 79 Pump Station and Forcemain Replacement Project, and

WHEREAS, CME Associates and Frank Borin, Esq. reviewed the bids set forth on the bid tally sheet of October 23, 2018, and

WHEREAS, **Carbro Constructors Corp.** was the apparent low bidder in the amount of \$6,378,652.33, and

WHEREAS, the award is conditional subject to contract approval from the NJDEP, 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 Carbro Constructors Corp. in the amount of \$6,378,652.33 is accepted for The Route 79 Pump Station and Forcemain Replacement Project.
2. The Chief Administrative Officer is authorized to enter into a contract between the Western Monmouth Utilities Authority and Carbro Constructors Corp.
3. Carbro Constructors Corp. 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) Carbro Constructors Corp.
 - c) Coleen Weber, Office Manager

DATE: NOVEMBER 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 EXECUTION OF A PURCHASE AND SALE
AGREEMENT WITH THE BOROUGH OF ENGLISHTOWN FOR
THE PURCHASE OF A 1991 RESCUE TRUCK**

WHEREAS, the Western Monmouth Utilities Authority (“Authority”) is a municipal utilities authority created by the governing bodies of the Townships of Manalapan and Marlboro in accordance with the authority granted by the Municipal and County Utilities Authorities Law (“MUA Law”) N.J.S.A. 40:14B-1 et seq., and

WHEREAS, the Authority is empowered to adopt the within Resolution pursuant to and under the MUA Law; and

WHEREAS, the Borough of Englishtown Board of Fire Commissioners (“Borough”) currently owns a model year 1991 rescue vehicle (VIN # 1M2K1 94C7M M0029 18), titled in the name of the Englishtown Fire Department Inc. (“Rescue Truck”); and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., has been enacted by the New Jersey Legislature to provide an orderly process for the disposition by public entities of, among other things, personal property that is no longer needed for public use; and

WHEREAS, Section 36 of the Local Public Contracts Law provides that personal property may be sold through a private sale to a governmental entity without public advertisement and bidding or auction when such personal property is no longer needed for public use; and

WHEREAS, the Borough has determined that the Rescue Truck constitutes personal property that is no longer needed for public use and, as such, the Borough desires to efficiently dispose of the Rescue Truck; and

WHEREAS, the Authority is desirous of acquiring a rescue vehicle for its public use and purpose and, by Resolution 18-128 duly adopted on October 23, 2018, previously authorized the Authority’s Chief Executive Officer to negotiate an agreement with the Borough to purchase the Rescue Truck; and

WHEREAS, the sale of the Rescue Truck by the Borough and the purchase of the Rescue Truck by the Authority for fair consideration is in the mutual best interests of the Borough and Authority; and

WHEREAS, the Parties desire to enter into an agreement to memorialize the sale of the Rescue Truck from the Borough to the Authority (“Purchase and Sale Agreement”);

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

1. That acquisition of the Rescue Truck for a price of \$18,000.00 is in the best interest of the Authority
2. That the Chairman, or his designee, is hereby authorized to execute a Purchase and Sale Agreement with the Borough, in the form attached hereto or a form substantially similar without any substantive changes.
3. That the Chairman or his designee may execute any and all documents and take any and all actions necessary to realize the intent and purpose of this resolution.
4. That, upon execution, the Purchase and Sale Agreement shall be available in the Office of the CEO for review by the public.
5. That the Clerk is hereby authorized to forward copies of this Resolution to:
 - a. Township of Manalapan
 - b. Township of Marlboro
 - c. Borough of Englishtown
 - d. Frank Born, Esq.
 - e. Leslie Warshauer, Chief Financial Officer

DATE: NOVEMBER 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 CME ASSOCIATES TO ADVERTISE, PROVIDE CONTRACT ADMINISTRATION AND INSPECTION SERVICES FOR THE TEXAS ROAD FORCE MAIN AIR RELEASE ASSEMBLY REPLACEMENT

WHEREAS, the Chief Operating Officer has requested that CME Associates; provide contract administration and inspection services for the Texas Road Force Main Air Release Assembly Replacement for the amount of \$108,113.00

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

1. The CEO is hereby authorized to enter into an agreement authorizing CME Associates to provide contract administration and inspection services for the Texas Road Force Main Air Release Assembly Replacement not to exceed \$108,113.00.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy.
 - a) Leslie Warshauer, Chief Finance Officer
 - b) Coleen Weber, Office Manager

DATE: NOVEMBER 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 RELEASE OF THE PERFORMANCE BOND FOR TYLER HOMES, PROJECT #507

WHEREAS, Tyler Homes, Project #507 has requested the return of the Performance Bond, and

WHEREAS, the Chief Administrative Officer of the Western Monmouth Utilities Authority recommends that the Performance Bond be returned, and;

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

1. The Performance Bond shall be returned.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be true to
 - a) Kathy Leatherman, Chief Administrative Officer
 - b) Tyler Homes, Project # 507

DATE: NOVEMBER 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 and will not return to public session for the purpose of taking action on the matters discussed in closed session, and

WHEREAS, the Commissioners closed the meeting to discuss personnel for the purpose of taking action on matters in open 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 not return to open session.

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<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			