

**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 will discuss litigation/personnel and negotiations, 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 return to open session.

DATE: MARCH 28, 2017

<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 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 13, 2017 be and the same are hereby accepted for filing by the Authority.

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

**AUTHORIZING EXECUTION OF DEVELOPER’S AGREEMENT WITH
COUNTRYSIDE DEVELOPERS, INC, PROJECT #608**

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 between the Western Monmouth Utilities Authority and Countryside Developers, Inc., Project #608; and

BE IT FURTHER RESOLVED, the Commissioners of the Western Monmouth Utilities Authority are authorized to execute a developers agreement; and

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

1. Countryside Developers, Inc., Project #608
2. CME Associates, Consultant Engineer
3. Frank Borin, Attorney

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

RESOLUTION AUTHORIZING CONTRACT WITH WINNER FORD STATE CONTRACT #A88726 FOR THE PURCHASE OF ONE 2017 FORD F250 EXTENDED CAB WITH UTILITY BODY PURSUANT TO N.J.S.A.40A:11-12a

WHEREAS, the Western Monmouth Utilities Authority, pursuant to N.J.S.A.40A:11-12a and N.J.A.C.5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Western Monmouth Utilities Authority has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Western Monmouth Utilities Authority intends to enter into a contract with Winner Ford, for the purchase of one 2017 Ford F250 Extended Cab with Utility Body for the price of \$46,944.00 through this resolution and properly executed contracts, which shall be subject to all conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Western Monmouth Utilities Authority authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Western Monmouth Utilities Authority pursuant to N.J.A.C.5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer, and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Western Monmouth Utilities Authority and Winner Ford State Contract #A88726 from March 14, 2017 thru January 31st, 2018.

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

1. Marilyn Seidenberg, Director of Finance
2. WINNER FORD, CONTRACT #A88726

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

GRANTING APPROVAL TO CAMELOT WEST AT MARLBORO, PROJECT #622

WHEREAS, the developer of Camelot West at Marlboro, Project #622 has applied to the Western Monmouth Utilities Authority for approval in connection with its complex application located in Block #150 on Lot #2, 3 & 4 in the Township of Marlboro; and

WHEREAS, the applicant proposes to construct approximately 2,916 linear feet of 8” PVC SDR-35 gravity sanitary sewer to service a proposed development. The proposed Camelot West at Marlboro development consists of 50 townhomes, 200 garden apartments, a clubhouse, a 1770 square foot maintenance building and a pool with a backwash filter. The proposed gravity sewers will be constructed within the development and remain as a “private” collection system. The applicant will make connections to the WMUA Collection System via connections to existing manholes on Tennent Road and within a utility easement near Tennent Road. The flow will then go to Greenwood Road Pumping Station and ultimately to the Bayshore Regional Sewerage Authority for treatment.

Safety: The Applicant must instruct the Contractors hired to install the sanitary sewer main that they are fully responsible for site safety. The Contractors must contact the Municipal Police Safety Director to insure proper compliance with safety laws and shall fully comply with all OSHA requirements.

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 Rules and Regulations of the NJDEP, WMUA and all other applicable regulatory agencies;
- b. Payment of all application, escrow and connection fees of the WMUA;
- c. Payment of connection fee of the Bayshore Regional Sewerage Authority;
- d. Payment of all other fees of other governmental and/or regulatory agencies having jurisdiction over same;
- e. Applicants obtaining all required permits including; NJDEP TWA for sewer extensions;
- f. Applicant is required to furnish sufficient performance guarantees per the attached, in the amounts of \$359,460.08 and \$39,940.01 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.
- g. Applicant shall furnish the required escrow for construction observation as per the attached, in the amount of \$42,670.95 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 \$14,223.65. 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;

- h. Submittal of an acceptable insurance certificate naming the WMUA and its consulting engineer additionally insured and;
- i. Applicant's attendance at a preconstruction meeting.

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 approval in connection with Camelot West at Marlboro, Project #616 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 February 28, 2017, and

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

- 1) Camelot West at Marlboro, Project #622
- 2) CME Associates. Consultant Engineer
- 3) Frances J. Borin, Esq.

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE AGREEMENT FOR SPECIAL DUTY ASSIGNMENT FOR POLICE OFFICERS

WHEREAS, there exists a need for the Western Monmouth Utilities Authority (WMUA) to enter into an agreement with the Township of Marlboro, Division of Police, and

WHEREAS, the Authority wishes to designate its Executive Director, Brian J. Valentino as the official signatory, and

WHEREAS it is the intent of this resolution to execute an agreement for Special Duty Assignment for Police Officers, and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that Brian J. Valentino, Executive Director is hereby authorized to enter into an agreement with the Township of Marlboro, Division of Police for Special Duty Assignment for Police Officers

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

1. Brian J. Valentino, Executive Director
2. Township of Marlboro, Division of Police

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

**AUTHORIZING CME ASSOCIATES TO ADVERTISE, AND RECEIVE BIDS
FOR THE GREENWOOD ROAD FORCE MAIN**

WHEREAS, CME Associates has requested to advertise, and receive bids for the Greenwood Road Force Main;

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

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 Greenwood Road Force Main.
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, Manager of Engineering Services

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

AUTHORIZING GENERAL MANAGER TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS FOR FUEL OIL POLISHING

WHEREAS, the General Manager has requested to prepare plans and specifications, advertise and receive bids for Fuel Oil Polishing;

WHEREAS, the Commissioners of the Western Monmouth Utilities Authority need to authorize the General Manager to prepare plans and specifications and 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 Fuel Oil Polishing.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy:
 - a) Coleen Weber, Office Manager
 - b) George Kasternakis, Maintenance Supervisor

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			

GRANTING APPROVAL TO 631 ASSOCIATES, LUCAS HOLDINGS, LLC, PROJECT #599

WHEREAS, the developer of 631 Associates, Lucas Holdings, LLC, Project #599 has applied to the Western Monmouth Utilities Authority for approval in connection with its complex application located in Block #172 on Lot #47 & 40.02 in the Township of Marlboro; and

WHEREAS, the applicant proposes to construct approximately 1,585 linear feet of 8" PVC SDR-35 gravity sanitary and a pump station to service a proposed four (4) lot development. The proposed gravity sewers and pump station will be constructed within the development and remain as a "private" collection system. The proposed development consists of three (3) office buildings total 50,600 SF and a warehouse with an estimated seven (7) employees. The Development is proposed to be built in phases with the 16,000 sf warehouse/garage on Lot 47.03 being first and the 2 story (30,600 sf total) office building second. The remaining lots are proposed to be sold off for development by others (Phase III). The applicant has already made connection of his private force main to the WMUA System via connection to the existing Crine Road Force Main within Tennent Road. The flow will then go to the Central Jersey Interceptor and ultimately to the Pine Brook Treatment Plant.

Safety: The Applicant must instruct the Contractors hired to install the sanitary sewer main that they are fully responsible for site safety. The Contractors must contact the Municipal Police Safety Director to insure proper compliance with safety laws and shall fully comply with all OSHA requirements.

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 Rules and Regulations of the NJDEP, WMUA and all other applicable regulatory agencies;
- b. Payment of all application, escrow and connection fees of the WMUA;
- c. Payment of all other fees of other governmental and/or regulatory agencies having jurisdiction over same;
- d. Applicants obtaining all required permits including; NJDEP TWA for sewer extensions;
- e. Applicant is required to furnish sufficient performance guarantees per the attached, in the amounts of \$224,320.17 and \$24,924.46 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.

- f. Applicant shall furnish the required escrow for construction observation as per the attached, in the amount of \$26,628.70 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 \$8,876.23. 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;
- g. Submittal of an acceptable insurance certificate naming the WMUA and its consulting engineer additionally insured and;
- h. Applicant's attendance at a preconstruction meeting.

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 approval in connection with 631 Associates, Project #599 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 March 17, 2017, and

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

- 1) 631 Associates, Lucas Holdings, Project #599
- 2) CME Associates. Consultant Engineer
- 3) Frances J. Borin, Esq.

DATE: MARCH 28, 2017

<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		X			
ROSEN			X			