

**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 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: NOVEMBER 17TH, 2011

<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			
PERNICE			X			
ROSEN	X		X			
TOUBIN			X			

**RESOLUTION AUTHORIZING THE RELEASE OF ESCROW TO CENTEX HOMES
#173**

WHEREAS, Centex Homes #173 has requested the release of its Escrow, and

WHEREAS, the General Manager recommends that any remaining balances (plus all accrued interest) be returned to the developer subject to the payment of any outstanding engineering, legal and Authority administrative fees;

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

1. Cash Surety and Escrow money shall be released to Centex Homes #173 subject to
 - a) Payment of all outstanding engineering, legal and Authority administrative fees; and
2. The Secretary is hereby authorized to forward copies of this resolution, certified to be true to
 - a) Kathy Leatherman, General Manager
 - b) Centex Homes #173

DATE: NOVEMBER 21ST, 2011

<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			
PERNICE	X		X			
ROSEN			X			
TOUBIN			X			

**RESOLUTION AWARDING CONTRACT FOR ELIZABETH HILL PUMP STATION CONTROL
PANEL UPGRADES TO PUMPING SERVICES INC.**

WHEREAS, a notice to bidders was published in the Asbury Park Press on October 15th, 2011; and

WHEREAS, on November 9th, 2011 at 10:00AM, bids were received by the Authority for the Elizabeth Hills Pump Station Control Panel Upgrades, and

WHEREAS, the Office Manager reviewed the bid set forth on the bid tally sheet of November 9th, 2011, and

WHEREAS, Pumping Services Inc., was the lowest bidder in the amount of \$41,562.00 for the Elizabeth Hills Pump Station Control Panel Upgrades, and

WHEREAS, the Office Manager has recommended that the contract for the Elizabeth Hills Pump Station Control Panel Upgrades be awarded to Pumping Services Inc., 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 Pumping Services Inc. in the amount of \$41,562.00 for the Elizabeth Hills Pump Station Control Panel Upgrades be awarded and,
2. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and Pumping Services Inc.
3. Pumping Services Inc. 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) Pumping Services Inc.
 - b) Rob Noel, Collections Superintendent
 - c) Marilyn Seidenberg, Director of Finance

DATE: NOVEMBER 21ST, 2011

<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			
PERNICE	X		X			
ROSEN			X			
TOUBIN			X			

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOTICES AND CRITERIA FOR
CONTRACT AWARDS FOR VARIOUS PROFESSIONAL AND OTHER CONTRACTS FOR
FISCAL YEAR 2012**

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 General Manager of the Western Monmouth Utilities Authority has deemed it necessary and appropriate to award contracts over \$17,500.00 for services in 2012 for the various professionals (i.e., the various positions of Auditor, Attorney, Bond Counsel, Engineers, Financial Advisor) 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 General Manager of the Western Monmouth Utilities Authority shall hereby advertise the enclosed legal notice in the *Asbury Park Press* and/or *The Star Ledger* 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 Secretary is hereby authorized to forward copies of this Resolution, certified to be a true copy to:
 - a) Katherine Leatherman, General Manager

DATE: NOVEMBER 21ST, 2011

<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			
PERNICE	X		X			
ROSEN			X			
TOUBIN			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 qualifications in the form of resumes and letter applications for the below stated positions of the Western Monmouth Utilities Authority, which shall be submitted to Steven Toubin, Chairman, 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. All qualifications shall be submitted in a sealed envelope to the Chairman to be received by no later than January 13th, 2012 at 12:00PM. Interested parties may receive criteria for the various positions from the Western Monmouth Utilities Authority prior to submission of qualifications. 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

2012 Authority Budget Resolution

Western Monmouth Utilities Authority

FISCAL YEAR: FROM FEBRUARY 1, 2012 TO JANUARY 31, 2013

WHEREAS, the Annual Budget and Capital Budget for the Western Monmouth Utilities Authority for the fiscal year beginning, February 1, 2012 and ending, January 31, 2013 has been presented before the governing body of the Western Monmouth Utilities Authority at its open public meeting of November 21, 2011; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$12,854,765.85, Total Appropriations, including any Accumulated Deficit if any, of \$12,854,765.85, Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$2,191,265.00, Total Revenues of \$543,390.31, and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$1,647,874.69; 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 21, 2011 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Western Monmouth Utilities Authority for the fiscal year beginning, February 1, 2012 and ending, January 31, 2013 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 26, 2012.



 Stephen McEnery, Secretary

November 21, 2011

DATE: NOVEMBER 21ST, 2011

<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			
PERNICE	X		X			
ROSEN			X			
TOUBIN			X			

2012 APPROVAL CERTIFICATION

Western Monmouth Utilities Authority

AUTHORITY BUDGET

FISCAL YEAR: FROM FEBRUARY 1, 2012 TO JANUARY 31, 2013

It is hereby certified that the Authority Budget, including Supplemental 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 21st day of November, 2011.

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



Stephen McEnery, Secretary

Commissioner

Western Monmouth Utilities Authority

103 Pension Road

Manalapan, NJ 07726-8401

(732) 446-9300 (732) 446-1203
(Phone number) (Fax number)

Macez@optonline.net

2012 CERTIFICATION of AUTHORITY CAPITAL BUDGET/PROGRAM

Western Monmouth Utilities Authority

FISCAL YEAR: FROM FEBRUARY 1, 2012 TO JANUARY 31, 2013

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 21st day of November, 2011.

OR

It is further certified that the governing body of the Western Monmouth Utilities 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):



Stephen McEnery, Secretary

Commissioner

Western Monmouth Utilities Authority

103 Pension Road

Manalapan, NJ 07726-8401

(732) 446-9300 (732) 446-1203
(Phone number) (Fax number)

Macez@optonline.net

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of October 6th, 2011 and October 20th, 2011 be and the same are hereby accepted for filing by the Authority.

DATE: NOVEMBER 21st, 2011

<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			
PERNICE	X		X			
ROSEN			X			
TOUBIN			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 will discuss personnel and contracts 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: NOVEMBER 3RD, 2011

<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			
PERNICE			X			
ROSEN	X		X			
TOUBIN			X			

RESOLUTION GRANTING APPROVAL TO MANALAPAN 9, LLC – 7-11 CONVENIENCE STORE #489

WHEREAS, Manalapan 9, LLC – 7-11 Convenience Store has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #489 located in Block #8, Lot 10.01 in the Township of Manalapan; and

WHEREAS, the applicant has received preliminary and final site plan approval with ancillary variance relief from the Township of Manalapan Planning Board to construct a 2,983 square foot single story addition to an existing retail building known as Bagel World Plaza for use a 7-11 Convenience Store. The applicant also proposes to construct façade improvements to the entire building as well as resurface and restriping of the parking area. The applicant is currently seeking approval of the Authority to connect the proposed 2,983 square foot addition by constructing a 4” PVC Sanitary Sewer Lateral with cleanout and fittings to the existing 8” PVC Sanitary Sewer Main located in Franklin Lane.

WHEREAS, the applicant will be required to post a performance bond for the proposed 4” PVC Lateral installed in accordance with WMUA Rules and Regulations. Inspection fees are required to cover the Authority Engineers inspection. The flow generated from the proposed project is tributary to an 8” gravity sewer on Franklin Lane to the Milford Brook interceptor, the McGelliards interceptor and ultimately the Pine Brook Treatment Plant which will accommodate the proposed flow.

WHEREAS, approval is recommended based on the following conditions:

1. Performance Bond
2. Inspection Fees
3. Payment of all application fees and professional fees including legal and engineering fees to the WMUA.
4. Conformance to the Rules and Regulations of the NJDEP, WMUA and all other applicable regulatory agencies.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with be and the same 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 October 12th, 2011.

BE IT FURTHER RESOLVED that this approval is subject to the payment of all application fees and professional fees including legal and engineering fees, the Applicant complying with the Rules and Regulations of the WMUA and the New Jersey Department of Environmental Protection.

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

- 1) Manalapan 9, LLC – 7-11 Convenience Store
- 2) T&M Associates. Consultant Engineer
- 3) John Wisniewski, Attorney

DATE: NOVEMBER 2ND, 2011

<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			
PERNICE			X			
ROSEN	X		X			
TOUBIN			X			



1Vc

WESTERN MONMOUTH UTILITIES AUTHORITY
ENGINEER'S REPORT

APPLICATION NO. (489) DATE 10/12/2011
APPLICANT Rudder Realty Corp ENGINEER John J. Ploskonka, PE
46 Main Street Concept Engineering Consultants
Millburn, NJ 07041 227 Hwy 33 East, Bldg 2, Unit 7
Manalapan, NJ 07726

DEVELOPMENT Manalapan 9, LLC - 7-11 Convenience Store (Manalapan Township)
(Block 8, Lot 10.01)

OF UNITS 1 FLOW 289.30 gpd

RECOMMENDATIONS

SITE PLAN APPROVAL BY THE MANALAPAN TOWNSHIP PLANNING BOARD WAS GRANTED BY RESOLUTION DATED AUGUST 26, 2010.

The applicant has received preliminary & final site plan approval with ancillary variance relief from the Township of Manalapan Planning Board to construct a 2,983 square foot single story addition to an existing retail building known as Bagel World Plaza for use as a 7-11 Convenience Store. The applicant also proposes to construct façade improvements to the entire building as well as resurface and restriping of the parking area, and

The applicant is currently seeking approval of the Authority to connect the proposed 2,983 square foot addition by constructing a 4" PVC Sanitary Sewer Lateral with cleanout and fittings to the existing 8" PVC Sanitary Sewer Main located in Franklin Lane.

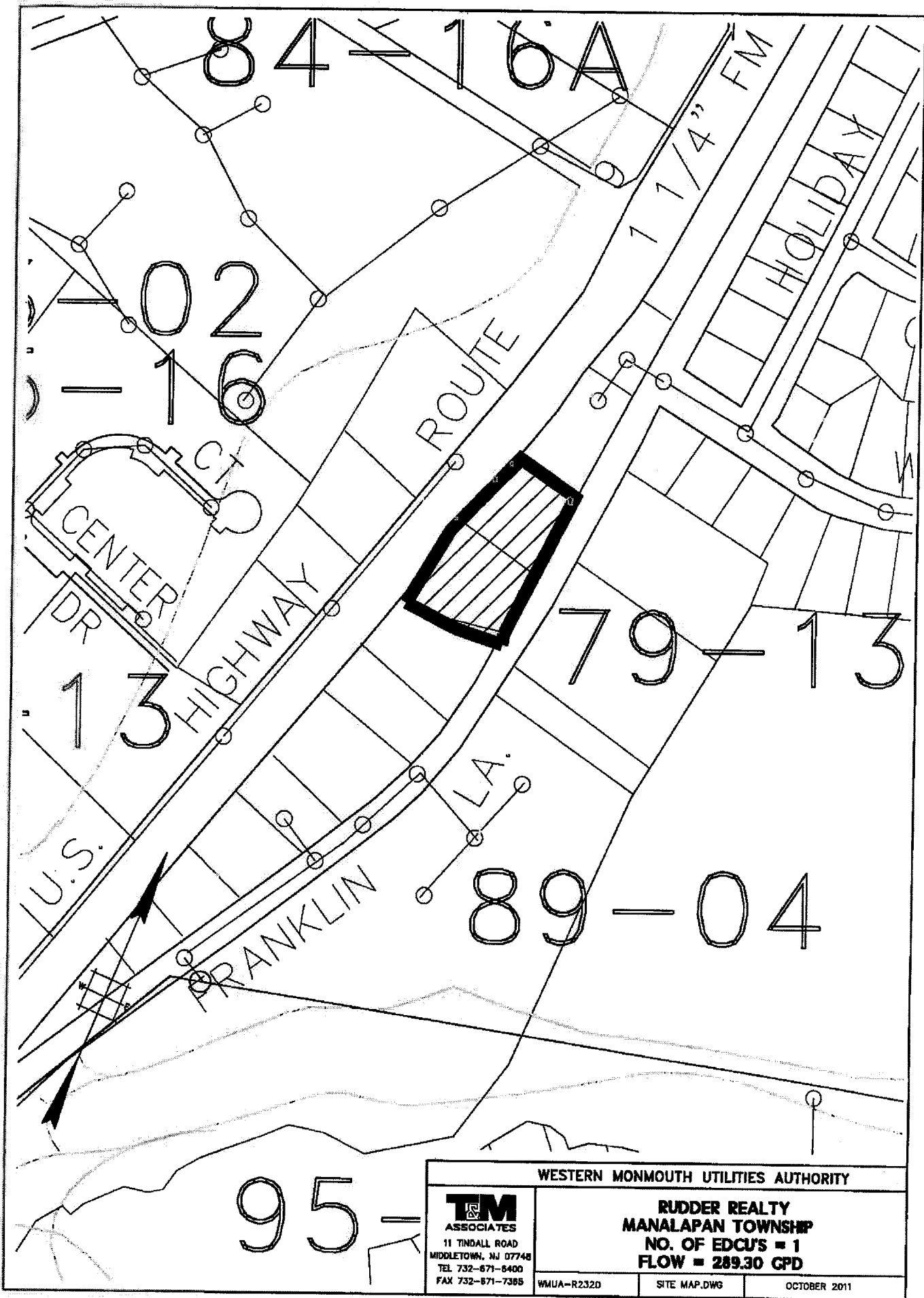
The applicant will be required to post a performance bond for the proposed 4" PVC Lateral. Inspection fees are required to cover the Authority Engineers inspection of the 4" PVC Lateral construction. The Applicant will be required to install the 4" PVC Lateral in accordance with the WMUA Rules and Regulations.

The flow generated from the proposed project is tributary to an 8" gravity sewer on Franklin Lane to the Milford Brook interceptor, the McGelliards interceptor and ultimately the Pine Brook Treatment Plant. The WMUA's downstream infrastructure has adequate capacity to accept the proposed flow.

Final approval is recommended subject to payment of all fees owed to the Authority and conformance with the Rules and Regulations of the WMUA, execution of a developer's agreement and obtaining any and all other required permit (s).


KEITH W. HENDERSON, PE, PP, PLS
SENIOR VICE PRESIDENT

cc: Authority Commissioners
Katherine Leatherman, General Manager, WMUA
John Wisniewski, Esq.
Rob Noel, Collection System Superintendent, WMUA
H:\WMUA\R2320\Calculations & Reports\Engineers Report Manalapan 9, LLC.doc



WESTERN MONMOUTH UTILITIES AUTHORITY		
TM ASSOCIATES 11 TINDALL ROAD MIDDLETOWN, NJ 07748 TEL 732-871-8400 FAX 732-871-7385	RUDDER REALTY MANALAPAN TOWNSHIP NO. OF EDCU'S = 1 FLOW = 289.30 GPD	
	WMUA-R232D	SITE MAP.DWG
OCTOBER 2011		