

**RESOLUTION AUTHORIZING PUBLIC HEARING TO SET NEW CONNECTION
FEES FOR FISCAL YEAR 2016-2017**

WHEREAS, in accordance with *NJSA 40:14B-22*, the Western Monmouth Utilities Authority shall annually revise the schedule of connection fees; and

WHEREAS, the Commissioners of the Western Monmouth Utilities Authorities propose to conduct a public hearing on Tuesday, June 28th, 2016 at the offices of the Western Monmouth Utilities Authority, 103 Pension Road, Manalapan, New Jersey at 7:00 p.m., for the purpose of setting the connection fee for the year ending January 31st, 2017, and until such time as a new connection fee is computed; and

WHEREAS, a notice of this hearing is required to be published in the Asbury Park Press and the Home News Tribune, newspapers of general circulation in the service area of the Western Monmouth Utilities Authority at least twenty (20) days prior to June 28th, 2016. This will also be available on the Authority’s website; www.wmuanj.org ; and

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

1. A public hearing shall be set on June 28th, 2016 at 7:00 p.m., at the offices of the Western Monmouth Utilities Authority.
2. Certified true copies of the Resolution shall be forwarded for publication and to:
 - a) Clerk of each Municipality serviced by the Western Monmouth Utilities Authority
 - b) Marilyn Seidenberg, Director of Finance

DATE: MAY 24, 2016

<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			

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 April 26, 2016 be and the same are hereby accepted for filing by the Authority.

DATE: MAY 24, 2016

<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	

RESOLUTION AUTHORIZING SALARY INCREASES FOR MANAGEMENT PERSONNEL

BE AND IT IS HEREBY RESOLVED, by the Commissioners of the Western Monmouth Utilities Authority that the salaries for the positions listed below are established as follows commencing February 1st, 2016 to be paid based upon a 52 week year:

NAME/TITLE	SALARY
Dane Martindell/Facilities Manager	
Marilyn Seidenberg/Director of Finance	
Katherine Leatherman/General Manager/Purchasing Agent	
Robert J. Smith/Plant Superintendent	
George White/Collections Superintendent	
Matt McCann/Assistant Collections Superintendent	
Rosemary Fillimon/Lab Supervisor/Safety Coordinator	
Leslie Warshauer/Supervising Accountant	
George Kasternakis/Maintenance Superintendent	
Coleen Weber/Office Manager	

1. These management salaries are effective as of February 1st, 2016;
2. This Resolution supersedes the previous Salary Resolutions.

BE IT FURTHER RESOLVED that the Clerk is hereby authorized to forward copies of the resolution, certified to be a true copy to all managers listed above:

DATE: MAY 24, 2016

<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						
MENDEZ						
PERNICE						
ROSEN						

16-67 TABLED

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

WHEREAS, a notice to bidders was published in the Asbury Park Press on April 30, 2016; and

WHEREAS, on May 18th, 2016 at 10:00AM, a bid was received by the Authority for Magnesium Hydroxide , for a period of 1 year thru May 30th, 2017 for the Pinebrook Treatment Plant, and

WHEREAS, the General Manager reviewed the only bid set forth on the bid tally sheet of May 18th, 2016, and

WHEREAS, **Premier Magnesia LLC**, was the only bidder in the amount of \$234,000.00 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 \$234,000.00 per year for Magnesium Hydroxide Contract for a period of one year, to expire on May 30th, 2017, 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
 - c) Marilyn Seidenberg, Director of Finance

DATE: MAY 24 2016

<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			

**AUTHORIZING PAYMENT PLAN FOR CONNECTION FEES
FOR FIELD OF DREAMS, LLC (dba SPORTIKA), PROJECT #585**

WHEREAS, the Western Monmouth Utilities Authority (“WMUA”), from time to time, and on a case-by-case basis, reviews requests for payment plans of its connection fees; and

WHEREAS, David Hocheiser of Field of Dreams, LLC, Project #585 has requested a connection fee payment plan; and

WHEREAS, the WMUA has been advised of a hardship by the owner in paying the connection fees in full, and

WHEREAS, such connection fees are paid prior to the connection in order to obtain the necessary permits, and

WHEREAS, the Authority will grant payment plans for connection fees not to exceed a period of 3 years or 36 months.

WHEREAS, David Hocheiser of Field of Dreams has requested a connection fee payment plan for a period of 3 years. A total of \$103,575.00 for a total of 25 EDCU’s (\$4,143.00 X 25) is the connection fee due for Field of Dreams, LLC. The initial payment received will be \$20,000.00, leaving a balance of \$83,575.00. They are requesting to pay \$500.00 per month for the first 12 months and then the monthly payment will increase to \$3,232.30 for the remaining 24 months, and

WHEREAS, The OWNERS will be required to pay quarterly sewer service fees going forward in addition to the connection fee payment plan; and

WHEREAS, the Commissioners of the WMUA have reviewed the request and approve of it subject to the OWNERS making timely payments to the WMUA and entering into an agreement to this effect with the WMUA; and

WHEREAS, the OWNERS are advised that if he files for protection under the Federal Bankruptcy Act, 11 *U.S.C.A.* § 101 *et seq.*, the entire unpaid balance, plus interest at one and one half percent (1½%) per month, will be due and payable to the Authority; and

WHEREAS, the OWNERS are advised that if it closes title and sells the Property, the entire unpaid balance, plus interest at one and one half percent (1½%) per month, will be due and payable to the Authority.

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

1. David Hocheiser agrees to provide and initial payment of \$20,000.00 and requests to pay \$500.00 for 12 months 1 month after receipt of the building permit and \$3,232.30 per month for the remaining 24 months for a total of \$103,575.20 in connection fees for Field of Dreams, LLC, Project #585.

4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:

- a) Marilyn Seidenberg, Director of Finance
- b) David Hocheiser/Field of Dreams, LLC, Project #585

David Hocheiser

DATE: MAY 24, 2016

<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			

**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/or 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 return to open session.

DATE: MAY 24, 2016

<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			
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McENERY		X	X			
MENDEZ			X			
PERNICE	X		X			
ROSEN			X			