

**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: JUNE 21ST, 2012

<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			
MUSICH		X	X			
PERNICE			X			
ROSEN			X			

**RESOLUTION AUTHORIZING PAYMENT PLAN FOR CONNECTION FEES
FOR MAPLE TREE PLAZA #456**

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, Carmine Casola of Maple Tree Plaza #456 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. A total of \$45,708.00 for a total of 12 EDCU’s (\$3,809.00 X 12) is the connection fee due for Maple Tree Plaza. The monthly payment will be \$1,269.67 for a total of 36 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. Carmine Casola agrees to pay \$1,269.67 per month for 36 months for a total of \$45,708.00 in connection fees for Maple Tree Plaza #456.

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) Carmine Casola/Maple Tree Plaza #456

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

**RESOLUTION AUTHORIZING PAYMENT PLAN FOR CONNECTION FEES
FOR SHELLY ROGERS, PAPA JOHNS #514**

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, Shelly Rogers of Papa Johns #514 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, Shelly Rogers has requested to pay \$1,000 per month for a total of \$15, 236.00 for a total of 4 EDCU’s (\$3,809.00 X 4), 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. Shelly Rogers agrees to pay \$1000.00 per month for 15 months with a final payment of \$236.00 for a total of \$15,236.00 in connection fees for Papa John's #514.

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) Shelly Rogers/Papa Johns #514

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

IVb

**SHELDON AND PHYLLIS ROGERS
44 NIKKI COURT
MORGANVILLE, NJ 07751
732-310-0500**

May 2, 2012

Western Monmouth Utilities Authority
103 Pension Road
Manalapan, NJ 07726

Re: 14 Route 9
Morganville, NJ 07751
Block: 176 Lot: 12

Dear Commissioners,

Due to the poor economic conditions and the necessity to find tenants to occupy commercial space, we are requesting the following from you prior to the installation of sanitary sewer at the above property. Each of these requests are due to hardship and to make it possible to fill vacant space at the above location.

1. A reduction in the five EDC's as required by CME since there are five businesses within the property. The average water consumption at the property for a three month period is between 18 and 20,000 gallons total. The new Papa John's that is about to come in, has a usage of approximately 40 gallons per day based upon bills in other stores. This is approximately an additional 3,600 gallons for the ninety day period. This totals approximately 270 gallons per day, which is far short of the estimated usage for one EDC.
2. We are requesting that no bond be required as all work will be done on our property and subject to inspection by the Marlboro Township Building Department and Plumbing Division.
3. Inspections – In the event an inspection is necessary for the core drilling of the manhole, this is also done by the plumbing inspector to ensure complete seals and should not be required by engineers.

Please consider the above with our financial ability to connect to the authority system. We are also requesting that the connection charge for EDC's be permitted to be paid at the rate of \$1000.00 per month.

Respectfully,

Sheldon Rogers

RESOLUTION REJECTING ALL BIDS FOR EDWARDS DRIVE SEWER REHABILITATION AND AUTHORIZING RE-BID

WHEREAS, a notice to bidders was published in the Asbury Park Press on April 21st, 2012; and
WHEREAS, on May 23rd, 2012 at 10:00AM, bids were received by the Authority for Edwards Drive Sewer Rehabilitation, and

WHEREAS, the Consultant Engineer, CME Associates, and the Attorney, John Wisniewski have reviewed the bids set forth on the bid tally sheet of May 23rd, 2012, and

WHEREAS, Rock Solid Construction Inc. (“Rock Solid”) was the lowest bidder, and

WHEREAS, Rock Solid withdrew its bid on June 18th, 2012; and

WHEREAS, the remaining bids substantially exceed the cost estimate for the Edwards Drive Sewer Rehabilitation Project;

WHEREAS, pursuant to N.J.S.A. 40A: 11-13.2a, the Authority is permitted to reject all bids if the lowest bid substantially exceeds the cost estimate for goods or services; and

WHEREAS, the Authority desires to reject all bids opened on May 23rd, 2012 for the Edwards Drive Sewer Rehabilitation Project.

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

1. That the May 23rd, 2012 receipt of bids is hereby rejected.
2. The Commissioners authorize CME Associates to advertise and re-bid the Edwards Drive Sewer Rehabilitation.

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

**RESOLUTION AUTHORIZING THE RELEASE OF THE CASH GUARANTEES FOR
DAUM ROAD/KNOB HILL #079**

WHEREAS, the developer of Daum Road/Knob Hill #079 has requested the release of all cash guarantees, and;

WHEREAS, there are no remaining deficiencies. T&M Associates has an outstanding accounts receivable of \$1,663.00. We request a total of \$3,500.00 be retained from the cash surety to allow payment of all outstanding accounts receivable, and

WHEREAS, T&M recommends based on the above, release of the existing cash surety and inspection escrow, and

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

1. All bonds associated with Daum Road/Knob Hill #079 be released.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to
 - a) Daum Road/Knob Hill #079
 - b) Kathy Leatherman, General Manager
 - c) Vita Mazzola, Accountant

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

Eleven Tindall Road, Middletown, New Jersey 07748-2792
(732) 671-6400 * fax (732) 671-7365 * www.tandmassociates.com



WMUA-10820

May 23, 2012

Ms. Katherine Leatherman, General Manager
Western Monmouth Utilities Authority
103 Pension Road
Manalapan, New Jersey 07726

**Re: Western Monmouth Utilities Authority
Daum Road Force Main/ Knob Hill Onsite (079) – Manalapan Township
Release of Cash Guarantee and Inspection Escrow**

Dear Ms. Leatherman:

The developer of the above referenced project, K. Hovnanian, Inc. has requested the release of the above referenced bonds. T&M has conducted the final inspection of the project and determined it to be completed. The developer submitted revised as-built plans last revised 2/22/12 in accordance with deficiencies outlined in our September 22, 2010 email to Jack Flood in paper, mylar, and CD. We have reviewed these as built plans and determined they are acceptable.


Based on the above, it is our recommendation the WMUA release the existing cash surety and inspection escrow including accrued interest for the Daum Road Force Main/ Knob Hill project #79. As of March 31, 2012 our records indicated the cash surety totaled \$195,857.40 and the inspection escrow totaled \$43.48.

The release of the cash surety and inspection escrow shall be conditioned upon the payment of all professional fees. As of the date of this letter T&M Associates has an outstanding accounts receivable of \$1,663.00. We request a total of \$3,500.00 be posted by K Hovnanian or be retained from the cash surety to allow payment of the outstanding accounts receivable and the professional fees required to accommodate this release request.

If you have any questions, please contact Jim Carr or myself at this office.

Very truly yours,

KEVIN F. TOOLAN, P.E.
WESTERN MONMOUTH UTILITIES
AUTHORITY ENGINEER



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

KFT:KWH:SS:scb

cc: Authority Commissioners
Vincent Sarabbi, Esq., WMUA Conflict Attorney
Robert Noel, Collection System Superintendent, WMUA
Kathy C. Herity, Transitions & Bonds Manager, K Hovnanian

H:\WMUA\10820\CORRESPONDENCE\Leatherman_SS_Performance Bond Release Final.doc

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**RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S
AGREEMENT WITH ROUTE 9 REALTY #482**

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 Route 9 Realty #482; 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. Route 9 Realty #482
2. CME Associates, Consultant Engineer
3. John S. Wisniewski, Attorney

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

12-67

**RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND
FOR ENCLAVE @ GLENBROOK #449**

WHEREAS, the developer of Enclave @ Glenbrook #449 has requested a Performance Bond release, and;

WHEREAS, there are no remaining deficiencies with the above referenced project. CME recommends the release of the remaining performance guarantee.

WHEREAS, CME also recommends that a two (2) year Maintenance Bond be posted in the amount of \$4,809.18 and payment of escrow monies due to the professional fees have been paid (as per attached letter dated May 17th, 2012), and

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

1. All bonds associated with the Enclave @ Glenbrook #449 be released.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to
 - a) Kathy Leatherman, General Manager
 - b) Vita Mazzola, Accountant
 - c) Enclave @ Glenbrook #449

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

IVg

JOHN H. ALLGAI, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.



TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

May 17, 2012

Ms. Katherine Leatherman, General Manager
Western Monmouth Utilities Authority
103 Pension Road
Manalapan, New Jersey 07726

Re: **Enclave @ Glenbrook
Performance Bond Release
WMUA Project No. 449
Our File No.: PWMS0412.01**

Dear Ms. Leatherman:

Relative to the Developer request for Performance Bond Release, a review of our files and on-site observations indicate all outstanding punchlist items have been completed. Therefore, this office can recommend release of performance bond contingent upon the following:

- Developer post two (2) year Maintenance Bond in the amount of \$4,809.18
- Concurrence with the Authority and the Authority Attorney
- Payment of any fee or escrow, if any.

Further any remaining escrows are to be held until such time as the Maintenance Bond is released.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

CME ASSOCIATES

Timothy W. Gillen, P.E., P.P., C.M.E.
Authority Consulting Engineer's Office

TWG/blr

cc: Rob Noel, WMUA
Stan Rojewski



RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND AND CASH SURETY AND ALL REMAINING ESCROW TO HK&S BUILDERS #165

WHEREAS, the developer of HK&S Builders#165 has requested a Performance Bond release, Cash Surety release and all remaining Escrow, and;

WHEREAS, there are no remaining deficiencies with the above referenced project. T&M recommends the release of the remaining performance guarantees and cash surety (plus accrued interest) and no maintenance bond is required, and

WHEREAS, the T&M also recommends that all remaining escrow monies be returned to the developer after all professional fees have been paid (as per attached letter dated May 14th, 2012), and

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

1. All bonds and Cash Escrow associated with the HK&S Builders #165 be released.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to
 - a) Kathy Leatherman, General Manager
 - b) Vita Mazzola, Accountant
 - c) HK&S Builders #165

DATE: JUNE 21ST, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN			X			

RESOLUTION AUTHORIZING AMENDMENT OF WMUA PERSONNEL MANUAL

WHEREAS, the Western Monmouth Utilities Authority (the "WMUA") currently has a Personnel Manual which contains internal policies to be followed by WMUA Management and employees; and

WHEREAS, the WMUA Commissioners have determined that it is in the best interest of the WMUA to update and revise the current Personnel Manual; and

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

1. The WMUA Personnel Manual which is attached hereto is adopted by the WMUA Commissioners as the new Personnel Manual to govern the internal policies of the WMUA, effective immediately.

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

1. Katherine Leatherman, General Manager
2. Dane Martindell, Facilities Manager
3. Marilyn Seidenberg, Director of Finance
4. Wisniewski and Associates, LLC

DATE: JUNE 21ST, 2012

<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			
MUSICH		X	X			
PERNICE			X			
ROSEN			X			

RESOLUTION AMENDING THE PETTY CASH FUND AND MERGING PETTY CASH FUNDS

WHEREAS, Resolution #04-134 established a petty cash fund pursuant to provisions of N.J.S.A. 8:5A-1 and,

WHEREAS, Resolution #08-72 amended Resolution #04-134 increasing the number of petty cash funds, and

WHEREAS, the Commissioners have determined that there should be one petty cash fund in the amount of \$600.00. The Director of Finance is the custodian of the Fund. The Supervising Accountant shall also be authorized to administer the Fund. The petty cash is to be utilized for payment of minor miscellaneous expenditures (under \$30.00) in order to avoid the requirement of writing numerous checks for small amounts.

WHEREAS, the custodian must keep all funds in an appropriate locked box. The custodian is solely responsible for the safe keeping and disbursement authorization of the funds. Managers are required to submit receipts to the custodian for reimbursement of legitimate WMUA business expenses. Reimbursements for the plan and collection system expenses will only be made to managers.

WHEREAS, the date, amount, general ledger account charged, explanation of the expense and signature of the person receiving each reimbursement is required. Corresponding receipts must be included in the reimbursement voucher package. The Petty Cash Fund is not intended to replace the normal requisition process... Reimbursements of the Fund should be limited to a maximum of twelve times per year. The total of the Fund's reimbursement, cash on hand, and receipts should never be more than \$600.00.

WHEREAS, the purchase order for the replenished Petty Cash should be included on the bill list for approval by the governing body. It should be available for examination with the related receipts attached. The Petty Cash Fund is not to be used for either advance expenditures or a change fund. The Petty Cash Fund is subject to audit at any time. Neglect and/or abuse of the Petty Cash Fund will terminate the established fund and be subject to further disciplinary action of the custodian.

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

1. The Petty Cash Fund shall be maintained by the Director of Finance and shall not exceed \$600.00.
2. The Director of Finance is authorized to reimburse expenditures under \$30.00.
3. 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) Gerard Stankiewicz, Samuel Klein and Company

DATE: JUNE 21ST, 2012

<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			
MUSICH		X	X			
PERNICE			X			
ROSEN			X			

RESOLUTION AUTHORIZING PUBLIC HEARING TO SET NEW CONNECTION FEES FOR FISCAL YEAR 2012-2013

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 Thursday, July 19th, 2012, at the offices of the Western Monmouth Utilities Authority, 103 Pension Road, Manalapan, New Jersey at 7:30 p.m., for the purpose of setting the connection fee for the year ending January 31st, 2013, and until such time as a new connection fee is computed; and

WHEREAS, a notice of this hearing is required to be published in a newspaper of general circulation in the service area of the Western Monmouth Utilities Authority at least twenty (20) days prior to July 19th, 2012.

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

1. A public hearing shall be set on July 19th, 2012 at 7:30 p.m., at the offices of the 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: JUNE 21ST, 2012

<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			
MUSICH		X	X			
PERNICE			X			
ROSEN			X			

**RESOLUTION CERTIFYING THAT EACH AUTHORITY COMMISSIONER HAS
REVIEWED THE AUDIT REPORT OF THE YEAR ENDING
JANUARY 31ST, 2012**

WHEREAS, N.J.S.A. 40A:5A-15 requires that the Western Monmouth Utilities Authority make an annual report of its accounts in accordance with the audit requirements promulgated by the Division of Local Government Services, Department of Community Affairs of the State of New Jersey; and

WHEREAS, the annual audit report of the Western Monmouth Utilities Authority for the fiscal year ended January 31st, 2012 has been completed by the Auditor Samuel Klein & Company and filed with the Western Monmouth Utilities Authority and the governing bodies of Manalapan Township and Marlboro Township pursuant to N.J.S.A. 40A:5A-15; and

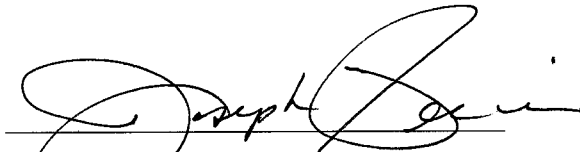
WHEREAS, N.J.S.A. 40A:5A-15 requires that the Commissioners of the Western Monmouth Utilities Authority within 45 days receipt of the annual audit report, certify by Resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report specifically the section entitled "General Comments" and "Recommendations", and provide evidence of same in a Group Affidavit to be executed in the form prescribed by the Local Finance Board; and

WHEREAS, the Commissioners of the Authority have received the annual audit report and have personally reviewed same in accordance with N.J.S.A 40A:5A-17;

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

1. The Commissioners do hereby certify to the Local Finance Board of the State of New Jersey that each Authority Commissioner has personally reviewed the annual audit report for the fiscal year ended January 31st, 2012, and have evidenced same in a Group Affidavit executed in the form prescribed by the Local Finance Board.

2. The Director of Finance is hereby directed to promptly submit to the Local Finance Board the aforesaid Group Affidavit accompanied by a certified true copy of the Resolution;
3. The Clerk is hereby authorized to forward copies of the Resolution, certified to be a true copy to:
 1. Gerard Stankiewicz, Samuel Klein & Company
 2. Marilyn Seidenberg, Director of Finance
 3. Clerk of Marlboro Township
 4. Clerk of Manalapan Township
 5. Clerk of Freehold Township
 6. Clerk of Borough of Englishtown
 7. Local Finance Board of the State of New Jersey



JOSEPH PERNICE, CHAIRMAN
WESTERN MONMOUTH UTILITIES AUTHORITY

June 21st, 2012
DATED

DATE: JUNE 21ST, 2012

<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			
MUSICH		X	X			
PERNICE			X			
ROSEN			X			

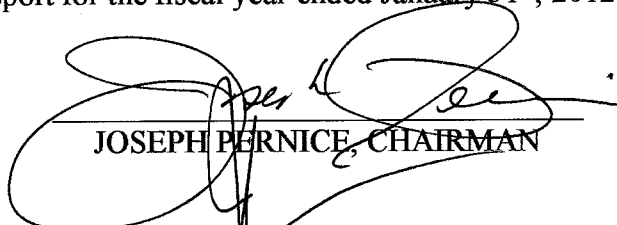
LOCAL AUTHORITIES
GROUP AFFIDAVIT FORM

PRESCRIBED BY THE
NEW JERSEY LOCAL FINANCE BOARD

AUDIT REVIEW CERTIFICATE

WE, the Commissioners of the Western Monmouth Utilities Authority, being of full age and being duly sworn according to the law upon our oath depose and say:

1. We are duly appointed member of the Western Monmouth Utilities Authority.
2. We certify, pursuant to N.J.S.A. 40:A5A-17, that which we have each reviewed the annual audit report for the fiscal year ended January 31st, 2012.



JOSEPH PERNICE, CHAIRMAN

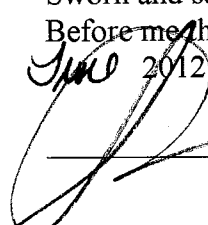
JEFF ROSEN, VICE CHAIRMAN



MARY ANN MUSICH, SECRETARY



STEPHEN McENERY, TREASURER

Sworn and subscribed to
Before me this 21st day of
 2012

ANN ZAGORSKI-FINNERTY
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JULY 19, 2012

12-61

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of May 17th, 2012 be and the same are hereby accepted for filing by the Authority.

DATE: JUNE 21ST, 2012

<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			
MUSICH		X	X			
PERNICE						X
ROSEN			X			

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of May 3rd, 2012 be and the same are hereby accepted for filing by the Authority.

DATE: JUNE 21ST, 2012

<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			
MUSICH		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 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: JUNE 7TH, 2012

<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			
MUSICH	X		X			
PERNICE			X			
ROSEN						X