

**RESOLUTION SETTING NEW CONNECTION FEE FOR FISCAL YEAR ENDING  
JANUARY 31<sup>ST</sup>, 2017**

**WHEREAS**, in accordance with N.J.S.A. 40:14B-22 the Western Monmouth Utilities Authority annually revises the schedule of connection fees; and

**WHEREAS**, pursuant to an Order of the Superior Court dated March 17<sup>th</sup>, 2000, the Authority is required to create a separate connection fee for those customers treated by Bayshore Regional Sewerage Authority; and

**WHEREAS**, pursuant to P.L.2005 Chapter 29, the Authority is required to set a separate connection fee at a 50% discount for Public Housing Authorities and non-profit organizations; and

**WHEREAS**, pursuant to the Rules and Regulations of the Authority and N.J.S.A. 40:14B-23 a Public Hearing was conducted on June 28, 2016 for the purpose of fixing the connection fee for the year ending January 31, 2017; and

**WHEREAS**, notice of the proposed hearing was sent to the Clerk of each municipality serviced by the Authority and published in the Home News Tribune and the Asbury Park Press newspaper of general circulation in the area serviced by the Authority

**WHEREAS**, at that hearing the Authority Auditor testified and presented evidence prepared by the Authority's Director of Finance concerning the calculation of the charges based on the Rules and Regulations of the Authority and N.J.S.A. 40:14B-22; and

**WHEREAS**, pursuant to these Rules and Regulations and statutes, it was determined that the connection fee for the year ending January 31, 2017 should be fixed at \$4,167.00 for those customers treated by WMUA and \$2,021.00 for those customers treated by BRSA; and

**WHEREAS**, pursuant to the Rules and Regulations and Statutes, it was determined that the connection fee for Public Housing Authority and non-profit organizations for the year ending January 31, 2017 should be fixed at \$2,083.50 for those customers treated by WMUA and \$1,010.50 for those customers treated by BRSA; and

**WHEREAS**, at that hearing an opportunity for cross examination was offered to the public and a transcript was made which shall be made available at a reasonable fee to any interested party;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the connection fees promulgated pursuant to the Rules and Regulations of the Western Monmouth Utilities Authority be fixed at \$4,167.00 for those

customers treated by the WMUA and \$2,021.00 for those customers treated by the BRSA and \$2,083.50 for Public Housing Authorities and non-profit organizations treated by WMUA and \$1,010.50 for Public Housing Authorities and non-profit organizations treated by BRSA for the year ending January 31, 2017 to be in effect until such time as a new rate is calculated;

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

1. Bayshore Regional Sewerage Authority
2. T&M Associates
3. CME Associates
4. Gerard Stankiewicz, CPA
5. Marilyn Seidenberg, Director of Finance

**DATE: JUNE 28, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**RESOLUTION CERTIFYING THAT EACH AUTHORITY COMMISSIONER HAS  
REVIEWED THE AUDIT REPORT OF THE YEAR ENDING  
JANUARY 31<sup>ST</sup>, 2016**

**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 31, 2016 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 31, 2016, 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



STEPHEN McENERY, CHAIRMAN  
WESTERN MONMOUTH UTILITIES AUTHORITY

6/28/16

DATED

DATE: JUNE 28, 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			
MENDEZ	X		X			
PERNICE			X			
ROSEN		X	X			

**LOCAL AUTHORITIES  
GROUP AFFIDAVIT FORM**

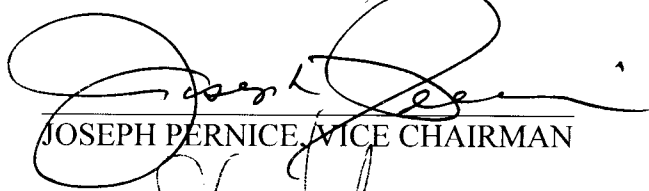
**PRESCRIBED BY THE  
NEW JERSEY LOCAL FINANCE BOARD**

**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 31, 2016.

  
STEPHEN McENERY, CHAIRMAN

  
JOSEPH PERNICE, VICE CHAIRMAN

  
GLEN MENDEZ, SECRETARY

  
JEFFREY ROSEN, TREASURER

Sworn and subscribed to  
Before me this 28<sup>th</sup> day of  
June 2016

  
ANN ZAGORSKI-FINNERTY  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES JULY 19, 2017

16-81

**GRANTING APPROVAL TO MERIDIAN LIVING @ MANALAPAN, PROJECT #603**

**WHEREAS**, Meridian Living @ Manalapan has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #603 located in Block #11.02 on Lot #27.07 in the Township of Manalapan; and

**WHEREAS**, the applicant proposes to provide sanitary sewer service for a proposed four (4) floors assisted living facility consisting of 120 beds. The proposed facility will be located off Gordon’s Corner Road between Manor Drive and Pease Road, Block 11.02, Lot 27.07 in Manalapan Township.

The Applicant proposes to provide sanitary sewer service to the assisted living facility by constructing approximately 372 LF of 6” PVC gravity sewer that is proposed to tie into an existing sanitary sewer line in an off-site easement between the proposed site and Timber Lane.

The flow generated from the proposed project is tributary to an 8” gravity sewer on the easement from the site to Timber Lane, the Milford Brook Interceptor and Pine Brook Treatment Plant. The downstream infrastructure has adequate capacity to accept the proposed flow.

**WHEREAS**, T&M 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 compliance with all ‘issues’ and terms, including plan revisions as noted above
- e. Applicant obtaining all required permits including; NJDEP TWA for sewer extensions.
- f. Submittal of an acceptable insurance certificate naming the WMUA and its consulting engineer additionally insured and
- g. Applicant’s attendance at a preconstruction meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with Meridian Living @ Manalapan, Project #603 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 June 20, 2016

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

- 1) Meridian Living @ Manalapan, Project #603
- 2) T&M Associates. Consultant Engineer
- 3) Frances J. Borin, Esq.

**DATE: JUNE 28, 2016**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**RESOLUTION AUTHORIZING EXECUTION OF TREATMENT WORKS APPLICATION  
(TWA) FOR MERIDIAN LIVING @ MANALAPAN, LLC, PROJECT #603**

**WHEREAS**, *N.J.A.C. 7:14A-22.8* requires that any person who proposes to build, install, or modify treatment works that require the New Jersey Department of Environmental Protection (hereinafter the “NJDEP”) approval shall submit information and documents, one of which is a resolution and/or written statement of consent from the affected utilities authority; and

**WHEREAS**, the Western Monmouth Utilities Authority (hereinafter, the “WMUA”) Engineer has forwarded to the WMUA a TWA-1 (Treatment Works Approval Permit Application), WQM-003 (Statements of Consent), and WQM-006 (Engineer’s Report for Domestic Treatment Works Approval Application (collectively, the “TWA Application”) with original signatures from the applicant and the applicant’s engineer; and

**WHEREAS**, T&M Associates recommends execution by the WMUA of the TWA Application in order to obtain permits authorizing the treatment works approval, and

**WHEREAS**, the WMUA Commissioners wish to designate the General Manager and T & M Associates as authorized signatories for the TWA Application in conjunction with #16-28; and

**WHEREAS**, the WMUA granted approval in Resolution #16-82 adopted on June 28, 2016 subject to, among other things, compliances with the Rules and Regulations of the WMUA and the NJDEP; and

**NOT THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. That the General Manager is hereby authorized to execute the TWA Application on behalf of the WMUA authorizing the Treatment Works Approvals for Meridian Living @ Manalapan, Project #603 in accordance with the terms set forth herein.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to by a true copy to:
  1. Katherine Leatherman, General Manager
  2. T&M Associates
  3. Meridian Living @ Manalapan LLC, Project #603

**DATE: JUNE 28, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

- i. Applicant's compliance with the Authority's Rules and Regulations associated with grease traps and associated monitoring and reporting thereon (see attached Exhibits F and G).
- j. Submittal of an acceptable insurance certificate naming the WMUA and its consulting engineer additionally insured and
- k. Applicant's attendance at a preconstruction meeting.
- l. The Developer is required to post \$3,500.00 additional engineering inspection fees prior to the release of this resolution.

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 Friendship Circle, Project #549 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 June 20, 2016, and

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

- 1) Friendship Circle, Project #549
- 2) CME Associates. Consultant Engineer
- 3) Frances J. Borin, Esq.

**DATE: JUNE 28, 2016**

<u>Commissioner</u>	<u>Motion</u>		<u>Recorded Vote</u>			
	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			



## **GRANTING APPROVAL TO FRIENDSHIP CIRCLE, PROJECT #549**

**WHEREAS**, Friendship Circle has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #549 located in Block #172 on Lots #27 and 29 in the Township of Marlboro; and

**WHEREAS**, the applicant proposes to construct a private pump station and approximately 2,188 linear feet of 2" HDPE force main to service the proposed Friendship Circle facility. The proposed private force main will contain a check valve within a manhole and an isolation valve and will connect to the existing 6" WMUA force main in Texas Road from the Elizabeth Hills Pump Station. The Applicant will make connection to the Authority's existing force main via wet tap connection. The flow will then go the Mill Ponds Pump Station, the Central Jersey Interceptor and ultimately to the Pine Brook Plant for Treatment.

Flow: The Applicant has indicated that the ultimate population of students and staff serviced by the facilities will be 300. Per N.J.A.C. 7:14A-23.3(a) schools with cafeteria, flows will be 15 gpd for a total flow of 4500 GPD. Per the Authority's Rules and Regulations Section 9.A.15 schools equals 1 EDCU per 28 students and staff, thus equating 11 EDCU's.

**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 Privately Owned Pump Station provision in the WMUA Rules and Regulations.
- b. Conformance with the Rules and Regulations of the NJDEP, WMUA and all other applicable regulatory agencies;
- c. Payment of all application, escrow and connection fees of the WMUA
- d. Payment of all other fees of other governmental and/or regulatory agencies having jurisdiction over same
- e. Applicants compliance with all 'issues' and terms, including plan revisions as noted above
- f. Applicant obtaining all required permits;
- g. Applicant is required to furnish sufficient performance guarantees per the attached, in the amounts of \$108,346.37 and \$12,038.49 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.
- h. Applicant shall furnish the required escrow for construction observation as per the attached, in the amount of \$12,861.63 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 \$4,287.21. 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;

**AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND AND CASH SURETY  
AND ALL REMAINING ESCROW TO NORTHBROOK ESTATES, PROJECT #193**

**WHEREAS**, the developer of Northbrook Estates, Project #193 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 and the developer has requested the release of the remaining performance guarantees and cash surety (plus accrued interest) and inspection fees, 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 Northbrook Estates, Project #193 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) Northbrook Estates, Project #193

**DATE: JUNE 28, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			

**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 28, 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>
<b>McENERY</b>			<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>		<b>X</b>	<b>X</b>			