

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 July 12, 2016 be and the same are hereby accepted for filing by the Authority.

DATE: AUGUST 9, 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			

AUTHORIZING GENERAL MANAGER TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS FOR PAVING AT THE WMUA TREATMENT PLANT

WHEREAS, the General Manager has requested to prepare plans and specifications, advertise and receive bids for Paving at the WMUA Treatment Plant, and

WHEREAS, the Commissioners of the Western Monmouth Utilities Authority need to authorize the General Manager to 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 Paving at the WMUA Treatment Plan.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy:
 - a) Coleen Weber, Office Manager
 - b) Robert Smith, Facilities Manager

DATE: AUGUST 9, 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			

MEMORIALIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT BETWEEN THE WESTERN MONMOUTH UTILITIES AUTHORITY AND THE TOWNSHIP OF MARLBORO

WHEREAS, the Western Monmouth Utilities Authority (WMUA) in December of 2015 had a main pipe failure on McCue Road in Marlboro and had to break into the roadway in several places to repair said pipe, and

WHEREAS, after the pipe was repaired all broken areas of the roadway were patched by the WMUA. Unfortunately, the holes in the roadway proved too large to be patched adequately and cracked and became broken fairly quickly and

WHEREAS, the Authority solicited a quote from it's Emergency Sanitary Sewer Repairs contractor to pave area affected by the main failure and disturbed by the WMUA sewer line repairs, and,

WHEREAS, the Township of Marlboro notified the Authority that they would be performing additional improvements along this length of McCue Road and that perhaps it would be cost effective for the Authority to reimburse the Township of Marlboro for the length of the WMUA repair, and

WHEREAS, The Executive Director agreed that since they already had a bid in place for paving in Marlboro Township that the WMUA would be better served by reimbursing Marlboro upon completion of the paving of McCue Road

WHEREAS, pursuant to *N.J.S.A. 40:8A-1 et seq.*, the WMUA is authorized to facilitate and promote interlocal and regional shared service agreements;

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

1. The WMUA Executive Director is authorized to reimburse the Township of Marlboro for the re-paving of the portion of McCue Road that the Authority damaged during its repair.
2. The payment to Marlboro Township will be presented on a Bill List after the services have been received.
3. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
 - a. Jonathan Capp, Marlboro Township
 - b. Marilyn Seidenberg, Director of Finance
 - c. Coleen Weber, Office Manager

DATE: August 9, 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			

**GRANTING APPROVAL TO THE STATE OF NEW JERSEY, FOR THE RMS
FACILITY/MATTIE HOUSE, PROJECT #582**

WHEREAS, the State of New Jersey, Department of Treasury has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #582 for the RMS Facility/Mattie House located in Blocks 157 and 159 on Lots 34.01, 34.03 and 11 in the Township of Marlboro; and

WHEREAS, the applicant proposes to construct approximately 150 linear feet of 8" PVC SDR-35 gravity sanitary sewer, a pump station and approximately 4,700 linear feet of 2" HDPE force main to service the existing RMS Facility and Mattie House. The proposed gravity sewer and force main will be constructed within Conover Road. The applicant will make connection to the Authority's existing collection system via connection to an existing manhole near the intersection of Conover Road and Imbrie Place. In order to allow for adequate downstream capacity the applicant has been required to reconstruct an existing manhole in the intersection of Ridge Road and Blossom Avenue which will redirect flow from the Georgetown Pump Station away from the Conover Road Pump Station. The Flow associated with this project will go to the Conover Road Pump Station, Crine Road Pump Station and ultimately to the Pine Brook Wastewater Treatment Plant for treatment.

The Applicant has indicated that the RMS Facility and Mattie House contain 280 beds and 16 beds respectively. Per the Authority's Rules and Regulations Section 9.A19. assisted living facilities equals 2 EDCU's for each 5 beds. Accordingly the RMS Facility equates to 112 EDCU's and Mattie equates to 7 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. Response to review comments issued on May 31, 2016;
- b. Applicants acknowledgement that all the existing and proposed gravity sewers and laterals, including those within Conover Road, will be owned and operated by the Applicant;
- c. Conformance with the Rules and Regulations of the NJDEP, WMUA and all other applicable regulatory agencies
- d. Conformance with the Privately Owned Pumping Station and Sanitary Sewers provisions in the WMUA Rules and Regulations;
- e. Conformance with the WMUA Grease Trap Registration Form and Annual Grease Trap Monitoring Report;
- f. Payment of all application, escrow and connection fees of the WMUA;
- g. Payment of all other fees of other Governmental and/or regulatory agencies having jurisdiction over same
- h. Applicants compliance with all 'issues' and terms, including plan revisions as noted above
- i. Applicant obtaining all required permits including; NJDEP TWA for sewer extensions.

- j. Applicant is required to furnish sufficient performance guarantees per the attached, in the amounts of \$473,023.13 and \$52,558.46 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 the Authority Attorney.
- k. Applicant shall furnish the required escrow for construction observation as per the attached, in the amount of \$56,152.20 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 \$18,717.40. If the 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
- l. Submittal of an acceptable insurance certificate naming the WMUA and its Consulting Engineer additionally insured and;
- m. Applicant's attendance at a preconstruction meeting.

Upon the Authority granting approval of the Application, construction on 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 the State of New Jersey, Department of the Treasury for the RMS Facility/ Mattie House, Project #582 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 July 18, 2016.

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

- 1) State of New Jersey, Department of Treasury for the RMS Facility/ Mattie House, Project #582
- 2) CME Associates. Consultant Engineer
- 3) Jim Carr, Manager of Engineering Services
- 4) Frances J. Borin, Esq.

DATE: AUGUST 9, 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			

AUTHORIZING REDUCTION IN CHANGE ORDER #1 FOR FMB HVAC/BOILER REPLACEMENT PROJECT

WHEREAS, T&M Associates, the Consultant Engineer recommended to the Authority that Change Order #1 be approved in the Contract for FMB HVAC/Boiler Replacement Project, and

WHEREAS, Change Order #1 was approved April 28, 2015 in Resolution #15-67, and

WHEREAS, Change Order #1 has been reduced from \$42,570.00 to \$21,713.88 and this is the final change order as the project by Thassian Mechanical is now complete, and

Original Contract Price	\$ 963,000.00
Previous Changes	\$ 42,570.00
Change Order #1	\$ (21,713.88)
Net Change	\$ 20,856.12
Revised Contract Price	\$ 983,856.12

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

1. The General Manager is hereby authorized to execute revised Change Order #1 dated August 9, 2016, Resolution #16-99 in accordance with its terms.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
 - a) T&M Associates
 - b) Thassian Mechanical
 - c) Marilyn Seidenberg, Director of Finance

DATE: AUGUST 9, 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			

GRANTING APPROVAL TO PASMEL SUBDIVISION, PROJECT #619

WHEREAS, the Pasmel Subdivision has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #619 located at Block #268.07 in Lot #21 in the Township of Marlboro; and

WHEREAS, the applicant proposes to provide sanitary sewer service to four (4) new lots created by the subdivision of Block 268.07, Lot 21 in Marlboro Township. A single family dwelling is proposed to be constructed on each lot. The property is located on Monmouth County Road 520 across from Ginesi Drive. The Applicant proposes to provide sanitary sewer service to the above mentioned properties by constructing approximately 477 L.F. of 8” PVC sanitary sewer, two (2) new manholes and four (4) – 4” service laterals. The proposed sewer extension will connect to an existing manhole located within Ginesi Drive. The flow generated from the proposed project is tributary to the Mill Ponds Pump Station and the Central Jersey Interceptor. The downstream infrastructure has adequate capacity to accept the proposed flow.

WHEREAS, Jim Carr, WMUA’s Manager of Engineering Services 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. Applicant obtaining all required permits including; NJDEP TWA for sewer extensions

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with the Pasmel Subdivision, Project #619 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 Manager of Engineering Services, dated August 2, 2016.

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

- 1) Pasmel Subdivision, Project #619
- 2) Jim Carr, Manager of Engineering Services
- 3) Frances J. Borin, Esq.

DATE: AUGUST 9, 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			

**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

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: AUGUST 9, 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			