

**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: AUGUST 16TH, 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 NINETY (90) DAY TRIAL PERIOD OF
THE FREEHOLD POINTE PUMP STATION (381PS)**

WHEREAS, the developer has requested that the Western Monmouth Utilities Authority (WMUA) takeover the ownership and operation cost of the Freehold Pointe Pump Station (381); and

WHEREAS, CME Associates has recommended the commencement of the ninety day trial period of the pump station by the Authority subject to certain conditions attached in the consultant engineers letter dated August 13th, 2012; and

WHEREAS, the Authority rules and regulations state as follows:

The following procedures shall be followed for the release of performance guarantees pertaining to pump stations and/or force mains. Upon certification by Authority Engineer that pump station is substantially complete, the performance guarantee provided by the Developer associated with a proposed pump station and force main shall be reduced up to a maximum of eighty (80) percent. The Authority shall operate at its expense, the pump station for a period of ninety (90) calendar days thereafter. All deficiencies identified by the Authority's operating personnel and Authority Engineer during this ninety (90) day period shall be corrected by the Developer prior to releasing the remaining twenty (20) percent of the performance guarantee and the Authority's taking over ownership of the pump station.

WHEREAS, CME Associates, in accordance with the rules and regulations has certified to the Authority that the pump station is substantially complete; and

NOW THEREFORE BE AND IS HEREBY RESOLVED by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Authority shall take over the operation and ownership of the Freehold Pointe Pump Station (381).
2. The ninety (90) day time period shall commence on September 1st, 2012.
3. Pulte Homes shall pay all outstanding engineering fees and other escrow fees.

5. The Authority shall operate the pump station at its expense for period of ninety (90) calendar days from September 1st, 2012.
6. All deficiencies identified by the Authority's operation personnel and Authority Engineer during the ninety (90) day time period shall be corrected by the developer.
7. The Authority attorneys be and they are hereby authorized to take all steps necessary to effectuate this takeover of the pump station. Performance Bonds have been reduced at this time.
8. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
 1. Rob Noel, Collections Superintendent
 2. Coleen Weber, Office Manager
 3. Pulte Homes

DATE: AUGUST 16TH, 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			
PERNICE			X			
ROSEN	X		X			

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JOHN H. ALLGAIR, 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.

August 13, 2012

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

Re: **Ninety Day Trial Period**
Freehold Pointe Pump Station
WMUA Project No. 391
Our File No. PWMS0015.02

Dear Ms. Leatherman:

Please be advised that an inspection of the Freehold Pointe Pumping Station was performed on August 7, 2012 with representatives of this office, Authority Staff, and the Developer's representative and his contract operator.

All prior punchlist items, as previously noted, have been corrected or otherwise addressed. Accordingly, as per the Authority's Rules and Regulations, we can recommend that the Authority, by Resolution, initiate the ninety (90) day trial operations period.


In addition, the Developer has been advised through prior correspondence from this office, that during the trial period, the Authority reserves its right to present additional comments relative to the Facility's operations and conformance with the Rules and Regulations.

Upon your consideration and approval, we will furnish your office with the necessary documentation relative to the Facility during, one (1) copy of the approved Pump Station Site Plan and Engineer's Specification, one (1) bound set of approved shop drawings, and one (1) bound Operations and Maintenance Manual. Certification of the backflow preventer will occur during the ninety (90) day trial period.

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: Annie Finnerty
Rob Noel
John Sawicki
Matt Gilrain, Envconsulting1@comcast.net
Matt Engardone, Pulte Homes - 222 Mt Airy Road - Basking Ridge, NJ 07920



RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE BOND AND CASH SURETY FOR WOODWARD ROAD PUMP STATION #2 385 PS2

WHEREAS, the developer of Woodward Road Pump Station #2 385 PS 2, K. Hovnanian has requested a reduction of the Performance Bond and Cash Surety and;

WHEREAS, T&M Associates has recommended the Performance Guarantee and Cash Surety be reduced, and

WHEREAS, the remaining 20% of the Guarantees will be held to cover the cost associated with the private operation of the pumping station and the work associated to correct the outstanding issues previously identified by T&M Associates for the pumping station, and

WHEREAS, the Consulting Engineer recommends that the performance bond in the amount of \$1,860,019.00 be reduced to \$372,003.80 and the cash surety in the amount of \$206,669.00 (plus interest) be reduced to \$41,333.80 provided all professional fees are current.

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

1. The Performance Bond in the amount of \$1,860,019.00 be reduced to \$372,003.80.
2. Cash Surety in the amount of \$206,669.00 (plus interest) be reduced to \$41,333.80.
2. The completion of all deficiencies noted on the Consulting engineers report dated August 7th, 2012 is attached hereto.
3. All professional fees must be current.
3. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to
 - a) Kathy Leatherman, General Manager
 - b) T&M Associates
 - c) K. Hovnanian

DATE: AUGUST 16, 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			
PERNICE			X			
ROSEN	X		X			

WMUA-II114.A.A

August 7, 2012

Ms. Katherine Leatherman, General Manager
Western Monmouth Utilities Authority
103 Pension Rd.
Manalapan, NJ, 07726

**Re: Western Monmouth Utilities Authority
Woodward Road Pumping Station No. 2 (385PS2)
Requirements for Second 90 Day Trial Period**

Dear Ms. Leatherman:

On June 28, 2011, the applicant of the above referenced project K. Hovnanian, requested that the Second 90 Day Trial Period commence and the existing Performance Bond be reduced for the above referenced project. The initial 90 Day trial Period was terminated on April 30, 2012 and turned back over to K. Hovnanian because of several deficient items one considered to be substantial (deficient flow rates of the existing pumps). The pumps impellers were replaced and the pump station was determined to be substantially complete on August 6, 2012.

The WMUA Rules and Regulations state the following:

Upon commencement of operation of the pumping station and/or force main, the Applicant may request a reduction of the performance guarantee associated with the proposed pumping station and force main. The performance guarantee shall be reduced up to a maximum of eighty (80) percent of the performance guarantee. At this time, the WMUA Engineer shall generate a list of deficiencies if applicable. The Applicant shall be responsible for completing all deficiencies. Only after the WMUA Engineer has certified that all outstanding deficiencies are corrected, the WMUA, by way of a resolution by the Commissioners, will commence the ninety (90) calendar day trial operational period as mentioned in Section 3(E)(8).

In my discussion with Rob Noel it was determined the work completed to date is satisfactory to begin the Second 90 Day Trial Period. Based on this, we recommend the Second 90 Day Trial Period begin on September 1, 2012.

Please be advised we are requiring that the following items be addressed by the applicant prior to the end of the Second 90 Day Trial Period of the Woodward Road Pumping Station No. 2:

1. A motorized valve opener must be supplied to the WMUA.
2. The driveway/tree & vegetation overgrowth situation must be reviewed by KHov to determine if proper sight distance exists at the base of the driveway can be developed to

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SOLID WASTE • TRANSPORTATION • WATER & WASTEWATER



allow safe egress. If it's determined that tree pruning/clearing is necessary to provide safe egress, KHov must obtain permission from the owner to perform the work required. T&M will work with KHov and the Township to determine ownership and access rights to the property where the tree/vegetation growth exists.

In accordance with the Rules and Regulations and the Developer's Agreement for the project, we recommend that the Performance Guarantees be reduced to a value of 20% of the original Performance Guarantees provided for the project by the developer. The remaining 20% of the Guarantees will be held to cover the cost associated with the private operation of the pumping station and the work associated to correct the outstanding issues previously identified by T&M for the pumping station. Consequently, we recommend that the Performance Bond in the amount of \$1,860,019.00 be reduced to \$372,003.80 and the Cash Surety in the amount of \$206,669.00 (plus interest) be reduced to \$41,333.80 provided all professional fees are current.

After successful completion of the Second 90 Day Trial Period, the WMUA will assume, by resolution, ownership of the pumping station.

We request consideration for a September 1, 2012 start up of the Second 90 Day Trial Period and Performance Bond Reduction for the Woodward Road Pumping Station No. 2 be placed on the next meeting agenda.

If you have any questions, please contact Stephen Schreiber, P.E. at this office.

Very truly yours,

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

KEITH W. HENDERSON, P.E., P.P., P.L.S.
SENIOR VICE PRESIDENT

KFT:KWH:SS:scb

Enclosure

cc: Authority Commissioners
Vincent Sarubbi, Esq, Archer & Greiner, Conflict Attorney
Robert Noel, Collections System Superintendent, WMUA
Tom Parvesse, LDM, K. Hovnanian Homes
Kelly Higgins, Bond Manager, K. Hovnanian Homes
Jack Flood, American Associates

**RESOLUTION AUTHORIZING THE TAKEOVER OF THE WOODWARD ROAD
PUMP STATION #1 #385PS2**

WHEREAS, the developer, K. Hovnanian Homes has requested that the Western Monmouth Utilities Authority (Authority) takeover the ownership and operation cost of the Woodward Road Pump Station #385PS2; and

WHEREAS, the consulting engineer, T&M Associates has recommended the takeover of the pump station by the Authority effective September 1st, 2012, subject to certain conditions; and

WHEREAS, the Authority rules and regulations state as follows:

The following procedures shall be followed for the release of performance guarantees pertaining to pump stations and/or force mains. Upon certification by Authority Engineer that pump station is substantially complete, the performance guarantee provided by the Developer associated with a proposed pump station and force main shall be reduced up to a maximum of eighty (80) percent. The Authority shall operate at its expense, the pump station for a period of ninety (90) calendar days thereafter. All deficiencies identified by the Authority's operating personnel and Authority Engineer during this ninety (90) day period shall be corrected by the Developer prior to releasing the remaining twenty (20) percent of the performance guarantee and the Authority's taking over ownership of the pump station.

WHEREAS, T&M Associates, in accordance with the rules and regulations has certified to the Authority that the pump station is substantially complete; and

NOW THEREFORE BE AND IS HEREBY RESOLVED by the Commissioners of the Western Monmouth Utilities Authority as follows:

1. The Authority shall take over the operation and ownership of the Woodward Road pump station #385PS2 and be solely responsible for its operation effective September 1st, 2012.
2. The ninety (90) day time period has been completed.
3. K Hovnanian shall post a title policy in an amount to be determined by the Authority Engineer and or General Manager if it has not already done so.

6. All deficiencies identified by the Authority's operation personnel and Authority Engineer during the ninety (90) day time period shall be corrected by the developer prior to releasing the remaining 20% of the performance guarantee

7. The Authority attorneys be and they are hereby authorized to take all steps necessary to effectuate this takeover of the pump station.

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

1. Rob Noel, Collection Superintendent
2. K. Hovnanian, Woodward Road Pump Station #385PS2

DATE: AUGUST 16TH, 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			
PERNICE			X			
ROSEN	X		X			

RESOLUTION AWARDING BID FOR EDWARDS DRIVE SEWER REHABILITATION TO LUCAS CONSTRUCTION GROUP

WHEREAS, a notice to bidders was published in the Asbury Park Press on July 12th, 2012; and

WHEREAS, on August 2nd, 2012 at 10:00am, bids were received by CME Associates at the Authority for Edwards Drive Sewer Rehabilitation, and

WHEREAS, CME Associates and Wisniewski & Associates reviewed the bids set forth on the bid tally sheet of August 2nd, 2012, and

WHEREAS, Lucas Construction Group was the apparent low bidder in the amount of \$129,775.00, 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 Lucas Construction Group in the amount of \$129,775.00 is accepted for the Edwards Drive Sewer Rehabilitation.
2. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and Lucas Construction Group.
3. Lucas Construction Group 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) Robert Noel, Collections Superintendent
 - b) Lucas Construction Group
 - c) Coleen Weber, Office Manager

DATE: AUGUST 16TH, 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			
PERNICE			X			
ROSEN	X		X			

**RESOLUTION HIRING DWAYNE ANGLE Y AS OPERATOR, EFFECTIVE
SEPTEMBER 10TH, 2012**

WHEREAS, there presently exists a vacancy in the Western Monmouth Utilities Authority for the position of Operator; and

WHEREAS, the Plant Superintendent has recommended the appointment of Dwayne Angley to the position of Operator; and

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

1. Dwayne Angley be and she is hereby appointed to the position of Operator effective as of September 10th, 2012 at an hourly rate of \$26.8309 per hour.
2. The Clerk is hereby authorized and directed to forward certified copies of this Resolution to:
 - a) Vita Mazzola, Accountant
 - b) Local Union 701
 - c) Dwayne Angley

DATE: AUGUST 16TH, 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			
PERNICE			X			
ROSEN	X		X			

WESTERN MONMOUTH UTILITIES AUTHORITY

AUTHORITY BUDGET AMENDMENT NO. 1 RESOLUTION

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 Commissioners of the Western Monmouth Utilities Authority at its open public meeting of November 21, 2011; and

WHEREAS, such budget was adopted on January 26, 2012; and

WHEREAS, it is the desire of the Authority to Amend said budget; and

WHEREAS, the Director of Finance has reviewed Authority financial records and recommends the amendment; and

WHEREAS, the Authority Financial Advisor to the Authority on this matter has reviewed, concurs with the recommendation on the amendment; and

WHEREAS, the Authority requires additional funds; and

WHEREAS, N.J.A.C. 5:31-2.2 and 5:31-2.8 provides that all amendments to the adopted budget and capital budget shall be approved and adopted by resolution of the Authority, passed by not less than a majority of the full membership; and

WHEREAS, such amendment is beneficial to the environmental condition, financial condition and necessary for proper maintenance and operation of the Authority on behalf of the ratepayers; and

WHEREAS, the Capital Budget is amended as follows in accordance with attached detailed budget schedule (CB-3):

<u>Capital Budget</u>	<u>Adopted</u>	<u>Amended</u>	<u>Increase</u>	<u>Ref.</u>
Appropriation:	\$ 2,191,265.00	\$ 2,341,265.00	\$ 150,000.00	*
Net Assets Utilitized:	\$ 1,647,874.69	\$ 1,797,874.69	\$ 150,000.00	*

* *Explanatory statement budget appropriation need as follows – (1) It has recently become necessary to provide for the replacement of two (2) Pump Stations (Brunswick Drive and Prince William) emergency generators; (2) In order to participate in the NJEIT Low Interest Loan Program for 2014, the Authority must do preliminary engineering planning and prepare application documents in order to meet the loan program time guidelines. Neither of which were provided for at the time of budget preparation.*

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the Annual Budget and Capital Budget for the fiscal year ended January 31, 2013 is hereby amended in accordance with the attached schedules labeled Page 4, Page 5/6, SS-4 through SS-9 and CB-3.

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. Marilyn Seidenberg, Director of Finance
3. Gerard Stankiewicz, CPA
4. Ricky Barnes, Authority Trustee at U.S. Bank; State of New Jersey Department of Community Affairs, Bureau of Authority Regulation (two copies within 3 days)
5. Township Clerk of Marlboro and Manalapan (within 3 days)

CERTIFICATION

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Members on the 16th day of August, 2012.

Mary Ann Musich

 Mary Ann Musich, Secretary
 Western Monmouth Utilities Authority

DATE: August 16, 2012

<u>Commissioners</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			
PERNICE			X			
ROSEN	X		X			

12-85

8/16/2012

2012

AUTHORITY CAPITAL PROGRAM

Western Monmouth Utilities Authority

FISCAL YEAR: From February 1, 2012 TO January 31, 2013

PROPOSED YEAR'S CAPITAL IMPROVEMENT PLAN

PROPOSED YEAR'S CAPITAL IMPROVEMENT PLAN
PAGE CB-3 (Amended)

<u>PROJECTS</u>	<u>FUNDING SOURCES</u>				
	<u>ESTIMATED TOTAL COST</u>	<u>UNRESTRICTED NET ASSETS</u>	<u>RENEWAL & REPLACEMENT RESERVE</u>	<u>DEBT * AUTHORIZATION</u>	<u>OTHER ** SOURCES</u>
I. Pump Stations Generators	\$ 125,000.00	\$ 125,000.00			***
CC. Fixed Equipment - Pump Stations (5) Upgrades: Preliminary	\$ 25,000.00	\$ 25,000.00			
TOTAL	\$ 2,341,265.00	\$ 1,797,874.69			\$ 543,390.31

Summary:

	<u>From</u>	<u>To</u>	<u>Increase/ (Decrease)</u>
Capital Budget Appropriation:			
Pump Station Generators	\$ -	\$ 125,000.00	\$ 125,000.00
Pump Station Upgrades		\$ 25,000.00	\$ 25,000.00
Total Capital Budget	\$ 2,191,265.00	\$ 2,341,265.00	\$ 150,000.00

CB-3
12-85

8/16/2012

WESTERN MONMOUTH UTILITIES AUTHORITY

AUTHORITY BUDGET AMENDMENT NO. 1 RESOLUTION

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 Commissioners of the Western Monmouth Utilities Authority at its open public meeting of November 21, 2011; and

WHEREAS, such budget was adopted on January 26, 2012; and

WHEREAS, it is the desire of the Authority to Amend said budget; and

WHEREAS, the Director of Finance has reviewed Authority financial records and recommends the amendment; and

WHEREAS, the Authority Financial Advisor to the Authority on this matter has reviewed, concurs with the recommendation on the amendment; and

WHEREAS, the Authority requires additional funds; and

WHEREAS, N.J.A.C. 5:31-2.2 and 5:31-2.8 provides that all amendments to the adopted budget and capital budget shall be approved and adopted by resolution of the Authority, passed by not less than a majority of the full membership; and

WHEREAS, such amendment is beneficial to the environmental condition, financial condition and necessary for proper maintenance and operation of the Authority on behalf of the ratepayers; and

WHEREAS, the Capital Budget is amended as follows in accordance with attached detailed budget schedule (CB-3):

<u>Capital Budget</u>	<u>Adopted</u>	<u>Amended</u>	<u>Increase</u>	<u>Ref.</u>
Appropriation:	\$ 2,191,265.00	\$ 2,341,265.00	\$ 150,000.00	*
Net Assets Utilitized:	\$ 1,647,874.69	\$ 1,797,874.69	\$ 150,000.00	*

* *Explanatory statement budget appropriation need as follows – (1) It has recently become necessary to provide for the replacement of two (2) Pump Stations (Brunswick Drive and Prince William) emergency generators; (2) In order to participate in the NJEIT Low Interest Loan Program for 2014, the Authority must do preliminary engineering planning and prepare application documents in order to meet the loan program time guidelines. Neither of which were provided for at the time of budget preparation.*

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the Annual Budget and Capital Budget for the fiscal year ended January 31, 2013 is hereby amended in accordance with the attached schedules labeled Page 4, Page 5/6, SS-4 through SS-9 and CB-3.

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. Marilyn Seidenberg, Director of Finance
3. Gerard Stankiewicz, CPA
4. Ricky Barnes, Authority Trustee at U.S. Bank; State of New Jersey Department of Community Affairs, Bureau of Authority Regulation (two copies within 3 days)
5. Township Clerk of Marlboro and Manalapan (within 3 days)

CERTIFICATION

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Members on the 16th day of August, 2012.

Mary Ann Musich, Secretary
Western Monmouth Utilities Authority

DATE: August 16, 2012

<u>Commissioners</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			
PERNICE			X			
ROSEN	X		X			

12-85

8/16/2012

2012

AUTHORITY CAPITAL PROGRAM

Western Monmouth Utilities Authority

FISCAL YEAR: From February 1, 2012 TO January 31, 2013

PROPOSED YEAR'S CAPITAL IMPROVEMENT PLAN

**PROPOSED YEAR'S CAPITAL IMPROVEMENT PLAN
PAGE CB-3 (Amended)**

<u>PROJECTS</u>	<u>FUNDING SOURCES</u>				
	<u>ESTIMATED TOTAL COST</u>	<u>UNRESTRICTED NET ASSETS</u>	<u>RENEWAL & REPLACEMENT RESERVE</u>	<u>DEBT * AUTHORIZATION</u>	<u>OTHER ** SOURCES</u>
I. Pump Stations Generators	\$ 125,000.00	\$ 125,000.00			***
CC. Fixed Equipment - Pump Stations (5) Upgrades: Preliminary	\$ 25,000.00	\$ 25,000.00			
TOTAL	\$ 2,341,265.00	\$ 1,797,874.69			\$ 543,390.31

Summary:

	<u>From</u>	<u>To</u>	<u>Increase/ (Decrease)</u>
Capital Budget Appropriation:			
Pump Station Generators	\$ -	\$ 125,000.00	\$ 125,000.00
Pump Station Upgrades		\$ 25,000.00	\$ 25,000.00
Total Capital Budget	\$ 2,191,265.00	\$ 2,341,265.00	\$ 150,000.00

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of July 19th, 2012 be and the same are hereby accepted for filing by the Authority.

DATE: AUGUST 16TH, 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			
PERNICE			X			
ROSEN		X	X			

**RESOLUTION SETTING NEW CONNECTION FEE FOR FISCAL YEAR ENDING
JANUARY 31ST, 2013**

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 17th, 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 August 16th, 2012 for the purpose of fixing the connection fee for the year ending January 31st, 2013; and

WHEREAS, notice of the proposed hearing was sent to the Clerk of each municipality serviced by the Authority and published in the Star Ledger 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 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 31st, 2013 should be fixed at \$3,907.00 for those customers treated by WMUA and \$1,895.00 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 31st, 2013 should be fixed at \$1,953.50 for those customers treated by WMUA and \$947.50 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 \$3,907.00 for those

customers treated by the WMUA and \$1,895.00 for those customers treated by the BRSA and \$1,953.50 for Public Housing Authorities and non-profit organizations treated by WMUA and \$947.50 for Public Housing Authorities and non-profit organizations treated by BRSA for the year ending January 31st, 2013 to be in effect until such time as a new rate is calculated;

BE IT FURTHER RESOLVED that the Secretary 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: AUGUST 16TH, 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			