

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 28th, 2015 be and the same are hereby accepted for filing by the Authority.

DATE: MAY 26TH, 2015

<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		X			
PERNICE			X			
ROSEN			X			

**RESOLUTION AUTHORIZING BUDGET TRANSFER #2 FOR THE
YEAR ENDING JANUARY 31ST, 2015**

WHEREAS, the Western Monmouth Utilities Authority has heretofore adopted its annual budget for the year ending January 31, 2015 and has set aside certain funds to be spent in connection with certain budget items; and

WHEREAS, the Commissioners of the Western Monmouth Utilities Authority have determined that there is a need for certain additional monies in certain budget items and that there is an excess of monies in other budget items; and

WHEREAS, the Director of Finance has requested that the budget be amended by the transfer of certain amounts between budget items in accordance with the schedule below:

	From:	To:	(Decrease)
1501 Administration Salaries	395,000.00	364,000.00	(31,000.00)
1600 Plant Management Salaries	512,000.00	519,000.00	7,000.00
1605 Engineering Fees	150,000.00	169,000.00	19,000.00
1608 Water	22,500.00	24,000.00	1,500.00
1615 State Operating Fees	46,500.00	50,000.00	3,500.00
	<u>1,126,000.00</u>	<u>1,126,000.00</u>	<u>0.00</u>

WHEREAS, the General Manager is authorized to approve past year end budget transfers subject to ratification by the Commissioners no later than May 31st, 2015.

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

1. The budget for the year ending January 31st, 2015 be and the same is hereby amended in accordance with the request of the Director of Finance.
2. The Clerk is authorized to forward copies of the resolution, certified to be a true copy to
 - a. Gerard Stankiewicz, Auditor
 - b. Marilyn Seidenberg, Director of Finance

DATE: May 26TH, 2015

<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		X			
PERNICE			X			
ROSEN			X			

RESOLUTION AUTHORIZING PUBLIC HEARING TO SET NEW CONNECTION FEES FOR FISCAL YEAR 2015-2016

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 23rd, 2015 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, 2016, 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 Star Ledger and the Asbury Park Press, newspapers of general circulation in the service area of the Western Monmouth Utilities Authority at least twenty (20) days prior to June 23rd, 2015. 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 23rd, 2015 at 7:00 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: MAY 26TH, 2015

<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		X			
PERNICE			X			
ROSEN			X			

**RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE
GUARANTEE FOR AMERICAN BURMA BUDDHIST ASSOCIATION, PROJECT #01-38**

WHEREAS, the developer of the American Burma Buddhist Association, Project #01-38 has requested the release of the Performance Guarantee and the posting of a two-year maintenance bond, and;

WHEREAS, T&M Associates recommends the Performance Guarantee to be released with \$1,000.00 being held to cover the cost associated with the Maintenance Bond Inspection that will take place at the end of the maintenance as per the letter dated May 15th, 2015 hereto attached, and

WHEREAS, the developer has submitted an acceptable two (2) year maintenance guarantee in the amount of \$1,530.18, and

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

1. The Performance Guarantee be released with \$1,000.00 being held.
2. Posting of a two-year maintenance guarantee in an amount equal to \$1,530.18.
3. All professional fees must be current and the balance of the escrow shall be returned.
4. 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) American Burma Buddhist Association, Project #01-38

DATE: MAY 26TH, 2015

<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		X			
PERNICE			X			
ROSEN			X			

RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND AND CASH SURETY FOR FOUR SEASONS PHASE VI, PROJECT #367F

WHEREAS, the developer of Four Seasons Phase VI, Project #367F has requested a release of the Performance Bond and Cash Surety and;

WHEREAS, T&M Associates has recommended the Performance Bond and Cash Surety be released, and

WHEREAS, T&M Associates recommends that the performance bond in the reduced amount of \$32,456.59 and the cash surety in the reduced amount of \$3,606.29 (plus accrued interest) be released, with \$1,000.00 being held by the WMUA to cover the cost associated with the Maintenance Bond Inspection that will take place at the end of the maintenance period as per the letter dated May 6th, 2015 attached, and

THEREFORE, BE IT RESOLVED, after the return of the Performance Bond and Cash Surety, any remaining inspection fees shall be returned when all professional fees has been paid.

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

1. The Performance Bond in the reduced amount of \$32,456.59 be released.
2. The Cash Surety in the reduced amount of \$3,606.29 (plus accrued interest) be released with \$1,000.00 being held to cover costs associated with the Maintenance Bond Inspection.
3. All professional fees must be current.
4. 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) Four Seasons Phase VI, Project #367F

DATE: MAY 26TH, 2015

<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		X			
PERNICE			X			
ROSEN			X			

**RESOLUTION OF WESTERN MONMOUTH UTILITIES AUTHORITY
AUTHORIZING THE PURCHASE OF ELECTRIC AND NATURAL GAS
SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION
WEBSITE**

WHEREAS, the Western Monmouth Utilities Authority has determined to move forward with the EMEX Reverse Auction in order procure electric and natural gas for the Western Monmouth Utilities Authority; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electric and natural gas supply service for public use through the use of an online auction service; and

WHEREAS, the Western Monmouth Utilities Authority will utilize the online auction services of EMEX, LLC, on June 9th, 2015, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

BE IT FURTHER RESOLVED that the General Manager of the Western Monmouth Utilities Authority be and she hereby is authorized to execute on behalf of the Western Monmouth Utilities Authority any electric and/or natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction.

DATE: MAY 26TH, 2015

<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		X			
PERNICE			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 negotiations, 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: MAY 26, 2015

<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	X			
ROSEN			X			