

## RESOLUTION AUTHORIZING ENROLLMENT IN GOVCONNECT

**WHEREAS**, the State of New Jersey has developed an Internet site, known as GovConnect, to facilitate interaction and the exchange of information between and among State government and local authorities; and

**WHEREAS**, in order to participate in GovConnect, the Western Monmouth Utilities Authority Board of Commissioners must designate an Authority Official as the person responsible for accessing the GovConnect system and receiving e-mail on behalf of the Authority.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Western Monmouth Utilities Authority that Katherine Leatherman, General Manager of the Western Monmouth Utilities Authority is herewith designated as the District Official to be enrolled in the GovConnect program; and,

**BE IT FURTHER RESOLVED** that, upon enrollment, Katherine Leatherman agrees to accept and uphold GovConnect usage policies on behalf of Western Monmouth Utilities Authority.

**DATE: OCTOBER 24<sup>TH</sup>, 2013**

<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			

**GRANTING APPROVAL FSP – MARLBORO, LLC (SHELBOURNE HEALTHCARE),  
PROJECT #548**

**WHEREAS**, FSP – Marlboro, LLC (Shelbourne Healthcare ) has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #548 located at in Block #176, Lots #38, 39, 40 &41 in the Township of Marlboro; and

**WHEREAS**, the applicant proposes to construct approximately 500 lf of sanitary sewer lateral to an existing Authority main located on Route 520. The proposed project will include the installation of a 1500 gallon grease trap on site and, with the exception of the connection to the Authority's main; all lateral sewers will be private. The sewage will then continue through the Authority's existing gravity sewerage system to the Central Jersey Inceptor to the Hawkins Road Pump Station and ultimately to the Pinebrook Plant for treatment. For the purposes of determining the site EDCU count, the existing and proposed building/site usage would match Type of Service #19 (Nursing Home/Assisted Living Facilities) from the EDCU Schedule in the WMUA Regulations. For this commercial category, the EDCU count is established as 2 EDCU per five (5) beds or part thereof. The information submitted by the Applicant's Engineer indicated that the proposed business would have a total of seventy-nine (79) beds. This number divided by five (5) yields 15.8 resulting in the total EDCU's for this project of 16 times 2 per unit, or a total of thirty-two (32) EDCU's.

**WHEREAS**, the Applicant must instruct the Contractors hired to install the sanitary sewer main and that they are fully responsible for site safety. The Contractors must contact the Municipal Police Safety Director to insure proper compliance with safety laws and shall fully comply with all OSHA Requirements, and:

**WHEREAS**, CME recommends that this application for connection to the WMUA's sanitary sewer facilities be granted Final 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's compliance with all 'issues' items as noted above;
- e. Applicant obtaining all required permits; including the NJDEP-TWA;
- f. Applicant must furnish proof that submitted plans have received approval of the local Planning Boards / Zoning Boards and County Planning Board, where applicable;
- g. Applicant furnishing sufficient performance guarantees, in the amounts as contained in the estimate (attached) 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 WMUA. The posting of a performance guarantee must be in a form acceptable to the Authority Attorney.

- h. Applicant furnishing the required Construction Services Fees as per the Rules and Regulations of the Authority (see attached);
- i. Submittal of an acceptable insurance certificate;
- j. Applicants attendance at a preconstruction meeting; and
- k. The Authority shall not be responsible for ownership or maintenance of any portion of the sanitary sewer facilities located on the applicants site including the grease trap and monitoring manhole.
- l. Applicants compliance with the Authority's exhibits "F" & "G" relative to grease traps
- m. Plan Profile Revisions
  - 1. Remove proposed clean out in Route 520. Show T-Wye connection to existing main.
  - 2. Revise 3" lateral connection to be **AFTER** 24" diameter monitoring manhole.
  - 3. Add Note: "all sanitary sewer facilities beyond the point of connection to the Authority's main shall be the sole responsibility of the property owner and shall be owned, operated and maintained by said owner. The WMUA shall have no responsibility for same, including the grease trap."

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with FSP-Marlboro, LLC (Shelbourne Healthcare) 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 October 16<sup>th</sup>, 2013.

**BE IT FURTHER RESOLVED** that this approval is subject to the payment of all application fees and professional fees including legal and engineering fees, the Applicant complying with the Rules and Regulations of the WMUA and the New Jersey Department of Environmental Protection.

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

- 1) FSP-Marlboro, LLC (Shelbourne Healthcare) #548
- 2) CME Associates. Consultant Engineer
- 3) John Wisniewski, Attorney

**DATE: OCTOBER 24<sup>TH</sup>, 2013**

<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>MUSICH</b>		<b>X</b>	<b>X</b>			
<b>PERNICE</b>			<b>X</b>			
<b>ROSEN</b>	<b>X</b>		<b>X</b>			

**RESOLUTION OF THE WESTERN MONMOUTH UTILITIES AUTHORITY  
AUTHORIZING THE EXTENSION OF A SERVICE AGREEMENT  
BETWEEN THE WMUA AND THE TOWNSHIP OF MARLBORO F/K/A/ THE  
TOWNSHIP OF MARLBORO MUNICIPAL UTILITIES AUTHORITY,  
PROJECT #393**

**WHEREAS**, the Western Monmouth Utilities Authority (hereinafter the “WMUA”) owns and operates a sewage treatment, collection and disposal system within, among other places, the Township of Marlboro, County of Monmouth and State of New Jersey; and

**WHEREAS**, The Marlboro Township Municipal Utilities Authority (hereinafter the ‘MTMUA’) has been dissolved and was taken over by The Township of Marlboro and is now known as the Marlboro Township Water Utility Division (hereinafter the ‘MTWUD’).

**WHEREAS**, the applicant submitted an application for approval to upgrade an existing water treatment plant and discharge its filtered backwash into the WMUA existing infrastructure. The applicant proposes to build a privately owned wastewater conveyance system that will discharge filtered backwash to the Conover Hills Pumping Station; and

**WHEREAS**, the flow from this site is tributary to the Crine Road Pump Station, the central Jersey Interceptor, and the Hawkins Road Pump Station and all existing downstream conveyance infrastructure has adequate capacity to handle the proposed flow, and

**WHEREAS**, the proposed design for the conveyance infrastructure, water quality standards for the discharge, and connection and annual fees will be as follows:

1. Modifying the method of calculating EDCUs, changing the formula at the top of page 7 from B/1095 to B/N where B is the total amount of backwash water, wastewater and/or other sanitary discharges flowing into the WMUA’s sewer system as determined by the readings obtained from the flow meter and N is the number of days of actual operation of the plant during the three year period.

**WHEREAS**, the WMUA, granted Preliminary Approval in Resolution 03-163 dated October 16<sup>th</sup>, 2003 and granted Tentative and Final Approvals in Resolution 06-108 dated October 19<sup>th</sup>, 2006. This approval expired February 2008.

**BE IT FURTHER RESOLVED**, the WMUA and the MTMUA executed a service agreement dated September 21<sup>st</sup>, 2006 describing the procedure for determining connection fees and monthly service fees which grants relief from the methodology contained in the Authority's Rules and Regulations. In summary, estimated connection fees are to be paid at the time of connection to the sewer system. The Township of Marlboro has secured funding to complete the project and has requested that the WMUA extend the service agreement and approvals in order for the Township to obtain building permits.

**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the WMUA that the Chairman authorize the extension of the Service Agreement between the WMUA and the MTWUD for a period of two (2) years to expire on October 24<sup>th</sup>, 2015 as per the attached consultant engineers letter dated September 26<sup>th</sup>, 2013, and

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

1. The Marlboro Township Water Utility Division, #393
2. T&M Associates

**DATE: OCTOBER 24<sup>TH</sup>, 2013**

<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>X</b>			
<b>MUSICH</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

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: OCTOBER 24<sup>TH</sup>, 2013**

<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			