

**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: NOVEMBER 7TH, 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			

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of October 3rd, 2013 be and the same are hereby accepted for filing by the Authority.

DATE: NOVEMBER 7TH, 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			

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of October 24th, 2013 be and the same are hereby accepted for filing by the Authority.

DATE: NOVEMBER 7TH, 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			

RESOLUTION AUTHORIZING THE ISSUANCE OF NOTICES AND CRITERIA FOR CONTRACT AWARDS FOR VARIOUS PROFESSIONAL AND OTHER CONTRACTS FOR FISCAL YEAR 2014

WHEREAS, the Western Monmouth Utilities Authority is subject to certain requirements of the Local Public Contracts Law and the local Pay to Play Law (N.J.S.A. 19:44-20.4, 20.5 et seq.) ; and

WHEREAS, the General Manager of the Western Monmouth Utilities Authority has deemed it necessary and appropriate to award contracts over \$17,500.00 for services in 2014 for the various professionals (i.e., the various positions of Auditor, Attorney, Bond Counsel, Engineers, Financial Advisor) in accordance with the “Fair and Open” contract provisions of the Local Pay to Play Law.

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

1. The General Manager of the Western Monmouth Utilities Authority shall hereby advertise the enclosed legal notice in the *Asbury Park Press* and *The Star Ledger* and shall make available to interested vendors and professionals the enclosed Western Monmouth Utilities Authority Criteria for Submission of Qualifications for Professional and Other Contracts under the Fair and Open Process.
2. The Secretary is hereby authorized to forward copies of this Resolution, certified to be a true copy to:
 - a) Katherine Leatherman, General Manager

DATE: NOVEMBER 7TH, 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			

LEGAL NOTICE

**REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CONTRACT POSITIONS IN
THE WESTERN MONMOUTH UTILITIES AUTHORITY**

NOTICE IS HEREBY GIVEN, that pursuant to N.J.S.A. 19:44A-20.4, 20.5 et seq. that the Western Monmouth Utilities Authority shall pursue a “Fair and Open Process” in awarding contracts for positions set forth more fully below, and hereby solicit qualifications in the form of resumes and letter applications for the below stated positions of the Western Monmouth Utilities Authority, which shall be submitted to Joseph Pernice, Chairman, Western Monmouth Utilities Authority, 103 Pension Road, Manalapan, New Jersey 07726 documentation showing qualifications and compliance with criteria set forth by the Western Monmouth Utilities Authority and State Statute. All qualifications shall be submitted in a sealed envelope to the Chairman to be received by no later than January 9th, 2014 at 12:00PM. Interested parties may view the criteria for these services on the Authority’s website: www.wmuaj.org

Professional services for the following positions are hereby requested:

**Authority Attorneys
Authority Auditor
Authority Bond Counsel
Authority Engineers
Authority Financial Advisor
Authority Labor, Regulatory and Conflict Counsel
Authority Risk Management Consultant**

Western Monmouth Utilities Authority

AUTHORIZING THE RELEASE OF ALL REMAINING ESCROW FUNDS FOR ROYAL PINES AT MARLBORO (F.K.A.MARLBORO GRANDE) PROJECT #418

WHEREAS, the developer of Royal Pines at Marlboro, Project #418 has requested a release of all remaining Escrow, and;

WHEREAS, there are no remaining deficiencies with the above referenced project, CME recommends the release of the remaining Cash Surety account in the amount of \$6,062.00 plus any accrued interest minus \$1,295.50 due to CME Associates for the balance of inspection fees, and

WHEREAS, the General Manager has reviewed the request by CME Associates and is authorized to release \$4,766.50 plus any accrued interest from Cash Surety as per CME Associates letter dated October 29th, 2013 attached, and

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

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

1. Inspection fees shall be returned to Royal Pines @ Marlboro (f/k/a/ Marlboro Grand), TBP Holdings, LLC #418 when all professional fees have been paid.
2. All cash surety funds shall be returned to Royal Pines at Marlboro (f/k/a Marlboro Grande), TBP Holdings, LLC #418.
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) Vita Mazzola, Accountant
 - c) Royal Pines at Marlboro (f/k/a Marlboro Grande), TBP Holdings, LLC #418

DATE: NOVEMBER 7TH, 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			

VF

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.



October 29, 2013

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.

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

Re: Escrow Release Request
Royal Pines at Marlboro (F.K.A. Marlboro Grande)
Accounts: #868098857
WMUA File No.: 418
Our File No.: PWMS0299.01

Dear Ms. Leatherman:

Pursuant to a request from Marlboro Grande, LLC, Royal Pines at Marlboro, LLC, dated October 1, 2013 (copy enclosed), for the release of monies currently being held by the Authority in account #868098857 for the above referenced project, please be advised that we have reviewed the subject project and we are reporting herein.

Per Authority account records, the Developer has remaining monies of approximately \$4,750.00 in the respective account.

Based upon recent site observations conducted by this office and subsequent review of the project files, all the work has been satisfactorily completed. However, as the attached letter states, the Authority is authorized to deduct \$1,295.50 from the cash due as part of the release of Marlboro Grande's Bond for the remaining balance of inspection fees due CME Associates. Accordingly, since the work has been completed to date, we can recommend that the monies in account #868098857 in the amount of \$4,750.00 minus the \$1,295.50 due CME Associates be returned to the Developer in accordance with the requirements of the Municipal Land Use Law and Rules and Regulations of the Western Monmouth Utilities Authority. Also as per the attached letter, please make the release of monies payable to TBP Holdings, LLC..

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Timothy W. Gillen, P.E., P.P., C.M.E.
Consulting Authority Engineer's Office

TWG/blr
Enclosure

cc: Ann Finnerty
Dane Martindell
John S. Wisniewski, Esq.
Bernard Meiterman, Managing Agent



**AUTHORIZING THE RELEASE OF ALL REMAINING ESCROW FUNDS
TO TRIANGLE VALLEY A/K/A SARATOGA ESTATES, PROJECT #424**

WHEREAS, the developer of Triangle Valley a/k/a Saratoga Estates, Project #424 has requested a release of all remaining Escrow, and;

WHEREAS, there are no remaining deficiencies with the above referenced project, CME recommends the release of the remaining Inspection Escrow account in the amount of \$24.48 plus any accrued interest, and

WHEREAS, the General Manager has returned the Performance Bond and the Cash Surety authorized and there are no outstanding professional fees remaining, and

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

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

1. All inspection escrow funds should be returned to Triangle Valley a/k/a Saratoga Estates, TBP Holdings, LLC Project #424
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) Vita Mazzola, Accountant
 - c) Triangle Valley a/k/a Saratoga Estates, TBP Holdings, LLC Project #424

DATE: NOVEMBER 7TH, 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			

Tg

JOHN H. ALLGAIER, 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.



October 29, 2013

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.
BENRAM TURAN, P.E.

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

**Re: Escrow Release Request
Meiterman Holdings, LLC
Account: #00868098623; #0868098078 & #00868098060
WMUA File No.: 424; 376; 375
Our File No.: PWMS0193.01**

Dear Ms. Leatherman:

Pursuant to a request from Meiterman Holdings, Inc., dated October 1, 2013 (copy enclosed), for the release of monies currently being held by the Authority in accounts #00868098623, #00868098078 and #00868098060 for the above referenced project, please be advised that we have reviewed the subject project and we are reporting herein.

Per Authority account records, the Developer has remaining monies of approximately \$25.00 in #00868098623 in the respective account for Project #424. Based upon recent site observations conducted by this office and subsequent review of the project files, all the work has been satisfactorily completed. Accordingly, since the work has been completed to date, we can recommend that the monies in account #00868098623 in the amount of \$25.00 be returned to the Developer in accordance with the requirements of the Municipal Land Use Law and Rules and Regulations of the Western Monmouth Utilities Authority. Please note, as funds are ready for release, please make the disbursements to the order of TBP Holdings, LLC.

We defer Application #376 and Application #375 to T&M Associates, and by copy of this letter, are requesting their disposition on said request from the Developer of release of #00868098078 and #00868098060.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Timothy W. Gillen, P.E., P.P., C.M.E.
Consulting Authority Engineer's Office

TWG/blr
Enclosure

cc: Ann Finnerty
Dane Martindell
John S. Wisniewski, Esq.
Keith Henderson, T&M Associates
Bernard Meiterman, Managing Agent



**AUTHORIZING THE RELEASE OF ALL REMAINING ESCROW FUNDS FOR
TENNENT ACRES, LLC (F.K.A. SMITH PROPERTIES) PROJECT #432**

WHEREAS, the developer of Tennent Acres, LLC (f/k/a Smith Properties), TBP Holdings, LLC, Project #432 has requested a release of all remaining Escrow, and;

WHEREAS, there are no remaining deficiencies with the above referenced project, CME recommends the release of the remaining Cash Surety account in the amount of \$4,711.38 plus \$395.30 Inspection Fees plus any accrued interest, and

WHEREAS, the General Manager has reviewed the request by CME Associates and is authorized to release \$5,106.68 plus any accrued interest as per CME Associates letter dated October 29th, 2013 attached, and

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

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

1. All Cash Surety and Inspection funds should be returned to Tennent Acres, LLC (f/k/a Smith Properties), Project #432.
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) Vita Mazzola, Accountant
 - c) Tennent Acres, LLC (f/k/a Smith Properties), TBP Holdings, LLC
Project #432

DATE: NOVEMBER 7TH, 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			

Vh

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.



October 29, 2013

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOSKOWKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

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

Re: Escrow Release Request
Tennent Acres, LLC
Accounts: #00868098730 & #00868098748
WMUA File No.: 432
Our File No.: PWMS0267.02

Dear Ms. Leatherman:

Pursuant to a request from Meiterman Properties, Inc., dated October 1, 2013 (copy enclosed), for the release of monies currently being held by the Authority in accounts #00868098730 & #00868098748 for the above referenced project, please be advised that we have reviewed the subject project and we are reporting herein.

Per Authority account records, the Developer has remaining monies of approximately \$4,700.00 in #00868098730 and \$395.00 in #00868098748 in the respective accounts.

Based upon recent site observations conducted by this office and subsequent review of the project files, all the work has been satisfactorily completed. Accordingly, since the work has been completed to date, we can recommend that the monies in account #00868098730 in the amount of \$4,700.00 and #00868098748 in the amount of \$395.00 be returned to the Developer in accordance with the requirements of the Municipal Land Use Law and Rules and Regulations of the Western Monmouth Utilities Authority and subject to payment of outstanding monies as may be due the Authority, if any.. Please note, as funds are ready for release, please make the disbursements to the order of TBP Holdings, LLC.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Timothy W. Gillen, P.E., P.P., C.M.E.
Consulting Authority Engineer's Office

TWG/blr
Enclosure

cc: Ann Finnerty
Dane Martindell
John S. Wisniewski, Esq.
Bernard Meiterman, Managing Agent



**AUTHORIZING THE RELEASE OF ALL REMAINING ESCROW FUNDS FOR
TENNENT ACRES, LLC, PROJECT #452**

WHEREAS, the developer of Tennent Acres, LLC, TBP Holdings, LLC, Project #452 has requested a release of all remaining Escrow, and;

WHEREAS, there are no remaining deficiencies with the above referenced project, CME recommends the release of the remaining Inspection Escrow account in the amount of \$4,385.49 plus any accrued interest, and

WHEREAS, the General Manager has reviewed the request by CME Associates and is authorized to release \$4,385.49 plus any accrued interest as per CME Associates letter dated October 29th, 2013 attached, and

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

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

1. All inspection escrow funds should be returned to Tennent Acres, LLC, THP Holdings, LLC, Project #452.
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) Vita Mazzola, Accountant
 - c) Tennent Acres, LLC, TBP Holdings, LLC Project #452

DATE: NOVEMBER 7TH, 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			

Vi

JOHN H. ALLGAIER, 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.



ASSOCIATES
October 29, 2013

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.

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

Re: Escrow Release Request
Tennent Acres, LLC
Account: #00868098987
WMUA File No.: 452
Our File No.: PWMS0267.03

Dear Ms. Leatherman:

Pursuant to a request from Tennent Acres, LLC, dated October 1, 2013 (copy enclosed), for the release of monies currently being held by the Authority in account #00868098987 for the above referenced project, please be advised that we have reviewed the subject project and we are reporting herein.

Per Authority account records, the Developer has remaining monies of approximately \$4,372.00 in the respective account.

Based upon recent site observations conducted by this office and subsequent review of the project files, all the work has been satisfactorily completed. Accordingly, since the work has been completed to date, we can recommend that the monies in account #00868098987 in the amount of \$4,372.00 be returned to the Developer in accordance with the requirements of the Municipal Land Use Law and Rules and Regulations of the Western Monmouth Utilities Authority and subject to payment of outstanding monies as may be due the Authority, if any. Please note, as funds are ready for release, please make the disbursements to the order of TBP Holdings, LLC.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Timothy W. Gillen, P.E., P.P., C.M.E.
Consulting Authority Engineer's Office

TWG/blr
Enclosure

cc: Ann Finnerty
Dane Martindell
John S. Wisniewski, Esq.
Bernard Meiterman, Managing Agent

