

**RESOLUTION AUTHORIZING AMENDMENT OF WMUA
PERSONNEL MANUAL**

WHEREAS, the Western Monmouth Utilities Authority (the “WMUA”) currently has a Personnel Manual which contains internal policies to be followed by WMUA Management and employees; and

WHEREAS, the WMUA Commissioners have determined that it is in the best interest of the WMUA to update and revise the current Personnel Manual; and

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

1. The WMUA Personnel Manual which is attached hereto is adopted by the WMUA Commissioners as the new Personnel Manual to govern the internal policies of the WMUA, effective February 1st, 2014.

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. Dane Martindell, Facilities Manager
3. Marilyn Seidenberg, Director of Finance

DATE: MARCH 13TH, 2014

<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 APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of February 11th, 2014 be and the same are hereby accepted for filing by the Authority.

DATE: MARCH 13TH, 2014

<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	
PERNICE	X		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 February 20th, 2014 be and the same are hereby accepted for filing by the Authority.

DATE: MARCH 13TH, 2014

<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			

RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE BOND AND CASH SURETY FOR THE GRANDE AT BATTLEGROUND PUMPING STATION #2 (201PS2)

WHEREAS, the developer of the Grand at Battleground Pumping Station #2 (201PS2) has requested a reduction of the Performance Bond and Cash Surety and;

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

WHEREAS, T&M Associates recommends that the Performance Bond in the amount of \$326,707.57 be reduced to \$65,341.51 and the cash surety in the amount of \$36,300.84 (plus accrued interest) be reduced to \$7,260.17 to cover the cost of the deficiencies listed in the letter dated January 31st, 2014 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 amount of \$326,707.57 be reduced to \$65,341.51.
2. The Cash Surety in the amount of \$36,300.84 (plus accrued interest) be reduced to \$7,260.17.
3. All professional fees must be current.
5. 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) Grande at Battleground Pumping Station #2 (201PS2)

DATE: MARCH 13TH, 2014

<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 BOND TO PEAR TREE PLAZA #469

WHEREAS, the developer of Pear Tree Plaza, Project #469 has requested the release of the Performance Bond, and;

WHEREAS, CME Associates has performed a site inspection of the above reference project and finds that the developer has satisfactorily addressed all of the prior construction items. CME recommends the release of the performance bond subject to the posting of a two-year maintenance bond in an amount equal to \$11,778.95 and further subject to all outstanding fees due the Authority being current, and

WHEREAS, the CME also recommends (as per attached letter dated February 28th, 2014), that Pear Tree Plaza’s proposal to use the cash portion of the performance guarantee to cover escrow fees is acceptable, and

WHEREAS, Mr. Pereira has requested the balance of the cash surety be applied to Account #27578 as payment for his Connection Fee Payment Plan. The balance of \$5,933.87 will be applied to the account in March. This will be equivalent to 5 payments of \$1,000.00, in August 2014, a payment of \$66.13 will be needed to bring the balance of \$933.87 to \$1,000.00 commencing on September 1st, 2014, he needs to resume his payments of \$1,000.00 per month.

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

1. The Performance Bond be released subject to the posting of a two-year maintenance bond in an amount equal to \$11,778.95 associated with Pear Tree Plaza #469.
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) Pear Tree Plaza, #469

DATE: MARCH 13TH, 2014

<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			

**APPOINTING DANE MARTINDELL AND COMMISSIONER STEPHEN
McENERY AS REPRESENTATIVES TO THE MANALAPAN TOWNSHIP
AND MARLBORO TOWNSHIP OFFICES OF EMERGENCY MANAGEMENT**

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Western Monmouth Utilities Authority that Dane Martindell and Commissioner Stephen McEnery are hereby appointed as representatives for the Western Monmouth Utilities Authority to the Manalapan Township and Marlboro Township Offices of Emergency Management;

BE IT FURTHER RESOLVED, that this Resolution will remain in effect until successors are appointed, and

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

1. WMUA Commissioner, Stephen McEnery
2. Dane Martindell, Facilities Manager
3. Manalapan and Marlboro Township OEM's

DATE: MARCH 13TH, 2014

<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 A 4 MONTH PAYMENT PLAN FOR A CONNECTION FEE FOR PRIORITY SEARCH SERVICES LLC

WHEREAS, the Western Monmouth Utilities Authority (“WMUA”), from time to time, and on case-by-case basis, grants payment plans of its connection fees; and

WHEREAS, Priority Search Services LLC has requested a payment plan for Block 119, Lot 34.02 on the tax map of the Township of Marlboro (“Property”); and

WHEREAS, Priority Search Services, LLC in their March 5th, 2014 letter (attached) has requested to pay a connection fee for 36 Falson Lane in Morganville. The previous owner made an illegal sewer connection and during the search process the new owner made the discovery that the house was connected to the WMUA sewer. No invoice was ever sent to this address and no connection fee was obtained. John Sawicki investigated and dye tested the line and the home is connected to the WMUA. All of this was discovered after the closing and the title company wishes to pay the connection fee and has requested this payment plan, and

WHEREAS, the connection fee is \$3,965.00 will be paid in 3 monthly installments of \$1,000.00 and the final payment of \$965.00 on the fourth month. The payments will commence on March 20th, 2014; and

WHEREAS, the Commissioners of the WMUA have reviewed the request and approve subject to Priority Search Services making timely payments to the WMUA, and

WHEREAS, Priority Search Services is advised that in the event a monthly payment is missed, the entire unpaid balance will be due and payable to the Authority during the payment plan period; and

WHEREAS, the Owner is advised that if it closes title and sells the Property, the entire unpaid balance, will be due and payable to the Authority.

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

1. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
 - a) Marilyn Seidenberg, Director of Finance
 - b) Priority Search Services
 - c) Milena Wlodkowska

DATE: MARCH 13TH, 2014

<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			

**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 /or 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: MARCH 13TH, 2014

<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			