

**RESOLUTION CONCERNING REVIEW OF FINDINGS OF THE  
LOCAL FINANCE BOARD MADE AT MEETINGS OF SAID  
BOARD ON DECEMBER 11, 2013 AND MARCH 12, 2014 IN  
ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:5A-6,  
40A:5A-7 AND 58:11B-9(a) FOR APPROVAL OF THE ISSUANCE  
OF BONDS BY THE WESTERN MONMOUTH UTILITIES  
AUTHORITY**

**WHEREAS**, the findings issued by the Local Finance Board at meetings of said Board, held on December 11, 2013 and March 12, 2014, with respect to the not exceeding \$5,489,000 Bonds (Series 2014) financing to be undertaken by the Western Monmouth Utilities Authority (the "Authority") have been filed with the Secretary of the Authority and a copy of such findings has been received by each member of the governing body of the Authority; and

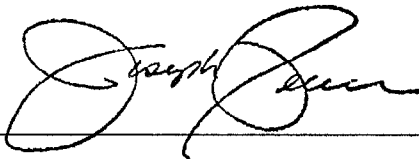
**WHEREAS**, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority shall certify by resolution to the Local Finance Board that each member thereof has personally reviewed such findings; and

**WHEREAS**, a copy of the Local Finance Board's findings is attached hereto and each member of the Authority has personally reviewed the Local Finance Board's findings with respect to the financing, as evidenced by a group affidavit which has been executed by a majority of the members of the Authority; and

**WHEREAS**, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of N.J.S.A. 52:27BB-52; NOW, THEREFORE,

**BE IT RESOLVED** THAT THE WESTERN MONMOUTH UTILITIES AUTHORITY hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence such compliance.

The foregoing is a true and complete copy of a resolution adopted by the governing body of the WESTERN MONMOUTH UTILITIES AUTHORITY at a meeting thereof duly called and held on April 3, 2014.



JOSEPH PERNICE, Assistant Secretary

[SEAL]

**DATE: APRIL 3<sup>RD</sup>, 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>
<b>McENERY</b>	<b>X</b>		<b>X</b>			
<b>MENDEZ</b>						<b>X</b>
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>ROSEN</b>			<b>X</b>			

**14-63**

**RESOLUTION AUTHORIZING EXTENSION OF NJPDES PERMIT RENEWAL APPLICATIONS TO  
KLEINFELDER EAST INC.**

**WHEREAS**, there exists a need for an Environmental Engineering Firm to prepare Renewal Applications NJPDES Discharge to Surface Water and Discharge to Ground Water Permits on behalf of the Western Monmouth Utilities Authority; and

**WHEREAS**, under the provisions of the “Pay to Play” law, N.J.S.A. 19:44A-20.4 et seq., the Western Monmouth Utilities Authority adopted criteria for submissions of the Requests for Qualifications from applicants seeking the appointment as Environmental Engineer; and

**WHEREAS**, the Commissioners evaluated the criteria set forth in each applicant’s submission for the position and made their decision regarding this appointment based on that criteria; and

**WHEREAS**, funds are be available for this purpose; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. and the “Pay to Play” Law under N.J.S.A. 19:44A-20.4 et seq. require that the Resolution appointing the Environmental Engineer and awarding the contract shall state the supporting reasons, therefore, and be printed in a newspaper of general circulation not more than ten days after the passage of this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that Kleinfelder East Inc., Environmental Engineers and Scientists contract will hereby be extended thru January 31<sup>st</sup>, 2015 as the permit work has not yet been completed and it is impractical to prepare a new RFP at this time. The Authority appoints their Professional staff at their Re-Organization Meeting in February of each year and if said work remains incomplete, the WMUA will solicit RFP’s to be awarded in February, and

**BE IT FURTHER RESOLVED** that the firm of Kleinfelder East Inc. is required to comply with the requirements of P.L. 1975 C. 127. (NJAC 17:27); and

**BE IT FURTHER RESOLVED** that the General Manager and/or Chairman and Secretary be and the same is hereby authorized to execute a contract with Kleinfelder East Inc. in accordance with its terms; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in an official newspaper designated by the Authority as required by law within the (10) days from the date of adoption; and

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

- 1) Kleinfelder East Inc.

**DATE: APRIL 3<sup>RD</sup>, 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>
<b>McENERY</b>	<b>X</b>		<b>X</b>			
<b>LENDEZ</b>						<b>X</b>
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>ROSEN</b>			<b>X</b>			

**RESOLUTION AUTHORIZING THE GENERAL MANAGER TO PREPARE  
PLANS AND SPECIFICATIONS AND ADVERTISE FOR THE RECEIPT OF  
BIDS FOR MAGNESIUM HYDROXIDE FOR THE TREATMENT PLANT**

**WHEREAS**, the General Manager has requested that plans and specifications be prepared, and advertise for the receipt of bids for the following:

1. Magnesium Hydroxide for the Treatment Plant

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

1. The General Manager is hereby authorized to prepare plans and specifications and to advertise for the receipt of bids for Magnesium Hydroxide for the Treatment Plant
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
  - a) Coleen Weber, Office Manager

**DATE: APRIL 3<sup>RD</sup>, 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>
<b>McENERY</b>	<b>X</b>		<b>X</b>			
<b>MENDEZ</b>						<b>X</b>
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>ROSEN</b>			<b>X</b>			

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND AND CASH SURETY FOR THE GRANDE AT BATTLEGROUND #201C, PHASE 7**

**WHEREAS**, the developer of The Grande at Battleground, Project #201C, Phase 7 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 reduced, and

**WHEREAS**, T&M Associates recommends that the performance guarantee in the amount of \$42,970.75 and the cash surety in the amount of \$4,774.53 (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 a letter dated March 25<sup>th</sup>, 2014, 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 have been paid.

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

1. The Performance Guarantee in the amount of \$42,970.75 be released.
2. The Cash Surety in the amount of \$4,774.53 (plus accrued interest) be released with \$1,000.00 being held by the WMUA.
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) The Grande at Battleground #201C, Phase 7

**DATE: APRIL 3<sup>RD</sup>, 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>
<b>McENERY</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>						<b>X</b>
<b>PERNICE</b>	<b>X</b>		<b>X</b>			
<b>ROSEN</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 contract 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: APRIL 3<sup>RD</sup>, 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>
<b>McENERY</b>	<b>X</b>		<b>X</b>			
<b>MENDEZ</b>						<b>X</b>
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>ROSEN</b>			<b>X</b>			

**RESOLUTION APPROVING MINUTES**

**BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of March 13<sup>th</sup>, 2014 be and the same are hereby accepted for filing by the Authority.

**DATE: APRIL 24<sup>TH</sup>, 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>
<b>McENERY</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>						<b>X</b>
<b>ROSEN</b>			<b>X</b>			

**WESTERN MONMOUTH UTILITIES AUTHORITY**

**PUBLIC MEETING**

**March 13<sup>th</sup>, 2014**

Chairman Rosen called the Western Monmouth Utilities Authority's Public meeting to order at 7:31PM. It was announced that pursuant to the Open Public Meeting Act and N.J.S.A. 10:4-6 et seq., adequate notice of this meeting has been sent to the Asbury Park Press, The Home News and Tribune, Clerks of Manalapan and Marlboro Townships, and is posted in the lobby of the Western Monmouth Utilities Authority ("W.M.U.A.")

**Upon roll call:**

**Present:** Messrs. McEnery, Mendez, Pernice and Rosen

**Absent:** None

**Also in Attendance:** J. Wisniewski, Wisniewski & Associates  
I. Chou, Wisniewski & Associates  
T. Gillen, CME Associates  
K. Henderson, T&M, Engineer  
G. Stankiewicz, Auditor  
D. Martindell, Facilities Manager  
R. Smith, Plant Superintendent  
K. Leatherman, General Manager  
L. Warshauer, Supervising Accountant  
A. Finnerty, Authority Clerk  
M. Musich, Manalapan Liaison

All present cited the Pledge of Allegiance.

Chairman Rosen asked if there was any public comment, there was none.

Chairman Rosen proceeded with the meeting.

- Chairman Rosen asked for any comment regarding the Minutes of the Meetings for February 11<sup>th</sup>, 2014 and February 20<sup>th</sup>, 2014. Commissioner Mendez stated he will abstain from the minutes of February 11<sup>th</sup>, 2014. John Wisniewski wanted to confirm that the Resolutions regarding the minutes encompass the closed session minutes. Ms. Leatherman asked if we should revise the Minutes Resolutions. Chairman Rosen asked if the Closed Session Minutes are considered confidential. Mr. Wisniewski stated that they are available as per the Open Public Records Act, however if something discussed in Closed Session is "pending" then the minutes are closed and unavailable, until that item is resolved. The Commissioners confirmed that the Minutes Resolutions refer to all the minutes including the Closed Session minutes.



- Chairman Rosen asked for any comment regarding the Revised Personnel Manual. The Personnel manual has been reviewed by the Commissioners and will be approved.
- Chairman Rosen asked for any comment regarding the Reduction of the Performance Bond for the Grande at Battleground Pumping Station #2, (201PS2). Keith Henderson stated that we have begun the 90 day trial period and they are approved for the reduction.
- Chairman Rosen asked for any comment regarding the release of the Performance Bond Release for Pear Tree Plaza #469. Tim Gillen stated that the work is completed. Ms. Leatherman stated that they have a payment plan in place and would just like to move the balance towards the payment plan.
- Chairman Rosen asked for any comment regarding the OEM Designees. Chairman Rosen confirmed that Commissioner McEnery has no objection to be the representative, which he did.
- Chairman Rosen asked for any comment regarding the request from Priority Search Services for a Connection Fee Payment Plan. Ms. Leatherman stated that a representative did a sewer search in our lobby and did not see an account. The home was then closed with the assumption that it was septic. Upon further investigation we discovered that this home was sewered by the authority and was not disclosed at closing. The title company is now responsible for paying the connection fee and has requested a payment plan. Chairman Rosen stated that this is a fair payment plan and the Commissioners all agreed.
- Chairman Rosen asked for any comment regarding the Administration and FMB building Renovation's. Dane Martindell stated that our current HVAC contractor is going to assess the repairs needed. Chairman Rosen asked how soon we can move forward. Robert Smith stated that it will be less than two weeks for the assessment. Commissioner Pernice asked if we are going to replace the boilers. Keith Henderson stated that there are two issues regarding the FMB. The prices include improvements to the digester. Chairman Rosen asked if we can separate the projects. Mr. Henderson stated that the boiler project is on hold pending a decision on the HVAC. Commissioner Pernice asked if we will save money doing both projects together. Mr. Henderson stated we need to do the furnaces first. The Project will take about six months. Dane Martindell stated, historically the boilers were originally sized to heat the digester and heat all the buildings on site. This was cut off in the other buildings and they each received their own heating systems. The boilers load was made smaller. Mr. Henderson stated that we can be out to bid in sixty days just for the furnaces. Mr. Martindell stated that the piping is old and corroded. Mr. Henderson stated that his concern is doing things separately because of the HVAC. Mr. Martindell stated that the electric runs underground through a conduit and is in bad shape. The original estimate will be now reduced.
- Chairman Rosen asked for any comment regarding the Reed Beds. Dane Martindell stated that the reed beds are still frozen and we have to wait to take samples. Rosemary Fillimon has a laboratory lined up to do the analytical work.

Chairman Rosen asked if there were any other questions and asked for a motion on Resolutions #14-49, and 14-56 thru 14-61. The vote was as follows:

- 14-49            Accepting Revised Personnel Manual
- 14-56            Accepting Minutes of February 11<sup>th</sup>, 2014
- 14-57            Accepting Minutes of February 20<sup>th</sup>, 2014
- 14-58            Authorizing the Reduction of Performance Bond for Battleground Pumping Station #2, (201PS2)
- 14-59            Authorizing the Release of the Performance Bond for Pear Tree Plaza, #469
- 14-60            Appointing Designees as Representatives to the Offices of Emergency Management
- 14-61            Authorizing Connection Fee Payment Plan

Chairman Rosen asked for any comment on Resolution 14-49, there were no comments. Commissioner McEnergy moved, seconded by Commissioner Mendez. Upon roll call the vote was as follows:

**AYES:**            Messrs.' McEnergy, Mendez, Pernice and Rosen  
**NAYS:**            None  
**ABSENT:**        None  
**ABSTENTIONS:** None

Chairman Rosen asked for any comment on Resolutions 14-56, there were no comments. Commissioner Pernice moved, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

**AYES:**            Messrs.' McEnergy, Pernice and Rosen  
**NAYS:**            None  
**ABSENT:**        None  
**ABSTENTIONS:** Commissioner Mendez

Chairman Rosen asked for any comment Resolution 14-57, there were no comments. Commissioner Mendez moved, seconded by Chairman Pernice. Upon roll call the vote was as follows:

**AYES:**            Messrs.' McEnergy, Mendez, Pernice and Rosen  
**NAYS:**            None  
**ABSENT:**        None  
**ABSTENTIONS:** None

Chairman Rosen asked for any comment on Resolution 14-58, there were no comments. Commissioner Mendez moved, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

**AYES:**            Messrs.' McEnergy, Mendez, Pernice and Rosen  
**NAYS:**            None  
**ABSENT:**        None

**ABSTENTIONS:** None

Chairman Rosen asked for any comment on Resolution 14-59, there were no comments. Commissioner Pernice moved, seconded by Commissioner Mendez. Upon roll call the vote was as follows:

**AYES:** Messrs.' McEnery, Mendez, Pernice and Rosen  
**NAYS:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

Chairman Rosen asked for any comment on Resolution 14-60, there were no comments. Commissioner Mendez moved, seconded by Commissioner McEnery. Upon roll call the vote was as follows:

**AYES:** Messrs.' McEnery, Mendez, Pernice and Rosen  
**NAYS:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

Chairman Rosen asked for any comment on Resolution 14-61, there were no comments. Commissioner Mendez moved, seconded by Commissioner Pernice. Upon roll call the vote was as follows:

**AYES:** Messrs.' McEnery, Mendez, Pernice and Rosen  
**NAYS:** None  
**ABSENT:** None  
**ABSTENTIONS:** None

Chairman Rosen asked if there were any comments on the bill list, there no comments. Commissioner Pernice moved the bill list, seconded by Commissioner Mendez. All present voted aye.

Chairman Rosen asked if there was other Authority business.

Tim Gillen stated that Marlboro Township passed a Resolution, changing the zone around the Harbor Road water treatment plant from a LC zone (Land Conservation) to a Municipal zone so that they may be incorporated into the Wastewater Management Plan for sanitary sewer service. Marlboro Township is requesting that the Authority consider adding that piece of property into the Wastewater Management plan so that can get sewer service for their plant expansion. Subsequently in a review of the documentation for the EIT loans, the DEP stated that the town had requested that all LC zones be excluded from the Wastewater Management Plans. They did not realize that the water treatment plant site was in an LC zone. Keith Henderson stated the process now that they need to speak to the county to place a minor amendment in place to property in the Wastewater Management Plan. The decision that the Authority has to make is just to prepare documents to submit to the

County and the State. The treatment plant would post an escrow and we would process the application.

Chairman Rosen requested that the overtime hours be assessed. Dane Martindell stated that the bad weather affects the overtime hours.

Ms. Leatherman stated that Frank Chilelli owner of La Cashina Restaurant which currently has seating for 100 requested that his EDCU's be reviewed and reduced. Keith Henderson stated that the project was assessed as per the Rules and Regulations of the Authority.

Commissioner McEnery asked when the next meeting will be held. He requested that we try to resolve the issue regarding two meetings a month and have the Authority meetings once a month. Chairman Rosen stated that we have reduced the amount of meetings. Mr. Stankiewicz stated that we can develop a procedure and come up with a plan to reduce meetings to once a month. Commissioner Pernice stated that we assessed certain months need to have two meetings a month. Commissioner McEnery stated that the work flow does not necessitate two meetings a month. Mr. Stankiewicz stated he will work with the management team to try and facilitate one meeting a month.

Tim Gillen stated that CME has secured the TWA permits for the pump stations. CME is contesting the wetland buffer with the DEP around one of the streams and anticipate resolving that in the next two weeks. Then they can advertise the five pump stations. Because of the wetland issue they will not be able to be to secure 2014 funding. They will be able to secure advance funding for 2015. Bond Council stated that the Authority is eligible for 2015.

At 8:16 pm Chairman Rosen asked for a motion to close the meeting.

14-62 Authorizing the Commissioner to go into Closed Session for the purpose of Discussing Litigation, and/or Personnel and they will not return to public session. Commissioner Mendez moved, seconded by Commissioner McEnery. All present voted aye. The meeting was adjourned.

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**RESOLUTION AWARDING BID FOR IT SUPPORT TO PREMIER TECHNOLOGY SOLUTIONS, LLC**

**WHEREAS**, an RFP was published in the Asbury Park Press on March 15<sup>th</sup>, 2014, and;

**WHEREAS**, on April 10<sup>th</sup>, 2014 at 10:00 AM, one proposal was received from Premier Technology Solutions, LLC for IT SUPPORT, and

**WHEREAS**, the Director of Finance reviewed the proposal set forth on the bid tally sheet of April 10<sup>th</sup>, 2014, and

**WHEREAS**, Premier Technology Solutions, LLC, was the only proposal received, and

**WHEREAS**, the Director of Finance has recommended that the contract for IT Support be awarded to Premier Technology Solutions, LLC, 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 proposal from Premier Technology Solutions, LLC is hereby awarded to begin May 1<sup>st</sup>, 2014 through April 30<sup>th</sup>, 2014 with an option to renew.
2. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and Premier Technology Solutions, LLC.
3. Premier Technology Solutions, LLC is required to comply with requirements of P.L. 1975 C.127 (N.J.A.C. 17:27)
4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to;
  - a) Premier Technology Solutions, LLC
  - b) Marilyn Seidenberg, Director of Finance
  - c) Coleen Weber, Office Manager

**DATE: APRIL 24<sup>TH</sup>, 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>
<b>McENERY</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>						<b>X</b>
<b>ROSEN</b>			<b>X</b>			

**AUTHORIZING THE RELEASE OF ALL REMAINING ESCROW FUNDS FOR  
MEADOW CREEK ESTATES, PROJECT #372A**

**WHEREAS**, the developer of Meadow Creek Estates Project #372A has requested a release of all remaining Escrow, and;

**WHEREAS**, there are no remaining deficiencies with the above referenced project, T&M Associates recommends the release of the remaining Inspection Escrow account in the amount of \$6,385.19 plus any accrued interest, and

**WHEREAS**, the General Manager has reviewed the request by T&M Associates and is authorized to release \$6,385.19 plus any accrued interest as per T&M Associates letter dated December 13<sup>th</sup>, 2012, 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 Meadow Creek Estates Project #372A
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) Meadow Creek Estates Project #372A

**DATE: APRIL 24<sup>TH</sup>, 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>
<b>McENERY</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>						<b>X</b>
<b>ROSEN</b>			<b>X</b>			

**AUTHORIZING VARIOUS FINANCIAL RESERVES OF THE AUTHORIT**

**WHEREAS**, on February 1, 2014 the Authority paid the final maturity of its 2005 Bonded Indebtedness; and

**WHEREAS**, the final payment of the Authority’s 2005 Series Bonded Indebtedness effectively rendered the 1985 Bond Resolution no longer in effect; and

**WHEREAS**, the 1985 Bond Resolution had various required financial reserves which have been rendered as no longer in effect; and

**WHEREAS**, it is the intent of the Commissioners of the Authority to continue with the spirit and underlying intent of those various financial reserves; and

**WHEREAS**, the Authority has sufficient funds at this time to earmark and fund those reserves; and

**WHEREAS**, such reserves are essential to the financial stability, environmental condition and protection of the ratepayers of the Authority; and

**NOW, THEREFORE, BE IT RESOLVED** that the Authority Commissioners authorize the Director of Finance to make the appropriate accounting entries in the financial records of the Authority creating the following reserves, amounts and purpose:

Repair and Replacement Reserve – The Repair and Replacement Reserve of the Authority in the amount of \$750,000.00 shall be used for reasonable and necessary expenses with respect to the system for major repairs, renewals, replacement or maintenance items of a type not reoccurring annually or at short intervals. The Executive Director/General Manager shall be authorized to commit funds against this reserve upon passage of a resolution by the Authority’s Commissioners stating the amount of such expenses or costs and describing in reasonable detail the purpose of such expenditures. Any charges to this reserve shall be restored no later than the next subsequent budget year in which it occurred.

Capital Replacement Reserve – The Capital Replacement Reserve of the Authority in the amount of \$1,000,000.00 shall be used for the reasonable and necessary expenses with respect to the system for major capital expenses, improvements and expansions. The Executive Director/General Manager shall be authorized to commit funds against this reserve upon passage of a resolution by the Authority’s Commissioners stating the amount of such expenses or costs and describing in reasonable detail the purpose of such expenditures. Any charges to this reserve shall be restored no later than the next subsequent budget year in which it occurred.

Debt Service Reserve – The Debt Service Reserve of the Authority shall be provided for in an amount as determined by the Director of Finance and approved by the Commissioners of the Authority as needed for amounts required to pay interest or principal of any loans or other approved long or short indebtedness of the Authority. The Debt Service Reserve is authorized to be the full amount of the remaining principal, interest and fees for the NJEIT 2010 project financing. The Director of Finance in preparation of the Annual Authority Budget is authorized to utilize a revenue source in an amount equal to the Annual Debt Service requirement for the fiscal year as it relates to the NJEIT 2010 project financing.

**BE IT FURTHER RESOLVED** that these reserves shall be authorized annually at the Authority’s reorganization meeting or until adjusted by the Authority Commissioners by the passage of a resolution or eliminated by the Commissioners by Resolution.

**DATE: APRIL 24<sup>TH</sup>, 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>
<b>McENERY</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>						<b>X</b>
<b>ROSEN</b>			<b>X</b>			

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND AND CASH SURETY FOR WAWA, INC. PROJECT #439**

**WHEREAS**, the developer of the Wawa, Inc., Project #439, 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 because there are no remaining deficiencies. The developer has submitted an acceptable two (2) year maintenance bond in the amount of \$31,948.50, and

**WHEREAS**, T&M Associates recommends that the Performance Bond in the amount of \$53,826.83 be released and the cash surety in the amount of \$5,980.76 (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 April 15<sup>th</sup>, 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 \$53,826.83 is released.
2. The Cash Surety in the amount of \$5,980.76 (plus accrued interest) is released.
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) Wawa, Inc. Project #439

**DATE: APRIL 24<sup>TH</sup>, 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>
<b>McENERY</b>		<b>X</b>	<b>X</b>			
<b>MENDEZ</b>	<b>X</b>		<b>X</b>			
<b>PERNICE</b>						<b>X</b>
<b>ROSEN</b>			<b>X</b>			



**AUTHORIZING THE PREPARATION AND EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE WESTERN MONMOUTH UTILITIES AUTHORITY AND THE TOWNSHIP OF MANALAPAN**

**WHEREAS**, the Western Monmouth Utilities Authority (hereinafter, “the WMUA”) and the Township of Manalapan mutually seek to work together to have the WMUA’s motor vehicles serviced; and

**WHEREAS**, the WMUA Commissioners are of the opinion that the preparation and execution of an Interlocal Agreement with the Township of Manalapan would be in the best interests of the WMUA ratepayers; and

**WHEREAS**, pursuant to the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.*, the WMUA is authorized to facilitate and promote interlocal and regional shared service agreements;

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

1. Upon their review and approval, the WMUA Commissioners are authorized to execute such Interlocal Agreement.
2. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
  - a) Township of Manalapan
  - b) Coleen Weber, Office Manager

**DATE: APRIL 24<sup>TH</sup>, 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>
<b>McENERY</b>						
<b>MENDEZ</b>						
<b>PERNICE</b>						
<b>ROSEN</b>						

**14-73 TABLED**

**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: APRIL 24<sup>TH</sup>, 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			