

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of April 3rd, 2014 be and the same are hereby accepted for filing by the Authority.

DATE: MAY 14TH, 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 April 24th, 2014 be and the same are hereby accepted for filing by the Authority.

DATE: MAY 14TH, 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 AWARDING CONTRACT FOR MAGNESIUM HYDROXIDE TO PREMIER
MAGNESIA LLC**

WHEREAS, a notice to bidders was published in the Asbury Park Press on April 17th, 2014; and

WHEREAS, on May 7th, 2014 at 10:00AM, a bid was received by the Authority for Magnesium Hydroxide , for a period of 1 year thru May 30th, 2015 for the Pinebrook Treatment Plant, and

WHEREAS, the General Manager reviewed the only bid set forth on the bid tally sheet of May 7th, 2014, and

WHEREAS, Premier Magnesia LLC, was the only bidder in the amount of \$234,000.00 per year for Magnesium Hydroxide, and

WHEREAS, the General Manager has recommended that the contract for Magnesium Hydroxide be awarded to Premier Magnesia 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 bid from Premier Magnesia LLC in the amount of \$234,000.00 per year for Magnesium Hydroxide Contract for a period of one year, to expire on May 30th, 2015, be awarded and,
2. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and Premier Magnesia LLC.
3. Premier Magnesia LLC is required to comply with requirements of P.L. 1975 C.127 (N.J.A.C. 17:27)
4. The Secretary is hereby authorized to forward copies of this resolution, certified to be a true copy to;
 - a) Premier Magnesia LLC
 - b) Dane Martindell, Facility Manager
 - c) Marilyn Seidenberg, Director of Finance

DATE: MAY 14TH, 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 BUDGET TRANSFER #2 FOR THE
YEAR ENDING JANUARY 31ST, 2014**

WHEREAS, the Western Monmouth Utilities Authority has heretofore adopted its annual budget for the year ending January 31, 2014 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:	Increase (Decrease)
1501 Administration Salaries	296,000.00	323,000.00	27,000.00
1503 Office Salaries	340,000.00	342,000.00	2,000.00
1507 Telephone & Internet	32,500.00	33,500.00	1,000.00
1512 Advertising	14,500.00	15,500.00	1,000.00
1526 S.S./Medicare Taxes - Admin	52,000.00	53,000.00	1,000.00
1600 Plant Management Salaries	484,000.00	503,000.00	19,000.00
1602 Chemicals	588,000.00	638,000.00	50,000.00
1621 Health Benefits - Plant	978,000.00	955,000.00	(23,000.00)
1622 Unemploy/Disability Taxes - Plant	18,000.00	19,000.00	1,000.00
1623 Education & Materials - Plant	7,500.00	8,500.00	1,000.00
1625 Pension - Plant	323,000.00	273,000.00	(50,000.00)
1710 Electrical Maintenance	150,000.00	120,000.00	(30,000.00)
	<u>3,283,500.00</u>	<u>3,283,500.00</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, 2014.

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, 2014 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 14TH, 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 PUBLIC HEARING TO SET NEW CONNECTION
FEES FOR FISCAL YEAR 2014-2015**

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 Thursday, June 19th, 2014, at the offices of the Western Monmouth Utilities Authority, 103 Pension Road, Manalapan, New Jersey at 7:30 p.m., for the purpose of setting the connection fee for the year ending January 31st, 2015, 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 19th, 2014. 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 19th, 2014 at 7:30 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 14TH, 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			

GRANTING APPROVAL TO OLDE SILVER TAVERN, PROJECT #520

WHEREAS, the Olde Silver Tavern has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #520 located at Lot #39 in Block #27 in the Township of Manalapan; and

WHEREAS, the applicant proposes to construct 2,903 LF of 8 inch PVC sewer to serve a proposed 289 seat bar/restaurant connecting to an existing main located on Tennent Road opposite Thomas Drive in Manalapan Township. There are approximately 7 existing dwelling units, along the proposed alignment. Per the Authority's Rules and Regulations, the Applicant will provide lateral wyes and cleanouts for future connections. The sewage will then continue through the existing gravity sewerage system to the Weamaconk Brook Interceptor and ultimately to the Authority's Pine Brook Treatment Plant for treatment.

For the purposes of determining the site EDCU count, the existing and proposed building/site usage would match Type of Service #12, (Diner, tavern, and restaurant) from the EDCU Schedule in the WMUA Regulations. For this commercial category, the EDCU count is established as 3 EDCU per seating capacity of 50 or part thereof. The information submitted by the Applicant's Engineer indicated that the proposed business would have a combination of restaurant and bar seating that totaled 289 seats. This number divided by 50 yields 5.78, resulting in the total EDCU's for this project of 6 times 3 per calculated unit, or 18 EDCU's.

WHEREAS, CME Associates recommends that this application for connection to WMUA's sanitary sewer facilities be granted 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;
- 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;
- 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.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with the Olde Silver Tavern 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 May 9th, 2014

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) Olde Silver Tavern, Project #520
- 2) CME Associates. Consultant Engineer
- 3) John Wisniewski, Attorney

DATE: MAY 14TH, 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			

**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: MAY 14TH, 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			