

**RESOLUTION APPROVING MINUTES**

**BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the minutes of the meeting of July 21<sup>st</sup>, 2014 be and the same are hereby accepted for filing by the Authority.

**DATE: AUGUST 21<sup>ST</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>			

**WESTERN MONMOUTH UTILITIES AUTHORITY**

**AUTHORITY BUDGET AMENDMENT NO. 2 RESOLUTION**

**FISCAL YEAR: FROM FEBRUARY 1, 2014 TO JANUARY 31, 2015**

**WHEREAS**, the Annual Budget and Capital Budget for the Western Monmouth Utilities Authority for the fiscal year beginning February 1, 2014 and ending January 31, 2015 has been presented before the Commissioners of the Western Monmouth Utilities Authority at its open public meeting of November 21, 2013; and

**WHEREAS**, such budget was adopted on January 15, 2014; and

**WHEREAS**, such budget was amended on June 19, 2014; and

**WHEREAS**, it is the desire of the Authority to again amend said budget; and

**WHEREAS**, the Director of Finance has reviewed the Authority's financial records and has determined and recommends the amendment; and

**WHEREAS**, the Financial Accounting Advisor to the Authority on this matter has reviewed and concurs with the recommendation on the amendment; and

**WHEREAS**, the Authority requires additional funds; and

**WHEREAS**, N.J.A.C. 5:31-2.2 and 5:31-2.8 provides that all amendments to the adopted budget and capital budget shall be approved and adopted by resolution of the Authority, passed by not less than a majority of the full membership; and

**WHEREAS**, such amendment is beneficial to the environmental condition, financial condition and necessary for proper maintenance and operation of the Authority on behalf of the ratepayers; and

**WHEREAS**, the Capital Budget is amended as follows in accordance with attached detailed budget schedule (CB-3):

<u>Capital Budget</u>	<u>From Adopted &amp; Amendment #1</u>	<u>To Amendment #2</u>	<u>Increase</u>	<u>Ref.</u>
Appropriation	\$ 8,540,265.00	\$ 9,440,265.00	\$ 900,000.00	*
Debt Authorization	\$ 4,689,000.00	\$ 5,489,000.00	\$ 800,000.00	*
Net Assets Utilitized	\$ 1,781,278.21	\$ 1,881,278.21	\$ 100,000.00	*


\* *Explanatory statement budget appropriation amendment needs as follows – The Amendment is required to legally appropriate funds for the completion of five (5) Pump Station Projects budgeted for in 2014-2015. However, additional provision is required to award the contracts in 2014-2015 also to correct the final approved debt authorization. Budgeting and Accounting requirements prescribed that an Amendment of this type be done.*

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the Annual Budget and Capital Budget for the fiscal year ended January 31, 2015 is hereby amended in accordance with the attached schedules labeled SS-9 and CB-3.

**BE IT FURTHER RESOLVED** that the Clerk is authorized to forward copies of this Resolution, certified to be a true copy, to Katherine Leatherman, General Manager; Marilyn Seidenberg, Director of Finance; Gerard Stankiewicz, CPA; Keith Henderson, P.E., Authority Consulting Engineer; Tim Gillen, Assistant Authority Consulting Engineer; Steve Rogut, Bond Counsel; State of New Jersey Department of Community Affairs, Bureau of Authority Regulation (two copies within 3 days); Township Clerk of Marlboro and Manalapan (within 3 days) and copy to file.

**CERTIFICATION**

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Members on the 21<sup>st</sup> day of August, 2014.



Joseph Pernice, Assistant Secretary  
Western Monmouth Utilities Authority

**DATE: August 21, 2014**

<u>Commissioners</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>	X		X			
<b>MENDEZ</b>						X
<b>PERNICE</b>		X	X			
<b>ROSEN</b>			X			

**14-103**

08/21/2014

# 2014

## AUTHORITY CAPITAL PROGRAM

### WESTERN MONMOUTH UTILITIES AUTHORITY

FISCAL YEAR: FROM FEBRUARY 1, 2014 TO JANUARY 31, 2015

### PROPOSED YEAR'S CAPITAL IMPROVEMENT PLAN

**PROPOSED YEAR'S CAPITAL IMPROVEMENT PLAN  
PAGE CB-3 (Amendment #2)**

<u>PROJECTS</u>	FUNDING SOURCES				
	<u>ESTIMATED TOTAL COST</u>	<u>UNRESTRICTED NET ASSETS</u>	<u>RENEWAL &amp; REPLACEMENT RESERVE</u>	<u>DEBT AUTHORIZATION</u>	<u>OTHER SOURCES</u>
A. Improvements to Five (5) Pump Stations	\$ 5,889,000.00	\$ 400,000.00		\$ 5,489,000.00	
<b>TOTAL</b>	<b><u>\$ 9,440,265.00</u></b>	<b><u>\$ 1,881,278.21</u></b>		<b><u>\$ 5,489,000.00</u></b>	<b><u>\$ 2,069,986.79</u></b>

**Summary to Amendment #2):**

	From	To	Increase *
Capital Budget Appropriation:			
A Improvements to Five (5) Pump Stations	<u>\$ 4,989,000.00</u>	<u>\$ 5,889,000.00</u>	<u>\$ 900,000.00</u>
Total Capital Budget	<u>\$ 8,540,265.00</u>	<u>\$ 9,440,265.00</u>	<u>\$ 900,000.00</u>

\* \$412,573.91 of this project was previously funded by Net Assets which will be refunded to the revenue fund upon closing of the NJEIT loan.

Western Monmouth Utilities Authority

Sewer (OPERATION)

AUTHORITY BUDGET SUPPLEMENTAL SCHEDULES Revised June 19, 2014 (Amendment #2) FISCAL YEAR: FROM February 1, 2014 TO January 31, 2015

Table with columns for line items, descriptions, and amounts. Includes rows for PY UNRESTRICTED NET ASSETS, ADJUSTMENTS DURING CURRENT YEAR, CURRENT YEAR ESTIMATED CHANGES IN RESTRICTIONS, DESIGNATIONS, and UNRESTRICTED NET ASSETS AVAILABLE FOR USE IN PROPOSED BUDGET.

(732) 446-9300 x104 / (732) 446-1203

Phone # (extension) / Fax #

CERTIFIED BY:

Marilyn Seidenberg, Director of Finance

(#) Explain in detail in the Budget Message

DATE: August 21, 2014

**AUTHORIZING GENERAL MANAGER TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS FOR PAVING AT THE WMUA TREATMENT PLANT**

**WHEREAS**, the General Manager has requested to prepare plans and specifications, advertise and receive bids for Paving at the WMUA Treatment Plant;

**WHEREAS**, the Commissioners of the Western Monmouth Utilities Authority need to authorize the General Manager to receive bids, and

**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, advertise and receive bids for Paving at the WMUA Treatment Plant
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy
  - a) Coleen Weber, Office Manager

**DATE: AUGUST 21<sup>ST</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 GENERAL MANAGER TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE AND RECEIVE BIDS FOR REED BED DISPOSAL**

**WHEREAS**, the General Manager has requested to prepare plans and specifications, advertise and receive bids for the Reed Bed Disposal;

**WHEREAS**, the Commissioners of the Western Monmouth Utilities Authority need to authorize the General Manager to receive bids, and

**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, advertise and receive bids for the Reed Bed Disposal.
2. The Clerk is authorized to forward copies of this resolution, certified to be a true copy
  - a) Coleen Weber, Office Manager

**DATE: AUGUST 21<sup>ST</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 ISSUANCE OF NOTICES AND CRITERIA FOR  
CONTRACT AWARD FOR PAYROLL PROCESSING**

**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 “Payroll Processing” 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 shall make available to interested vendors the enclosed Western Monmouth Utilities Authority Criteria for Payroll Processing under the Fair and Open Process.
2. The Clerk is hereby authorized to forward copies of this Resolution, certified to be a true copy to:
  - a) Katherine Leatherman, General Manager

**DATE: AUGUST 21<sup>ST</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>			



## **LEGAL NOTICE**

### **REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL CONTRACT FOR 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 Payroll Processing and hereby solicit two (2) copies of qualifications in the form of resumes and letter applications the Western Monmouth Utilities Authority, which shall be submitted to Katherine Leatherman, General Manager, 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 General Manager to be received by no later than December 10<sup>th</sup>, 2014 at 10:00AM. Interested parties may view the criteria for these services on the Authority’s website: [www.wmuaj.org](http://www.wmuaj.org)**

**Western Monmouth Utilities Authority**

**RESOLUTION AWARDING BID FOR THE PUMP STATION REHABILITATION PROJECT TO COPPOLA SERVICES, INC.**

**WHEREAS**, a notice to bidders was published in the Asbury Park Press on May 27<sup>th</sup>, 2014; and posted on the Western Monmouth Utilities Authority website, and

**WHEREAS**, on July 15<sup>th</sup>, 2014 at 11:00am, bids were received by CME Associates at the Authority for the Pump Station Rehabilitation, and

**WHEREAS**, **Coppola Services Inc.** was the apparent low bidder in the amount of \$4,566,700.00 for the Pump Station Rehabilitation Project, and

**WHEREAS**, this project is being financed predominantly by the 2015 NJEIT permanent loan program, 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 Coppola Services Inc. in the amount of \$4,566,700.00 is accepted for the Rehabilitation of Five Pump Stations **subject to the approval by the New Jersey Department of Environmental Protection – Environmental Infrastructure Financing Program.**
2. In accordance with N.J.S.A 52:15C-10; Compliance Form “A” is hereby attached and will be submitted to the State Comptroller’s Office no later than 20 business days after award, along with this Resolution, a certification of funds, the bid tally sheet, a copy of the bid protest and a copy of the signed, executed contract (when it becomes available) and all addenda to the solicitation
3. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and Coppola Services Inc.
4. Coppola Services Inc. is required to comply with requirements of P.L. 1975 C.127 (N.J.A.C. 17:27)
5. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to;
  - a) CME Associates, Consultant Engineer
  - b) Steven Rogut, Bond Counsel
  - c) Coppola Services Inc.
  - d) Marilyn /Seidenberg, Director of Finance
  - e) Coleen Weber, Office Manager

**DATE: AUGUST 21<sup>ST</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 AWARDING BID FOR THE DIGESTER CONDUIT RELOCATION TO ELECTRO MAINTENANCE INC.**

**WHEREAS**, a notice to bidders was published in the Asbury Park Press on July 14<sup>th</sup>, 2014; and

**WHEREAS**, on August 12<sup>th</sup>, 2014 at 10:00am, bids were received by T&M Associates at the Authority for the Digester Conduit Relocation, and

**WHEREAS**, **Electro Maintenance Inc.** was the apparent low bidder in the amount of \$47,000.00 for the Digester Conduit Relocation, 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 Electro Maintenance Inc. in the amount of \$47,000.00 is accepted for the Digester Conduit Relocation.
2. The General Manager is authorized to enter into a contract between the Western Monmouth Utilities Authority and
3. Electro Maintenance Inc. 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) T&M Associates
  - b) Electro Maintenance Inc.
  - c) Coleen Weber, Office Manager

**DATE: AUGUST 21<sup>ST</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>MELENDEZ</b>						<b>X</b>
<b>PERNICE</b>		<b>X</b>	<b>X</b>			
<b>ROSEN</b>			<b>X</b>			

## GRANTING APPROVAL TO AMERICAN PLAZA III, LLC, PROJECT #570

**WHEREAS**, the applicant, American Plaza III, LLC has applied to the Western Monmouth Utilities Authority for approval in connection with its Application #570 located at Lot #2 in Block #176 in the Township of Marlboro; and

**WHEREAS**, the applicant proposes to construct a new 3644 Sq. Ft. bank and build a new 21000 Sq. Ft. building in a C-4 zone. Accordingly, they will construct approximately 100 LF of new lateral, approximately 460 LF of new sanitary sewer and associated manholes and cleanouts to connect to an existing sanitary sewer servicing the site. Flow will then go to a private pump station on site to the force main discharge manhole on the Owner's property and then by gravity to the Authority's main on Texas Road. The sewage will then continue through the existing gravity sewerage system to the Mills Pond Pumping Station, then to Hawkin's Road Pump Station and ultimately to the Pine Brook Treatment Plant for treatment. For the purposes of determining the site EDCU count, the EDCU Schedule in the WMUA Regulations shall be used. The proposed bank shall be considered one (1) EDCU as it will be considered a commercial establishment with four (4) fixtures. Because the intended purpose of the new retail building has not been indicated, the EDCU count will be determined based on the flow rates according to the Design Engineer. In anticipation that the propose retail building will at any point house a business in the food servicing industry, it is highly recommended that a grease trap be built to prevent any future blockage problems.

**WHEREAS**, the Applicant's Engineer has indicated that the existing pump station on site has adequate capacity to handle the increased flows. Calculations have been provided in a "Pump Station Design Report" provided by said engineer.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with American Plaza III, #570 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, CME, dated July 22<sup>nd</sup>, 2014, and

**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) American Plaza III, LLC, Project #570
- 2) CME Associates. Consultant Engineer
- 3) John Wisniewski, Attorney

**DATE: AUGUST 21<sup>ST</sup>, 2014**

<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>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 GUARANTEE  
AND ESCROW FOR CRINE WEST, PROJECT #331**

**WHEREAS**, the developer of Crine West, Project #331 has requested a release of the Performance Guarantee and remaining Escrow, and;

**WHEREAS**, CME Associates has performed both a pre and post pavement site inspection of the above referenced project and find that the developer has satisfactorily addressed all of the prior construction punch list items as per attached letter dated June 30<sup>th</sup>, 2014, and

**WHEREAS**, CME Associates has recommended the Performance Guarantee – Letter of Credit in the amount of \$84,193.67 be released and remaining escrow, subject to the posting of a two-year maintenance bond in an amount equal to \$10,794.06, retaining \$1,000.00 in escrow to cover the maintenance period, and further subject to all outstanding fees due the Authority be current, and

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

1. The Performance Guarantee – Letter of Credit in the amount of \$84,193.67 be released.
2. The remaining Escrow, subject to the posting of a two-year maintenance bond in an amount equal to \$10,794.06, retaining \$1,000.00 in escrow to cover the maintenance period.
3. All professional fees must be current.
4. The Clerk is hereby authorized to forward copies of this resolution, certified to be a true copy to:
  - a) Kathy Leatherman, General Manager
  - b) CME Associates
  - c) Crine West #331

**DATE: AUGUST 21<sup>ST</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 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 and will return to open session.

**DATE: AUGUST 21<sup>ST</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 APPOINTING GEORGE WHITE AS COLLECTIONS SUPERINTENDENT**

**WHEREAS**, the Commissioners of the Western Monmouth Utilities Authority (WMUA) wish to appoint a Collections Superintendent and

**WHEREAS**, the Commissioners of the WMUA have recommended that George White be appointed to the position of Collections Superintendent.

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

1. George White be and is hereby appointed to the position of Collections Superintendent.
2. The salary for the Collections Superintendent effective September 1<sup>st</sup>, 2014 will be set at \$83,325.00 annually.
3. The Clerk is authorized to forward copies of this resolution, certified to be a true copy to:
  - a) George White, Collections Superintendent
  - b) Marilyn Seidenberg, Director of Finance
  - c) Personnel File

**DATE: AUGUST 21<sup>ST</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>			