

**AUTHORIZING CONTRACT WITH REINER PUMP SYSTEMS THROUGH NJWCPS
 CONTRACT #B195-2 FOR THE PURCHASE OF A REPLACEMENT PUMP PURSUANT TO
N.J.S.A.40A:11-12a**

WHEREAS, the Western Monmouth Utilities Authority, pursuant to N.J.S.A.40A:11-12a and N.J.A.C.5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the North Jersey Wastewater Cooperative Pricing System (NJWCPS) for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Western Monmouth Utilities Authority has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Western Monmouth Utilities Authority will enter into a contract with Reiner Pump Systems, for the purchase of a Replacement Pump, Model XFP 155J CB2 PE350/6 460V 3 PHASE for the Hawkins Road Pump Station for the price of \$28,950.00 through this resolution and properly executed contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Western Monmouth Utilities Authority authorizes the Purchasing Agent to purchase certain goods or services from the NJWCPS, pursuant to all conditions of the individual State Co-Ops; and

BE IT FURTHER RESOLVED, that the governing body of the Western Monmouth Utilities Authority pursuant to N.J.A.C.5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer, and

BE IT FURTHER RESOLVED, we can enter into contract between the Western Monmouth Utilities Authority and Reiner Pump Systems. through the NJWCPS Contract #B195-2

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

1. Scott DiBenedetto, Chief Financial Officer
2. Reiner Pump Systems

DATE: April 13, 2021

| <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> |
| MUSICH | X | | X | | | |
| PERNICE | | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

**AUTHORIZING EMEX TO PROVIDE AN ENERGY REVERSE AUCTION FOR
ELECTRICITY & NATURAL GAS**

WHEREAS, the Western Monmouth Utilities Authority intends to procure for its own usage electricity and natural gas through a reverse auction process, and

WHEREAS, EMEX is NJDCA approved to conduct reverse energy auctions, and

WHEREAS, EMEX has experience conducting on-line reverse auctions, and

WHEREAS, the Western Monmouth Utilities Authority will apply to the Division of Local Government Services, Department of Community Affairs for approval to conduct the aforesaid reverse auction, and

NOW THEREFORE, BE IT RESOLVED that EMEX is authorized to act as the Western Monmouth Utilities Authority’s Agent for the purposed of conducting the energy procurement, and

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Division of Local Government Services, Department of Community Affairs in application for approval of the energy procurement.

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the regular minutes of the meeting and the closed session minutes of February 9, 2021 be and the same are hereby accepted for filing by the Authority.

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the regular minutes of the meeting and the closed session minutes of February 23, 2021 be and the same are hereby accepted for filing by the Authority.

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the regular minutes of the meeting and the closed session minutes of March 9, 2021 be and the same are hereby accepted for filing by the Authority.

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

RESOLUTION APPROVING MINUTES

BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the regular minutes of the meeting and the closed session minutes of March 23, 2021 be and the same are hereby accepted for filing by the Authority.

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

RESOLUTION CONSENTING TO THE PROPOSED MONMOUTH COUNTY WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Western Monmouth Utilities Authority desires to provide for the orderly development of wastewater facilities within the Iron Ore Road Property, Block 72, Lot 11.07 in Manalapan Township, and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan, and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan, and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on March 15, 2021 for Iron Ore Road Property, block 72/Lot 11.07 (pollion), Manalapan Township, Monmouth County has been prepared by Western Monmouth Utilities Authority, and

NOW, THEREFORE, BE IT RESOLVED on this 13th, day of April, 2021, by the governing body of the Western Monmouth Utilities Authority that:

1. The Western Monmouth Utilities Authority hereby consents to the Iron Ore Road Property amendment, and publicly noticed on March 15, 2021, prepared by _____, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | X | | | |

**GRANTING APPROVAL TO THE ZAGARI SUBDIVISION,
PROJECT #742**

WHEREAS, Joseph Zagari has applied to the Western Monmouth Utilities Authority for approval in connection with his Application #742, Zagari Subdivision located in Block #183, Lot 15 in the Township of Marlboro; and

WHEREAS, the applicant proposes to construct approximately 501 linear feet of 8" sanitary sewer main to service a proposed four (4) lot subdivision. The proposed development consists of four (4) single family homes located along Newman Springs Road (County Road 520) and Crine Road. The applicant will make connection to the existing WMUA Sewerage Collection System along Newman Springs Road.

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 is required to furnish sufficient performance guarantees in the amounts of \$43,049.59 and \$4,783.29 representing the 90% bond portion and 10% cash portion, respectively, to guarantee construction of the improvements described in the application. No construction may begin until the required performance bond is submitted and approved by the Authority. The performance guarantee must be in a form acceptable to the Authority Attorney.
- e. Applicant shall furnish the required escrow for construction observation in the amount of \$5,110.35 in accordance with the Authority's Rules and Regulations. The Applicant has the option of posting an initial deposit representing 5% of the total anticipated construction cost in the amount of \$1,703.45. If applicable, the Applicant may be required to post additional fees to cover extra work or overtime costs as documented by the Authority and/or its Consulting Engineer;
- f. Submittal of an acceptable insurance certificate naming the WMUA and its Consulting Engineer additionally insured and
- g. Applicant's attendance at a preconstruction meeting.

Upon the Authority granting approval of the Application, construction on the project shall start within two (2) years of the date of the resolution by the Authority granting approval. If construction does start within two (2) years of the date of the Resolution by the Authority granting approval, the Approval will automatically expire unless the Authority acts, by Resolution, to extend the time period.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Western Monmouth Utilities Authority that the application for approval in connection with The Zagari Subdivision, Project #742 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 April 7, 2021.

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

- 1) Zagari Subdivision, Project #742
- 2) CME Associates. Consultant Engineer

DATE: APRIL 13, 2021

| <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> |
| MUSICH | | | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | X | X | | | |
| MENDEZ | | | 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, and

WHEREAS, the Commissioners went into Closed Session to discuss Protecting Public Security, 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 13, 2021

| <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> |
| MUSICH | | X | X | | | |
| PERNICE | X | | X | | | |
| ROSEN | | | X | | | |
| MENDEZ | | | X | | | |