

**WARREN TOWNSHIP SEWERAGE AUTHORITY**

**RESOLUTION NO. 12-123**

**RESOLUTION APPROVING PAYMENT OF \$3,000 FROM THE OPERATING FUND TO SCHULTZ LANDSCAPING FOR THE REPLACEMENT AND PLANTING OF CERTAIN LANDSCAPING ELEMENTS PURSUANT TO CONTRACT 50, THE MT. BETHEL PUMP STATION UPGRADE, AND SUBTRACTING SAME FROM THE AMOUNT CURRENTLY OUTSTANDING AND OWED TO MAPLE CONSTRUCTION ON CONTRACT 50**

**WHEREAS**, Maple Construction Company ("Maple") was awarded Contract 50 for the replacement of the Mount Bethel Pumping Station by vote of the Authority at its April 20, 2011 meeting; and

**WHEREAS**, as indicated in the CONTRACTOR'S APPLICATION AND CERTIFICATE FOR PAYMENT dated August 6, 2012, through a Change Order Maple agreed to provide and plant certain landscaping elements and water that landscaping until it became established, and to warrant the landscaping for one year, the compensation for such work being added to the amount of the Contract; and

**WHEREAS**, Maple did plant the required landscaping, but abandoned its watering obligation, resulting in many of the trees and shrubs dying; and

**WHEREAS**, as reflected in the CONTRACTOR'S APPLICATION AND CERTIFICATE FOR PAYMENT the Authority has been reserving \$13,586.68, to include the added amount due for the landscaping, as the contract balance due to Maple; and

**WHEREAS**, the Authority desiring to replace the plantings and the seasonal nature of when best to complete such planting, on October 26, 2012, the Authority's representatives authorized Schultz Landscaping, LLC, 1 Fern Way, Hillsborough, New Jersey, 08844 ("Schultz"), to remove dead blue spruce and forsythia and replaced them with four (4) new blue spruces and three (3) forsythia at the Mount Bethel Pumping Station, based on the price of \$3,000 for such replacement plants and work; and

**WHEREAS**, the Authority has reviewed this amount and the work done, and is satisfied that the amount is fair and reasonable, and that the Authority desires to approve same.

**NOW, THEREFORE, BE IT RESOLVED**, by the Warren Township Sewerage Authority in the County of Somerset, New Jersey that:

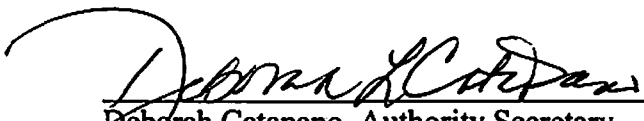
1. Retroactive authorization is granted for payment of \$3,000 to Schultz from the Authority's Operating Account for the plants provided and services rendered.
2. The \$13,586.68 held by the Authority for the contract balance due to Maple is hereby reduced by \$3,000 to \$10,586.68, to reflect the reduction in the amount owed to Maple under Contract 50.

Moved by Mr. Truglio  
 Seconded by Mr. Checchio

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	_____	_____
Mr. Kaufman	_____	_____
Mr. Vetter	_____	_____
Mr. Checchio (Alternate #1)	x _____	_____
Mr. Paolella (Alternate #2)	_____	_____

**CERTIFICATION**

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on November 21, 2012.

  
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 Deborah Catapano, Authority Secretary