

12/11/08

Chairman Allmann called the meeting to order.

Flag Salute

Administrative Assistant read the following statement: "My name is Joan Haltigan, Administrative Assistant of the Jackson Township Municipal Utilities Authority. It is 5:30 p.m. and we will commence with the public portion of the regularly scheduled Public Meeting of December 11, 2008."

Chairman Allmann requested a roll call.

The December 11, 2008 Public Meeting of the Jackson Township Municipal Utilities Authority was called to order at 5:30 P.M. Present were Members Borys, Clayton, Rickabaugh and Chairman Allmann, Alternate Member Garofano, along with the Business Administrator, James Diaz, Administrative Assistant, Joan Haltigan and Executive Director, David Harpell. Also in attendance were Authority Engineer, Jeff Staiger and Authority Counsel, William Hiering. Members Blake and Lundy were excused.

As Administrative Assistant I publicly announce that in compliance with the provisions of the "Open Public Meetings Act," adequate notice of the Public Meeting has been advertised in the manner prescribed by law, and that this statement would be entered in the minutes of this meeting.

1. Approval of the Minutes of the Open Session Public Meeting of November 20, 2008.

Mr. Borys made a motion to approve the minutes of the Open Session Public Meeting of the November 20, 2008. Mrs. Rickabaugh seconded the motion and was passed unanimously.

2. Questions/Comments from the Public

Chairman Allmann opened the floor to the public.

With no comments, the Chairman closed the public portion of the meeting noting he will reopen if someone should arrive from the public.

3. Review of Executive Director's Report
Engineering Committee Report
Public Relations Committee Report
Administrative Committee Report

Mr. Harpell discussed the following items from the Executive Director's report.

- Mr. Harpell discussed the Legler Water System noting that the Township approved the potential transfer on November 25, 2008. There are not too many outstanding issues at this point and would like to recommend approval this evening for this acquisition. Mr. Harpell stated that T&M is in the process of completing the survey work on the easements the Township will have to acquire and the biggest issue will be if Well #4 can be used noting that the Authority will be meeting with the NJDEP on December 18th and will then have a better idea. Mr. Harpell stated that he believes the Authority

would probably have to line Well # 3, due to timing, and continue to pursue Well #4 for the future at this point.

- Mr. Harpell stated that the 2009 Holiday Schedule is on the agenda for approval this evening noting that there is only one holiday that fell on a weekend, July 4th. The Authority is proposing to celebrate this holiday on Friday, July 3rd.
- Mr. Harpell discussed the 2008 Blood Drive and thanked the employees, specifically Veronica Klein and Joan Haltigan, for their positive representation of the Authority. It was also noted the “Toys for Tots” drive was very successful.

Engineering Committee Report

The Engineering Committee met on Monday, Monday, December 8, 2008 and Mr. Harpell discussed the following items this month.

CAPITAL PROJECTS

- Construction of Well No. 15, Contract No. 01-101 Authorizing Closeout with Uni-Tech Drilling Company, Inc. This was a 2001 contract on Well #15 which was pumping sand. Uni-Tech Drilling Co., Inc. has fulfilled their contractual obligations and has submitted the required contract closeout documents for the above referenced project. The Authority is recommending that this contract be closed.
- Hampshire Hills Pump Station Renovation, Contract No. C7-00014 Approving Task Order Change No. 1 to O'Donnell, Stanton & Associates, Inc., in the amount of \$11,825.00. Mr. Harpell noted that there were two issues on this job. The as-builts were incorrect, therefore, O'Donnell, Stanton & Associates had to do some redesign work, which was discussed with the Engineering Committee before they proceeded. The second issue was some extra inspection time. If the Board concurs, the Authority would like to recommend approval this evening, noting that it was a fair settlement. Chairman Allmann noted that the Engineering Committee had reviewed and agreed on the amount for this change order also noting that it has been requested from all professionals that they notify the Authority if a change order will be forthcoming.
- Well No. 16 Well House and Pumping Equipment, Contract No. C8-00059, Rescinding Award of Contract to EDC Electrical Design & Construction Corp, in the amount of \$568,000.00. The Authority recommended this job be awarded last month and the second bidder submitted a formal protest. There is approximately \$1,000.00 worth of plumbing work on this job and EDC originally submitted a letter stating they were doing all the subcontractor work themselves but they don't have a licensed plumber on staff. Since EDC did not list a plumbing subcontractor, the second bidder is going to pursue this protest. The Authority is recommending rescinding the referenced award and re-bid. Chairman Allmann stated that one of the benefits in re-bidding this job would be if the stimulus package comes out with this category of work. Mr. Harpell stated that in reviewing with the Engineering Committee, the Authority found quite a few projects that could be eligible for stimulus funding. Chairman Allmann noted that the Authority will be pushing forward on some engineering services to get these projects ready for submittal when the package comes out.

STATUS ITEMS

- Manhattan Street Water Treatment Replacement and Liberty Tank. It was noted that a Project Information Session will be held on December 17, 2008 for the residents close to the proposed site. Drew Wilson will be running this project and will be present and available to answer any questions from residents prior to construction.

With no questions, Mr. Harpell concluded the Engineering Report.

DEVELOPER PROJECT

Mr. Jeff Staiger of Remington, Vernick & Vena Engineers stated there were two developer applications on the agenda this evening.

- Meridian Health Village at Jackson, Block 8101, Lots 5, 6, & 7. The applicant is proposing a 2,000 sq ft, three-story medical health center at the intersection of Bennetts Mills Road and Cooks Bridge Road. The applicant is applying for tentative water and sewer and recommend that approval be granted at this time.
- New Prospect Plaza, Block 6801, Lot 37. The applicant is proposing to construct 8,000 sq ft two-story medical office building at the intersection of Bethel Church Road and New Prospect Road. The applicant is applying for tentative and final water and sewer approval. We recommend that only tentative approval be granted at this time due to some issues that need to be addressed prior to final approval.

AUTHORITY APPROVAL

- Jackson Crossings. Recommend release of the water performance guarantee as per our December 2, 2008 letter to the Board.

Public Relations Committee Report

Mr. Harpell stated that the Public Relations Committee did not meet this month.

Administrative Committee Report

Mr. Harpell stated that the Administrative Committee did not meet this month.

4. Business Administrator's Report
Finance Committee Report
Personnel Committee

Mr. Diaz stated that the Finance Committee met on Monday, December 8, 2008, discussing and recommending approval of items on the agenda this evening. The Finance Committee reviewed the bills and the total voucher list amount submitted this evening in the amount of \$509,997.29 with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$104,289.51 for Capital Projects;
2. Escrow Funds in the amount of \$5,226.56 for Developer Work;
3. Customer Deposit in the amount of \$61,300.12 for Deposit Fund;
4. Revenue General Fund in the amount of \$339,181.10 for Operating Expenses.

Mr. Diaz stated that the operating transfer of \$339,181.10 includes \$169,590.42 for funding the Payroll account. An additional amount of \$5,409.58 from the Capital Reserve Fund will also be used for funding the payroll account for a total of \$175,000.00 to be deposited into payroll this month.

- Mr. Diaz discussed the Annual Chemical Bids noting that last month the Authority awarded a number of different chemical bids except for one, Caustic Soda, under Buckman's Inc., Contract No. C9-00004 for \$209,000.00. The Authority was investigating the dollar amount for this chemical and has found that it is a reasonable price. The Finance Committee is recommending approval on this contract this evening.
- Mr. Diaz stated that the annual transfer had been done from the General Fund to Capital Fund. The total amount was \$1,740,556.85. There is a resolution on the agenda to ratify the transfer and a resolution to restrict the funds to support the 2009 Capital Budget. The amount of funds needed is only \$177,461.19 from the Manhattan Street Project Fund which is approximately \$350,000.00 less than was originally anticipated due to an increase in the fourth quarter cash caused by the collections on delinquent accounts including customers, connection fees.
- Mr. Diaz discussed the annual renewals, noting Risk Management through Connor Strong, formerly known as Commerce Risk. This is a good company and fees are 6% of the Authority's assessed premium, which is paid through JIF premium. The Finance Committee is recommending approval this evening. The following annual contracts are up for renewal: Horizon Group Dental, Contract No. C9-00014, Guardian Life, Contract No. C9-00013, Edmunds Software, Contract No. C9-00012 in the amount not to exceed \$9,124.00, Gold Bond Cleaning, Contract No. C9-00015 in an amount not to exceed \$13,000.00, American Wear, Contract No. C9-00016 in an amount not to exceed \$15,000.00. The Finance Committee has reviewed all of these contracts and is recommending approval this evening.
- Annual Meter Bids. Mr. Diaz stated that the Authority advertised bids for the annual meter purchases for 2009. The first contract awarded to HD Supply Water Works, LTD (Sensus Meters) Contract No. C9-00001 in the amount of \$89,088.00. The second contract was awarded to Rio Supply, Inc. d/b/a SLC Meter East (Neptune Meters) Contract No. C9-00002 in the amount of \$94,620.00.
- Laboratory Testing Services. The Authority has extended the contract to Henderson Labs with a 3.5% increase under Contract No. C9-00003 in the amount not to exceed \$42,849.00.

All referenced renewal contracts have been discussed with the Finance Committee and are recommending approval this evening.

At this time, Mr. Diaz stated that he would like to discuss the proposed rate schedule in closed session.

PERSONNEL

The Personnel Committee met this evening and discussed the following items on the agenda:

- Mr. Diaz discussed two new hires. Mr. Michael Crooker will fill the open position of Assistant Engineer with a start date of January 12, 2009 and Mr. Anthony Parrella will be filling the open Sewer Repairer/Water Repairer/Water Treatment Plant Operator position. Mr. Parrella's start date is December 15th. The Personnel Committee is recommending approval this evening.

- Mr. Diaz discussed the Executive Assistant Contract. The Authority is standardizing employee contracts and is recommending a five-year contract. The Authority's attorney and the Personnel Committee have reviewed the terms of the contract and are recommending approval this evening.
- The next item discussed was the Non-Union Employment Agreement. It was noted that in the Non-Union Agreement as well as the Executive Assistant Agreement, some minor changes have been made such as the addition of six accrued unused sick days to be bought back annually. The purpose for the sick leave change was to allow the non-union employees who very seldom call out the ability to buy back their time over a number of years without the possibility of losing them. Currently there is a cap of \$12,000.00. Mr. Diaz stated that as discussed with the Personnel Committee, the State limit is \$15,000.00 and will bring to the Board for approval to go from \$12,000.00 to \$15,000.00. Chairman Allmann stated that this is beneficial to the employees. Mr. Diaz stated that the Non-Union Agreements also include another provision that states that non-union employees will be afforded the same benefits as collective bargaining unless otherwise specified within the agreement. It was also noted that rather than renewing annually, the Authority could keep one agreement with a maximum of five years unless changes are necessary before that time. The Board would be presented with a resolution for salary adjustments, which would be on an annual basis. Upon approval this evening, all Non-Union Employees will sign one agreement each for their personnel file and we will readdress the salary adjustment each year. It was noted that salary adjustments are usually comparable with union adjustments, noting it is up to the discretion of the Board. It was also noted that labor counsel has reviewed.

5. Consent Resolutions 2008-259 to-2008-266

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| 2008-259 | Resolution Granting Tentative Sewer & Water Approval to Meridian Health Village at Jackson Block 8101, Lots 5, 6, & 7 on the Tax Map of the Township of Jackson. |
| 2008-260 | Resolution Granting Tentative Sewer & Water Approval to New Prospect Plaza, Block 6801, Lot 37 on the Tax Map of the Township of Jackson. |
| 2008-261 | Resolution Granting Tentative Sewer & Water Approval to New Prospect Plaza, Block 6801, Lot 37 on the Tax Map of the Township of Jackson. |
| 2008-262 | Resolution Granting a Performance Guarantee Release for Water to Cardinale & Jackson Crossings Associates for Jackson Crossing, Block 21301, Lot 10.01 (formerly known as Block 58.01, Lot 1.02). |
| 2008-263 | Resolution Author Software Support Agreement with Edmunds & Assoc., Inc. Cont. No. C9-00012, in amount of \$11,924.00. |
| 2008-264 | Resolution Authorizing Renewal of Annual Guardian Life, and AD&D Contract No. C9-00013. |
| 2008-265 | Resolution Authorizing Renewal of Horizon Group Dental Plan Cont No.C9-00014, for January 1, 2009 to December 31, 2009. |
| 2008-266 | Resolution Authorizing Execution of a Risk Management Consultant's Agreement to Conner Strong Companies, Inc. |

Mrs. Rickabaugh made a motion to approve Resolutions 2008-259 to 2008-266. Mr. Borys seconded the motion and it was passed unanimously.

6. Resolutions Offered:

2008-267 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll.

Mr. Borys made a motion to approve Resolution 2008-267. Mrs. Garofano seconded the motion and it was passed unanimously.

2008-268 Resolution Authorizing Award of Task Order Change No. 1 to O'Donnell, Stanton and Associates, Inc for Engineering Services and Additional Inspection Services for Hampshire Hills Pump Station Renovation, Contract No. C7-00014, in the Amount of \$11,825.00.

Mrs. Clayton made a motion to approve Resolution 2008-268. Mr. Borys seconded the motion and it was passed unanimously.

2008-269 Resolution Rescinding Resolution No. 2008-249 and Authorizing the Re-Bidding of the Well No. 16 Well House and Pumping Equipment, Contract No. C8-00059.

Mrs. Rickabaugh made a motion to approve Resolution 2008-269. Mrs. Clayton seconded the motion and it was passed unanimously.

2008-270 Resolution Authorizing the Acquisition of the Legler Water System from the Township of Jackson Inclusive of Real Estate and All Personal Property Comprising and Being a Part of Said Water Utility System.

Mr. Borys made a motion to approve Resolution 2008-270. Mrs. Garofano seconded the motion and it was passed unanimously.

2008-271 Resolution Authorizing Contract with Gold Bond Building Services, Inc. for Cleaning Services Contract No. C9-00015 in an Amount Not to Exceed \$13,000.00.

Mrs. Rickabaugh made a motion to approve Resolution 2008-271. Mr. Borys seconded the motion and it was passed unanimously.

2008-272 Resolution Awarding a Contract to American Wear for Uniform Cleaning, Contract No. C9-00016 for a One-Year Period in Accordance with their Quotation and Not to Exceed the Sum of \$15,000.00.

Mr. Borys made a motion to approve Resolution 2008-272. Mrs. Clayton seconded the motion and it was passed unanimously.

2008-273 Resolution Awarding 2009 Neptune Water Meter Acquisition Contract No. C9-00002, to Rio Supply, Inc. d/b/a SLC Meter East in the Amount of \$94,620.00.

Mrs. Rickabaugh made a motion to approve Resolution 2008-273. Mr. Borys seconded the motion and it was passed unanimously.

2008-274 Resolution Awarding 2009 Sensus Water Meter Acquisition Contract No. C9-00001 to HD Supply Water Works, LTD in the Amount of \$89,088.00.

Mrs. Clayton made a motion to approve Resolution 2008-274. Mrs. Borys seconded the motion and it was passed unanimously.

2008-275 Resolution Approving One-Year Extension to J.R. Henderson Labs for Laboratory Testing Services for Potable Water & Waste Water for the Year 2009, Contract No. C9-00003 in an Amount Not to Exceed \$42,849.00.

Mr. Borys made a motion to approve Resolution 2008-275. Mrs. Garofano seconded the motion and it was passed unanimously.

2008-276 Resolution Awarding Chemical Supply Contract No. C9-00004 to Buckman's Inc. in the Total Award Amount of \$209,000.00.

Mrs. Rickabaugh made a motion to approve Resolution 2008-276. Mr. Borys seconded the motion and it was passed unanimously.

2008-277 Resolution Authorizing the Restriction of Authority Funds.

Mr. Borys made a motion to approve Resolution 2008-277. Mrs. Clayton seconded the motion and it was passed unanimously.

2008-278 Resolution Adopting 2009 Holiday Schedule.

Mrs. Rickabaugh made a motion to approve Resolution 2008-278. Mr. Borys seconded the motion and it was passed unanimously.

2008-279 Resolution Authorizing Salary Adjustment to the Annual Non-Union Employee Contracts.

Mrs. Clayton made a motion to approve Resolution 2008-279. Mr. Borys seconded the motion and it was passed unanimously.

2008-280 Resolution Authorizing the Execution of a Five-Year Contract with Joan Haltigan.

Mrs. Rickabaugh made a motion to approve Resolution 2008-280. Mrs. Garofano seconded the motion and it was passed unanimously.

2008-281 Resolution Authorizing the Hiring of Michael Crooker to Assistant Engineer

Mrs. Clayton made a motion to approve Resolution 2008-281. Mr. Borys seconded the motion and it was passed unanimously.

2008-282 Resolution Authorizing Provisional Hire of a Classified Employee.

Mrs. Clayton made a motion to approve Resolution 2008-282. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

