

12/16/10

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 16, 2010."

Chairman Allmann requested a roll call.

The December 16, 2010 Public Meeting of the Jackson Township Municipal Utilities Authority was called to order at 5:30 P.M. Present were Members Blake, Borys, Clayton, Rickabaugh, Chairman Allmann, Alternate Members Lundy and Cladek, along with the Assistant Executive Director, James Diaz, Administrative Assistant, Joan Haltigan, Executive Director, David Harpell and Principal Engineer, Earl Quijano. Authority Engineer, Alan Dittenhofer and Authority Counsel, William Hiering were delayed due to inclement weather conditions.

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 18, 2010.

Mrs. Rickabaugh made a motion to approve the minutes of the Open Session Public Meeting of November 18, 2010. Mr. Borys seconded the motion and was passed unanimously. Mrs. Blake abstained.

2. Questions/Comments from the Public

A Jackson resident was present to discuss the proposed rate increase. Chairman Allmann stated that the scheduled Rate Hearing has been postponed until January but would be happy to give him a synopsis of the proposed rate increase. Mr. Diaz stated that the Authority's rates are based on usage with four tiers for water and two tiers for sewer. The Authority is proposing some slight increases in the base fees and usage fees. Mr. Diaz noted there is an annual calculation done on connection fees that are adjusted based on the activity from the prior closing year. Mr. Diaz stated that basically the rate increase is minimal. Chairman Allmann noted that it runs from 2% on the lower usage. The property purchased from the Township was questioned and Chairman Allmann noted that the funds for the acquisition were drawn from the Authority's Capital Budget funded by connection fees, not by the ratepayers. It was noted the Authority is required by statute to advertise a rate hearing in two newspapers 20 days prior and one of the newspapers did not advertise in enough time so the rate hearing was postponed. The Authority will advertise again for a rate hearing in January 2011. Mr. Harpell noted the Jackson's water rates are approximately 28% below the Ocean and Monmouth County average.

Chairman Allmann closed the public portion of the meeting noting he would reopen it if needed.

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 December report.

- Mr. Harpell noted that the Jackson Women of Today Food Pantry was very pleased with the \$4,000.00 donation from HomeServe USA, the line insurance being offered throughout Jackson. It was also noted that the Authority has had positive feedback on the HomeServe's handling of claims with a 100% satisfaction rate thus far in Jackson Township. In addition, quite a few claims are being processed with 23 customers providing feedback on the previous months report from HomeServe.
- Mr. Harpell discussed the miscellaneous fees associated with the property acquisition from the Township including title work, title insurance and some recording fees from Mr. Hiering's Office. The total is \$6,794.00, which included \$500.00 to Mr. Hiering for reporting of deeds and \$6,294.00 to RE Abstract who worked with Mr. Hiering's office to prepare the title work. A resolution for these fees is on the agenda this evening for approval.
- The next item discussed was the purchase of sodium hypochlorite pumps for the Hyson Water Treatment Plant. The Authority has budgeted for improvements at the Hyson Road Water Treatment Plant and the first improvement is for the replacement of three (3) pumps, which are failing. The total cost for these pumps is \$8,119.50 and it was noted Authority staff would install them. A resolution for this purchase is on the agenda this evening for approval.
- Mr. Harpell discussed the interference complaint against New Jersey American Water Company for their pumpage by the Howell border. The DEP issued the Authority a very favorable ruling, which NJ American Water appealed. In discussions, it is believed there is a reasonable compromise, whereas the Authority will allow them to pump more water in the summer months if they lower their annual allocation. It was noted, if agreed upon, there will be no public hearing.

Administrative Committee Report

Mr. Harpell stated that the Administrative Committee did not meet this month but will be meeting over the next few months to work on the Personnel Policies and Procedures Manual.

Public Relations Committee Report

Mr. Harpell stated that there was no Public Relations Committee Meeting this month.

Engineering Committee Report

Mr. Quijano discussed the following:

- Closeout of Manhattan Street Water Treatment Plant. Eagle Construction Services, Inc. has fulfilled their contractual obligations and has provided all closeout documents. The staff is pleased to inform the Board that the original contract amount of \$8,319,514.00 is reduced by \$85,313.00 for which the total contract amount is \$8,234,201.00. The Authority is recommending approval this evening for this closeout.
- Authorization of an agreement with T-Mobile Northeast, LLC and the Authority. It was noted in 2009, the Authority entered into a Lease Agreement with T-Mobile for the installation of a telecommunications antenna and related equipment at 35 East Connecticut Concourse, also known as New Mexico Tank. The agreement was delayed by JCP&L who needed to install a new electric pole. T-Mobile is asking the Authority if they can put in a sub meter and utilize power at the well house. They agreed to pay a flat fee of \$200.00 per month and if they exceed, will pay the additional cost. Also included in the agreement is the authorization of the easement. JCP&L is requiring an easement for installation of their pole and this standard easement form needs to be executed by the Authority.
- The next item discussed is the Sewer/Water Emergency Repair and Service Contract. The Authority is recommending the extension of the contract to D&D Utility Contractors now known as D&D Trenchless Solutions, Inc. It was noted D&D has done good work for the Authority and there is a provision to extend the contract for up to two (2), one-year extensions, subject to approval. The staff is recommending extension to the contract for 2011 with a 3.5% increase in rates.
- Granting a Cash Maintenance Bond Release to Beth Zion Messianic Synagogue. The Authority received on November 20, 2008 a Cash Performance Bond Release and on December 11, 2008, Beth Zion Messianic Synagogue provided a Cash Maintenance Guarantee in the amount of \$7,848.75. Since the two-year time limit has expired, the Authority is recommending that Cash Maintenance Guarantee be released in the amount of \$7,848.75.
- Granting a Cash Maintenance Guarantee Release to Mad Science of Central New Jersey. Since the two-year time limit has expired, the Authority is recommending the Cash Maintenance Guarantee be released in the sum of \$794.13.
- Release of Performance Guaranty to Cranberry Harvest Estates Water Improvements. In 2009 the Authority released the Performance Guaranty and the developer was not able to provide the required maintenance guaranty as required in the Resolution. The Authority agreed to accept to hold the original Performance Guaranty in the amount of \$153,425.00 as a Maintenance Guaranty. It was noted that on August 3, 2010, the Authority received a letter from Sovereign Bank stating that they will not renew Irrevocable Standby Letter of Credit but will allow it to expire November 26, 2010. The Developer has agreed and will post the amount of \$19,178.10 to run for a period of one (1) year, which will cover the remaining Maintenance Bond Period. The resolution this evening is for the approval to release the Performance Guaranty and the acceptance of the Cash Maintenance Guaranty.

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

DEVELOPER PROJECT

On behalf of Remington, Vernick & Vena Engineers, Mr. Quijano discussed the following development applications for the month of December:

- Preliminary Water and Sewer application for Holly Tree Court Minor Subdivision. The applicant, MaryAnn Vinciguerra, is proposing to construct two-lot subdivision for previously approved residential development of the western side of Anderson Road and north of Perrineville Road. The site contains a total of 3.13 acres and the applicant is applying for preliminary utility service at this time. The applicant proposes to install an on-site well and septic system to service the sub divided lot. The applicant also proposes to install a new dry water service for future connection. Remington Vernick & Vena is recommending preliminary utility service approval with no further action.
- Preliminary and Tentative Water and Sewer approval for Quick Chek retail store and gasoline station. The applicant is applying for preliminary and tentative water and sewer approval. The applicant is proposing to construct a 5,496 sq foot retail store and a gasoline station at the intersection of West Veterans Highway and Leesville Road on the Northeast corner. The applicant proposes to connect to the existing water main on Leesville and extend an 8” water main on-site along with a 2” inch service for the proposed store. Remington Vernick & Vena is recommending preliminary and tentative approval for water and sewer for this project. It was noted this gas station would be the only hydro powered gas stations.
- Cooks Landing Commercial, Orleans Home Builders, has requested a release of Performance Guarantees for Cooks Bridge Phases I, II & III. Remington, Vernick & Vena has reviewed and performed a site inspection and finds it to be in acceptance. Providing there are no outstanding or administrative concerns, Remington, Vernick & Vena recommends the current performance guarantee in the amount of \$174,074.10 and a sewer performance guarantee in the amount of \$98,178.00 be released. Chairman Allmann noted that the Authority’s in-house staff did a phenomenal job in closing out this project.

4. Assistant Executive Director’s Report
Finance Committee Report
Personnel Committee

Mr. Diaz stated that the Finance Committee met on Monday, December 13, 2010. The total dollars presented on the bill list was \$1,301,866.12. The funds were drawn from the following accounts, noting there are changes from the December report. Mr. Diaz also noted that the Authority received the signed 2011 State Budget back from the State today.

1. Capital Reserve Fund in the amount of \$0.00 for Capital Projects;
2. NJEIT Project Fund in the amount of \$849,059.45 for NJEIT and Capital Projects;
3. Escrow Funds in the amount of \$44,052.62 for Developer Work;
4. Revenue General Fund in the amount of \$408,754.05 for Operating Expenses.

It was noted that with regard to the NJEIT Project Fund, since we’re coming to a close to the NJEIT projects, Manhattan Street Water Treatment Plant and Elevated Water Tank, we would start to draw down that account. This month’s draw down from the NJEIT Project Fund includes \$685,302.52 for the capital projects and \$163,756.93 for the NJEIT projects. The

remaining funds in this account will be transferred to the Authority's capital fund to support the 2011 capital budget.

The operating expense includes \$200,00.00 for funding the payroll.

Mr. Diaz discussed the annual contract renewals:

- Annual Chemical Bids for 2011, totaling \$307,750.35 from various vendors, which is a decrease from last year of approximately \$30,000.00
- Renewal of the Risk Consultant Management Agreement with Conner Strong who has handled all safety issues. The Finance Committee is recommending approval, which is paid out of the premium, which is 6% of what is paid to the JIF.
- Group Dental Plan through Horizon with a 3% increase.
- Life AD&D through Guardian, with no increase this year.
- Edmunds Software Support Agreement, which is \$11,924.00 annually,
- Cleaning Service with CleanNet of New Jersey is being recommended for a total of \$13,000.00, with no increase this year.
- Uniform Services with American Wear, \$15,000.00 without no increase this year.
- Computer Services with U1 of Jackson is being recommended with a not to exceed \$20,000.00. For the record, Mrs. Blake stated that, U1 of Jackson would be on a three (3) month probationary period. This will be stated in the contract. It was also noted that a sub committee was developed for IT services. The Authority went out for proposals and received three responses, U1 of Jackson being the most responsive.
- Annual Meter Bids. Sensus Meters with HD Supply Waterworks for a total of \$33,691.00 and Neptune Meters with Rio Supply Inc., in the amount of \$130,243.00.
- Laboratory Testing Services on the agenda this evening is only for the Board to approve the Authority to go out for competitive contracting. Upon approval, we will advertise and look to award in January 2011.

The New Jersey Utility Authority Joint Insurance Fund is going to the Department of Banking and Insurance for dividend payments to their clients in the total amount of \$1,000,00.00 to be dispensed. The Authority's portion would be \$12,500.00, which is placed against the 2011 assessment bill.

PERSONNEL

Mr. Diaz discussed the following for personnel.

- The Non-Union salary adjustment for non-union employees equating to 3% increase, which is the same as the Union employees.
- Mr. Harpell discussed the temporary demotion of an employee. The employee lost his driver's license for a non-work related issue and as a matter of course, the Committee has recommended a 90-day demotion during the period of lost license. It was noted that the individual is an outstanding employee but cannot perform all duties without a driver's license.

5. Consent Resolution 2010-165 to 2010-170

2010-165 Resolution Granting a Cash Maintenance Guarantee Release to Beth Zion Messianic Synagogue, Block 11801, Lot 79

- 2010-166 Resolution Authorizing the Release of Performance Guaranty for Cranberry Harvest Estates Water Improvements, Block 19601, Lots 1-11, 13 & 14 (f/k/a Block 66.09, Lots 52.03-52.15) on the Tax Map of the Township of Jackson.
- 2010-167 Resolution Granting a Cash Maintenance Guarantee Release to Mad Science of Central New Jersey, Block 11801, Lot 77.
- 2010-168 Resolution Granting a Performance Bond Release for Water & Sewer to Cooks Landing (a/k/a the Mews at Cooks Bridge) Phase I, II & III, Block 4714, Lot 7 (f/k/a Block 111, Lot 36.04) on the Tax Map of the Township of Jackson.
- 2010-169 Resolution Granting Preliminary Sewer and Water Approval to Holly Tree Court Minor Subdivision, Block 3001, Lot 11.01 on the Tax Map of the Township of Jackson.
- 2010-170 Resolution Granting Preliminary and Tentative Water and Sewer Approval to Quick Chek Retail Store and Gasoline Station, Block 12001, Lot 2 on the Tax Map of the Township of Jackson.

Mrs. Blake made a motion to approve Resolutions 2010-165 to 2010-170. Mrs. Clayton seconded the motion and it was passed unanimously. Chairman Allmann abstained from Resolution 2010-166.

6. Resolutions Offered:

- 2010-171 Resolution Authorizing Payment of Vouchers, Deposit Refunds and Payroll.

Mrs. Blake made a motion to approve Resolution 2010-171. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

- 2010-172 Resolution Authorizing Closeout and Release of Performance Bond for Manhattan Street Water Treatment Plant, Contract No. C7-00015 with Eagle Construction Services, Inc.

Mrs. Blake made a motion to approve Resolution 2010-172. Mr. Borys seconded the motion and it was passed unanimously.

- 2010-173 Resolution Authorizing an Agreement with T-Mobile Northeast, LLC to Install an Electric Sub-Meter for Temporary Power and to Execute an Easement with Jersey Central Power and Light for 35 East Connecticut Concourse, Jackson Township Pursuant to Their Lease with the Authority.

Mrs. Rickabaugh made a motion to approve Resolution 2010-173. Mr. Borys seconded the motion and it was passed unanimously.

- 2010-174 Resolution Authorizing the Extension of the Sewer/Water Emergency Repairs and Service, Contract No. C0-03205 in Accordance with the Authority's Bid Specifications to D&D Trenchless Solutions, Inc., the Successor to D&D Utility Contractors, Inc.

Mrs. Blake made a motion to approve Resolution 2010-174. Mrs. Clayton seconded the motion and it was passed unanimously.

2010-175 Resolution Authorizing Software Support Agreement with Edmunds & Associates C1-00009 in the amount of \$11,924.00.

Mrs. Blake made a motion to approve Resolution 2010-175. Mrs. Clayton seconded the motion and it was passed unanimously.

2010-176 Resolution Authorizing Renewal of Annual Guardian Life and AD&D Contract C1-00007.

Mrs. Clayton made a motion to approve Resolution 2010-176. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2010-177 Resolution Authorizing Renewal of Horizon Group Dental Plan C1-00010 for January 1, 2011 to December 31, 2011.

Mrs. Blake made a motion to approve Resolution 2010-177. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2010-178 Resolution Authorizing Execution of a Risk Management Consultant's Agreement to Conner Strong Companies, Inc.

Mr. Borys made a motion to approve Resolution 2010-178. Mrs. Clayton seconded the motion and it was passed unanimously.

2010-179 Resolution Authorizing Contract with CleanNet of NJ for Cleaning Services C1-00008 in an Amount Not to Exceed \$13,000.00.

Mrs. Blake made a motion to approve Resolution 2010-179. Mr. Borys seconded the motion and it was passed unanimously.

2010-180 Resolution Awarding a Contract to American Wear for Uniform Cleaning C1-00011 for a One-Year Period in Accordance with Their Quotation and Not to Exceed the Sum of \$15,000.00

Mrs. Blake made a motion to approve Resolution 2010-180. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2010-181 Resolution Awarding 2011 Neptune Water Meter Acquisition C1-03104 to Rio Supply, Inc. in the amount of \$130,243.00.

Mrs. Rickabaugh made a motion to approve Resolution 2010-181. Mrs. Blake seconded the motion and it was passed unanimously.

2010-182 Resolution Awarding 2011 Sensus Water Meter Acquisition C1-03003 to H.D. Supply Waterworks, LTD in the amount of \$33,691.00.

Mrs. Clayton made a motion to approve Resolution 2010-182. Mr. Borys seconded the motion and it was passed unanimously.

2010-183 Resolution Awarding Chemical Supply Contracts C1-00012 through C1-00018 in the Total Award Amount of \$307,750.35.

Mrs. Blake made a motion to approve Resolution 2010-183. Mrs. Clayton seconded the motion and it was passed unanimously.

2010-184 Resolution Authorizing Temporary Demotion of Employee – Evan Crooker.

Mr. Borys made a motion to approve Resolution 2010-184. Mrs. Blake seconded the motion and it was passed unanimously.

2010-185 Resolution Authorizing the Payment of Title Charges and Recording Fees in the Total Amount of \$6,794.00 in Connection with the Acquisition of Various Parcels of Real Property from the Township of Jackson.

Mrs. Rickabaugh made a motion to approve Resolution 2010-185. Mrs. Blake seconded the motion and it was passed unanimously.

2010-186 Resolution Authorizing Competitive Contracting for Annual Laboratory Services.

Mrs. Blake made a motion to approve Resolution 2010-186. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2010-187 Resolution Authorizing Contract C0-06654 to Pollard Water in the Amount of \$8,119.50 for Furnishing Sodium Hypochlorite Pumps for the Hyson Road Water Treatment Plant.

Mrs. Blake made a motion to approve Resolution 2010-187. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2010-188 Resolution Authorizing 3% Salary Adjustment to Non-Union Employees.

Mr. Borys made a motion to approve Resolution 2010-188. Mrs. Blake seconded the motion and it was passed unanimously.

2010-189 Resolution Authorizing Contract C1-00020 to U1 of Jackson LLC in an Amount Not to Exceed \$20,000.00 for On-Site Computer Services through December 31, 2011.

Mr. Borys made a motion to approve Resolution 2010-189. Mrs. Clayton seconded the motion and it was passed unanimously.

There was no closed session.

7. Other Matters

With no further matters to discuss, Mrs. Rickabaugh made a motion to adjourn. Mrs. Blake seconded the motion and it was passed unanimously. Chairman Allmann declared the December 16, 2010 Public Meeting adjourned.

End of Minutes