

02/26/09

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 February 26, 2009."

Chairman Allmann requested a roll call.

The February 26, 2009 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 and Chairman Allmann, Alternate Members Garofano and Lundy, along with the Business Administrator, James Diaz, Administrative Assistant, Joan Haltigan, Executive Director, David Harpell and Principal Engineer, Earl Quijano. Also in attendance were Authority Engineer, Jeff Staiger and Authority Counsel, William Hiering.

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 2009 Rate Hearing

Mrs. Clayton made a motion to approve the minutes of 2009 Rate Hearing. Mrs. Blake seconded the motion and was passed unanimously.

2. Approval of the Minutes of the Open Session Public Meeting of January 22, 2009.

Mrs. Blake made a motion to approve the minutes of the Open Session Public Meeting of the January 22, 2009. Mrs. Rickabaugh seconded the motion and was passed unanimously.

3. Approval of the Minutes of the Reorganization Meeting of February 5, 2009.

Mr. Borys made a motion to approve the minutes of the Reorganization Meeting of the February 5, 2009. Mrs. Blake seconded the motion and was passed unanimously. Mrs. Clayton abstained.

4. Questions/Comments from the Public

Chairman Allmann opened the floor to the public. With no public in attendance, Chairman Allmann closed the public portion of the meeting noting if someone should arrive, will reopen.

5. 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 Vista South Tract which will be the future soccer complex for the Township. It was noted that it's been 6-7 years since the developer, E. Sambol, put water and sewer utilities on-site and since that time, there have been some problems. The Authority has identified 20 deficiencies that need to be corrected prior to bond release. With the help of the Authority's Counsel, we have a proposed memorandum of understanding whereby E. Sambol will dig up the identified deficiencies at no cost and if it is determined to be a problem with the original installation, then E. Sambol will be responsible for the repairs. If the problems are determined to be after original installation, then the Authority will be responsible. Mr. Harpell stated that it might be preferable to have E. Sambol do some of the repairs as long as the cost does not exceed any regulatory thresholds and if the Board agrees, we would memorialize the cost after the repairs are completed. Chairman Allmann noted that with this process, it could save time and effort when these areas are exposed rather than closing them and having to dig them up again. The Chairman requested that the Board authorize potential repairs up to \$17,500 under the direction of the Engineering Department. It was also noted that Remington Vernick and Vena would assist the Authority with the work in the field.
- The next item discussed was the purchase of the Authority's new Jet Vac Truck which is presently at the Peterbilt dealership by Great Adventure and should be delivered next week. Mr. Harpell requested authorization from the Board to donate the Authority's present vehicles to the Township. An agreement is being presented regarding the donation where the Township will make the donated vehicles available to the Authority in the event of an emergency. Mr. Borys mentioned that he was informed from the Township that the vehicle being donated has a different size piping, noting that the Authority uses this to flush fresh water whereas the Township will be using this vehicle to flush storm drains. Mr. Harpell stated that the vehicles probably could be retrofitted with different piping if needed and that the vehicles have been used to assist the Township for several years in flushing storm drains with no apparent problems.
- Mr. Harpell stated that a chlorine gas detector is required at the Manhattan Street Water Treatment plant and the Authority is requesting authorization to purchase this unit, at a cost of \$2,666.54. It was noted that even though this present plant will be decommissioned soon, it is a safety issue and should be replaced and made available for the operators.
- Concord Village and Lexington Commons are looking to connect to the sewer system, which has been discussed with the Engineering Committee. Concord Village is requesting connection due to an Ocean County Road project off of Whitesville Road, which will take up some of the septic fields. Lexington Commons is considering this connection as an improvement for the development. Mr. Harpell noted that the Authority is meeting with them for a discussion regarding rates and some other issues. Chairman Allmann stated that the connection fees will be a contribution towards the Whitesville Industrial Pump Station, noting that since it is a mandatory hook-up for Concord Village and the Authority has the capacity, it is the position of the Engineering Committee, that they should not be charged for the cost of future upgrades to Whitesville Pump Station. Mr. Harpell confirmed that they would pay the connection fee and that they were included in the original Whitesville Road sewer plans so there is justification for not charging the upgrade costs. Chairman Allmann reiterated to the Board that it might be an issue to charge them for upgrade costs in excess of the connection fees.

- The next MUAA Dinner/Meeting is scheduled for Thursday, March 12th. Please let Joan or Dave know if you wish to attend.

After some discussion it was confirmed that the March Public Meeting would remain on Thursday, March 19th.

- Water Treatment Plant/London Drive Access. Mr. Harpell stated that the Fire Commissioners supplied a letter today authorizing the improvements to make Manhattan Street a two way intersection, noting that we are hoping to make these changes as soon as next week, which will include striping and signs. The price came at 1,750.00. It was also noted that the Authority sent a letter to the Township today regarding the proposed cost of \$168,000.00 to install a secondary access road from Holman Field. If the Township wishes us to proceed, the Authority will meet with all the affected parties and discuss further. Chairman Allmann also noted that Pop Warner would also be notified and involved in this meeting.
- Mr. Harpell discussed Jim Diaz's contract and noted that he is happy to make the recommendation for his promotion to Assistant Executive Director/Director of Finance and noted that Jim has offered to accept no raise in 2009.
- The last item discussed was the proposed ground breaking for the new water treatment plant. Some dates in April suggested were 28th-30th, for a breakfast ceremony and ground breaking on the site. The Board decided Wednesday, April 29th at 10:00 am. The Authority will speak with the Engineering Committee next month to decide on a list of who will be invited. Mr. Harpell noted that the site is proceeding very well and the contractor, Eagle, is doing a great job.

Engineering Committee Report

The Engineering Committee met on Tuesday, February 24, 2009 and Mr. Quijano discussed the following items this month.

Action Items

- The Board voted to hold the Award of Engineering Services for Brookwood III Sanitary Sewer Replacement to discuss in a meeting next week. It was noted that there will no vote on Resolution No. 2009-52 this evening.
- Award of Engineering Services for Legler Water System Feasibility Study, Contract No. C9-00023. The Authority solicited RFP for the feasibility study and received nine proposals on Friday, January 16th. The Engineering Committee met on February 24th and would like to recommend this award to CMX, Inc. in the amount of \$4,985.00.
- Award of contract for SCADA System and Control/Instrumentation Improvements, Phase IV. This project is for the construction of the sub-central control station at the Hyson Water Treatment Plant. Once the SCADA System is set in place at Hyson, the Operator will have the ability to monitor and control Manhattan Street WTP from Hyson and vice versa. One bid was received on January 30, 2009 at a price of \$434,860.00 from Scalfo Electric, Inc. The Engineering Committee is recommending the award go to Scalfo Electric, Inc.

Chairman Allmann noted that the Engineering Committee discussed changing the SCADA software for future projects to make it more feasible and attract more bidders. He noted that once Engineering gets caught up on some projects, some changes could be made

- Award for Well No. 16 and Well House and Pumping Equipment, Contract No. C8-00059A in the amount of \$554,700.00. This project is a re-bid and the Engineering Committee is recommending award to TKT Construction, Inc. in the amount of \$554,700.00. Mr. Harpell stated that there was the possibility of holding this project for some stimulus money from the State but it has been decided to go forward with this project at this time. Chairman Allmann stated that the Authority had met with the State regarding some stimulus packages. It was noted that Mr. Diaz will speak with Bank of New York about reducing the reserve requirements on the bonds and if this cannot be done, Mr. Diaz will look into this further with Bond Counsel.

Mr. Diaz explained that the requirements were established when the Authority attained the 1996 A & B bonds. Mr. Diaz further informed the Board that any bonds or loan issued after the 1996 issue would follow the 1966 A & B bond requirements. Since additional bonds were taken out in 2004, the requirement will remain in effect until the 2004 bonds are paid off. The 1996 A bonds were paid off in 2007 and the 1996 B bonds will be paid off by 2016. The Authority will still have the 2004 bonds, which again are attached to the 1996 bonds. The issue remains that our minimum requirement keeps increasing even though the Authority's debt is decreasing. It will be discussed with Bond Counsel if there is some way to lock in to a maximum number unless we are going out for more bonding. It was also noted that the reserve accounts are currently earning little interest.

- Contract Award of Well Rehabilitation of Legler Well No. 3, C9-00025. As part of Legler Water System acquisition agreement, the Township agreed to pay for the repair of Well No. 3 in the amount not to exceed \$140,000.00. The Authority advertised and received three bids on February 24, 2009, which ranged in price from \$171,350 to \$213,040. The Engineering Committee is recommending award to the lowest bidder, A.C. Shultes in the amount of \$171,350.00. Chairman Allmann noted once the well is looked at, the price might be much less than estimated. It was also noted, that the new transmission line is probably the better approach.
- Approval of Change Order No. 2 for SCADA System Improvements Phase 3. It was noted that one of the transformers at the Hampshire Hills Pump Station was undersized and needs to be replaced to take the load off the new building. There was an incident on December 24, 2008 where one of the sewer pump station overflowed due to the power failure in the station, which did not allow the Operator to see the SCADA alarm. A power failure relay will be added to the system to have the ability for the alarm. The total change order is in the amount of \$5,530.05 and the Engineering Committee is requesting approval from the Board this evening.
- Final Quantities Change Order No. 1 for Sewer/Water Emergency Repairs and Service Work, C8-00004. This change order is necessary to close out the contract. The Committee is recommending approval of this change order in the amount of \$858.00 bringing the contract total of \$209,920.00 to \$210,778.00.

Status Items

- New Manhattan Street Water Treatment Plant ó Specialty Inspectors. The Department of Consumer Affairs sent out a bulletin, effective November 2008, that any building constructed and classified as a Class I Building, would need special inspectors. Since the new water

treatment plant is considered a Class I Building, due to chemical storage, we are requesting approval from the Board to request proposals for future inspection work.

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

DEVELOPER PROJECT

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

- County Line Plaza, Block 8401, Lot 6. The applicant Hopkin Properties is proposing to build a 4,500 square foot two-story bank and medical office building at the intersection of Bartley Road and North County Line Road. The applicant will connect to the existing water main for water services for domestic and fire. The applicant also proposes to connect to the existing sewer main. We are recommended final water and sewer approval as per our review letter dated February 16, 2009.
- Valerie Estates. The applicant is proposing to construct a four-lot subdivision on the east side of Vat Street. They propose to service each lot with individual wells and septic systems. We recommend preliminary water and sewer approval as per our review letter dated February 16, 2009.
- Jackson Crossings Sewer Performance Bond Release. The project file has been reviewed and performed a site inspection. We find all items to be satisfactory and recommend that the bond be released contingent in the items listed in our February 16, 2009 letter.
- Gables at Bel-Aire are requesting their water and sewer bonds to be released. We find all items to be satisfactory and recommend that the bonds be released contingent on the items listed in our February 16, 2009 letter. It was noted that one of the items in the letter was title insurance. Mr. Hering stated that endorsements on the policy were needed. Mr. Harpell noted that the Authority is getting a lot of old projects off the books while there is some down time. Chairman Allmann commended Mr. Harpell and Mr. Quijano on their work with these old projects.

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.

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

Mr. Diaz stated that the Finance Committee met on Monday, February 23, 2009, discussing and recommending approval of items on the agenda this evening. The total dollars presented on the bill list was \$1,297,957.55. The funds were drawn from the following accounts:

1. Capital Reserve Fund in the amount of \$100,290.76 for Capital Projects;
2. Construction Fund in the amount of \$183,332.52 for Bond Projects;
3. NJEIT Project Fund in the amount of \$76,088.90 for NJEIT Projects;
4. Escrow Funds in the amount of \$28,170.97 for Developer Work;
5. Customer Deposit in the amount of \$1,837.50 for Deposit Fund;
6. Revenue General Fund in the amount of \$908,236.90 for Operating Expenses.

Mr. Diaz stated that the operating transfer of \$908,236.90 includes \$185,000.00 for funding the payroll account and \$521,429.40 for OCUA's first quarter 2009 installment. This amount is reduced because the Authority received a credit against first payment of 2009. The typical quarter will run \$723,075.00.

- Mr. Diaz stated that the auditors were here last week and the 2008 Audit is moving very well. They will return next week to finish up the fieldwork and at that point it will go under review. We are looking to have a presentation done at the April Public Meeting.

PERSONNEL

The Personnel Committee met earlier this evening Mr. Diaz discussed the following:

- Mr. Diaz discussed two resolutions on the agenda this evening for merit increases for Andrew Wilson who has been with the Authority since 1998 and Carolyn Mauro who has been with the Authority since 2004. It was noted that these increases have been budgeted for 2009 at a 4% increase for each employee. The Personnel Committee is recommending approval this evening.

Mr. Harpell stated that the Authority is presently interviewing for the vacant third shift operator position. Mr. Harpell requested permission to hire prior to next month's meeting. Chairman Allmann stated that the Committee presented four resumes and with the rest of the Board's approval, would like to grant permission to hire prior to the next meeting.

7. Consent Resolutions 2009-45 to 2009-49

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| 2009-45 | Resolution Ratifying Cash Management Report for January 2009 |
| 2009-46 | Resolution Granting Final Sewer and Water Approval to County Line Plaza, Block 8401, Lot 6, on the Tax Map of the Township of Jackson. |
| 2009-47 | Resolution Granting a Performance Bond Release to Gables at Bel-Aire, Block 1601, Lots 1-13 and Block 1602, Lots 23-42 (f/k/a Block 135.01, Lots 1 and 4.01). |
| 2009-48 | Resolution Granting a Performance Guarantee Release to Jackson Crossing, Block 21301, Lot 10.01 (f/k/a Block 58.01, Lot 1.02). |
| 2009-49 | Resolution Granting Preliminary Sewer and Water Approval to Valerie Estates, Block 23108, Lot 14 on the Tax Map of the Township of Jackson. |

Mrs. Rickabaugh made a motion to approve Resolutions 2009-45 to 2009-49. Mrs. Clayton seconded the motion and it was passed unanimously. Chairman Allmann abstained from Resolutions 2009-46 and 2009-47.

8. Resolutions Offered:

2009-50 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll.

Mrs. Blake made a motion to approve Resolution 2009-50. Mr. Borys seconded the motion and it was passed unanimously.

2009-51 Resolution Awarding SCADA and Control/Instrumentation Improvements ó Phase IV, Contract No. C8-00065 to Scalfo Electric, Inc. in the Amount of \$434,860.00.

Mrs. Rickabaugh made a motion to approve Resolution 2009-51. Mr. Borys seconded the motion and it was passed unanimously.

2009-52 Resolution Awarding Engineering Services for Brookwood III Sanitary Sewer Replacement, Contract No. C9-00017 to Gravatt Group for Professional Engineering Design and Construction Management, in the Amount Not to Exceed \$65,755.00.

The Board agreed to hold this resolution for more discussion until next month.

2009-53 Resolution Authorizing Award of Engineering Services to CMX for the Legler Water System Feasibility Study, Contract No. C9-00023, in an Amount not to Exceed \$4,985.00.

Mrs. Blake made a motion to approve Resolution 2009-53. Mr. Borys seconded the motion and it was passed unanimously.

2009-54 Resolution Awarding Well No. 16 Well House and Pumping Equipment, Contract No. C8-00059A, to TKT Construction Company, Inc. in the Amount of \$554,700.00.

Mr. Borys made a motion to approve Resolution 2009-54. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-55 Resolution Awarding Well Rehabilitation Legler Well No. 3, Contract No. C9-00025, to A. C. Schultes in the Amount of \$171,350.00.

Mrs. Blake made a motion to approve Resolution 2009-55. Mr. Borys seconded the motion and it was passed unanimously.

2009-56 Resolution Approving Change Order No. 1 to Scalfo Electric, Inc. for SCADA System Improvements Phase 3, Contract No. C6-00157A, in an Amount of \$5,530.05.

Mrs. Blake made a motion to approve Resolution 2009-56. Mr. Borys seconded the motion and it was passed unanimously.

2009-57 Resolution Approving Final Quantities Change Order No. 1 to D&D Utility Contractors, Inc. for Sewer/Water Emergency Repairs and Service Work, Contract No. C8-00004, in the Amount of \$858.09.

Mrs. Rickabaugh made a motion to approve Resolution 2009-57. Mr. Borys seconded the motion and it was passed unanimously.

2009-58 Resolution Authorizing the Execution of a Memorandum of Understanding Between the JTMUA, Vista Center Associates, LP and E. Sambol Corporation in Connection with the Repair of Sewer and Water Mains Located Upon Block 147.02, Lot 2.

Mrs. Blake made a motion to approve Resolution 2009-58. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-59 Resolution Authorizing the Donation of Surplus Vehicles to the Township of Jackson.

Mrs. Blake made a motion to approve Resolution 2009-59. Mr. Borys seconded the motion and it was passed unanimously.

2009-60 Resolution Authorizing the Payment to USA Bluebook in the Amount of \$2,666.54 for Biosystems Zone Guard Chlorine Gas Detector and Related Equipment, Contract No. C9-00027.

Mrs. Rickabaugh made a motion to approve Resolution 2009-60. Mrs. Blake seconded the motion and it was passed unanimously.

2009-61 Resolution Authorizing the Promotion and Execution of a Five-Year Contract with the Assistant Executive Director/Director of Finance.

Mrs. Clayton made a motion to approve Resolution 2009-61. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-62 Resolution Authorizing Adjustment to the Engineering Technician's Salary.

Mrs. Blake made a motion to approve Resolution 2009-62. Mr. Borys seconded the motion and it was passed unanimously.

2009-63 Resolution Authorizing Adjustment to the Management Assistant's Contract.

Mrs. Clayton made a motion to approve Resolution 2009-63. Mr. Borys seconded the motion and it was passed unanimously.

There was no closed session.

9. Other Matters

With no further matters to discuss, Mrs. Rickabaugh made a motion to adjourn. Mr. Clayton seconded the motion and it was passed unanimously. Chairman Allmann declared the February 26, 2009 Public Meeting adjourned.

End of Minutes