

04/23/09

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 April 23, 2009."

Chairman Allmann requested a roll call.

The April 23, 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 Assistant Executive Director, 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 Open Session Public Meeting of March 19, 2009.

Mrs. Rickabaugh made a motion to approve the minutes of the Open Session Public Meeting of the March 19, 2009. Mr. Borys seconded the motion and was passed unanimously. Mrs. Clayton abstained.

2. Questions/Comments from the Public

Chairman Allmann opened the floor to the public. Present was Mr. Robert Hutchins, from Hutchins, Farrell, Meyer & Allison. At this time, Mr. Hutchins discussed the results of the 2008 Audit noting that there were no comments or recommendations and the firm is satisfied with the maintenance of the records. Mr. Hutchins also commented on the professionalism of the Authority and appreciates the confidence in the firm. Mr. Hutchins was present this evening to review the Audit with the Board and answer any questions. Mr. Diaz added that there is an audit certification that needs to be signed this evening by all the Commissioners. With no questions or comments, Chairman Allmann closed the public portion of the meeting.

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 meeting he and Mr. Diaz recently had with Metedeconk Lakes. The meeting was held with K Hovnanian and the Metedeconk Lakes Board of

Trustees in an attempt to reduce the irrigation usage in the common areas. It was noted that they were very receptive and the meeting went well. K Hovnanian is planning on putting in several private wells, which will help the Authority's demands in the summer, and long-term will be benefit for the system. Chairman Allmann noted that aside from helping out on the allocation side, K Hovnanian would have owed the Authority approximately three million dollars in connection fees if they had stayed on the water system.

- The next item discussed was Home Service, USA. Mr. Harpell stated that the Authority is receiving very positive feedback from our customers and thus far 363 people signed up for Home Service's water line protection through March. There will be a monthly update from Home Service and the Authority will keep the Board informed of all progress. It was noted that the customer satisfaction rate, for all of Home Service's customers, is presently at 99%+. Chairman Allmann stated that he was informed from a resident that Home Service is approaching customers with sewer protection as well.
- Mr. Harpell stated that the proposed resolution, as discussed last month, regarding mandatory fluoridation would be held since the bill has not moved in the Assembly. It was noted that the Authority will monitor the situation and will present a resolution if the State moves forward.
- Mr. Harpell stated that the Authority received a proposal from CMX for the design and permitting of the Legler Water Main of \$141,300.00, which is approximately 6% of the proposed construction cost and a very reasonable price. The Engineering Committee is recommending approval for this award this evening.

Chairman Allmann noted that the Authority is preempting any problems with Pinelands by having a pre-application meeting prior to full design and Mr. Harpell stated that the proposed booster station would be situated outside of the Pinelands. If approved this evening, a pre-application meeting will be set up in the next few weeks.

Engineering Committee Report

The Engineering Committee met on Tuesday, April 21, 2009 and Mr. Quijano discussed the following items this month.

Action Items

- Demolition of Ground Storage Tank No. 1 and Booster Pumping Station, Contract No. C9-84026. The Authority received four bids on April 17th with bid prices ranging from \$36,000.00 to \$174,000.00. The Authority is recommending award to Brayco, Inc. in the amount of \$36,000.00. Chairman Allmann noted that the Engineering Committee was concerned that the price was low but after further review, Brayco, Inc. is eager to perform the work and very professional.
- Hampshire Hills Pump Station Renovations C7-00027, approving Closeout and Performance Bond Release to D&D Utility Contractors, Inc. D&D Utility Contractors has fulfilled their contractual obligations and the Authority is requesting approval this evening for the closeout.

- Approval of Change Order No. 2, Final Quantities to D&D Utility Contractors, Inc. for miscellaneous Trenchless Type Sewer Repairs, C6-00174. The Authority is pleased to inform the Board of the credit of (\$16,506.02) and is requesting approval this evening.
- Approval of Change Order No. 1, Final Quantities and Closeout and Performance Bond Release to D&D Utility Contractors, Inc. The Sanitary Sewer System Evaluation, Phase 6B, Contract No. C8-00047 in the credit amount of (\$7,228.27). The Authority is requesting approval from the Board this evening.

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

DEVELOPER PROJECT

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

- Concord Village, Block 21801, Lots 1 & 1.01 – 1.46. The Applicant is proposing to connect to the sanitary sewer system. The 46 units are located at the intersection of Whitesville Road and South Hope Chapel Road and plan on connecting into the sanitary sewer on Whitesville, which will replace the current on-site septic system. We recommend Preliminary Sewer Approval be granted to the project per our review letter dated April 13, 2009.
- Jackson Tower Square, Block 11801, Lots 67, 68 and 69. The applicant, LGG is proposing to construct an 8,800 square foot addition to an existing structure at the intersection of Leesville Road and West Veterans Highway. The site will include a restaurant, retail space and medical office. We recommend Preliminary and Tentative Water and Sewer Approval as per our review letter dated April 13, 2009.
- RG2 Major Subdivision Phase 1. The applicant is proposing 94 units for the entire subdivision and 44 units in Phase I. We recommend Tentative Sewer Approval as per our review letter dated April 13, 2009.

AUTHORITY APPROVALS

- Tiger Distributors Warehouse – Block 154.32, Lot 21.03, has requested a Performance Guarantee Release for their water bond. We find all items satisfactory and recommend release of the Water Performance Bond Release as per our review letter dated April 13, 2009.

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. Assistant Executive Director's Report
Finance Committee Report

Personnel Committee

Mr. Diaz stated that the Finance Committee met on Monday, April 20, 2009, discussing and recommending approval of items on the agenda this evening. The total dollars presented on the bill list was \$841,623.70. The funds were drawn from the following accounts:

1. Capital Reserve Fund in the amount of \$52,288.20 for Capital Projects;
2. Construction Fund in the amount of \$79,353.54 for Bond Projects;
3. NJEIT Project Fund in the amount of \$129,275.25 for NJEIT Projects;
4. Escrow Funds in the amount of \$41,982.72 for Developer Work;
5. Customer Deposit in the amount of \$950.00 for Deposit Refund;
6. Revenue General Fund in the amount of \$537,773.99 for Operating Expenses.

Mr. Diaz stated that the operating transfer of \$537,773.99 includes \$320,460.00 for funding the payroll account, which includes \$200,000.00 for Payroll and \$120,460.00 for the 2009 JTMUA employer PERS contribution.

- Mr. Diaz discussed the renewal of the RIO Neptune Support Agreement in the amount of \$3,500.00 under Contract No. C9-00031. This is the software support for handling the Neptune Meter Equipment.
- The next item discussed was the Auditor’s review of the 2008 Audit noting that a resolution being presented this evening which certifies that the Audit has been reviewed by the Board.

PERSONNEL

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

- Mr. Diaz discussed a promotion on the agenda this evening for Mr. James Miano who currently holds the title of Laborer and will assume the title of Sewer Repairer/Water Repairer/Water Treatment Operator. It was stated that Mr. Miano has been working out of title since November 2008 as the triple title and has all of the qualifications and licenses for this position. The Personnel Committee is recommending approval for this promotion this evening.

At this time, a gentleman from the public questioned the difference when obtaining preliminary and tentative approval as opposed to a final approval. Mr. Harpell stated that tentative approval is when the applicant can submit for outside agency permits and final is when permits are received and the project is ready for construction.

5. Consent Resolutions 2009-80 to 2009-85

- 2009-80 Resolution Ratifying Cash Management Report for February 2009.
- 2009-81 Resolution Ratifying Cash Management Report for March 2009.
- 2009-82 Resolution Granting Preliminary Sewer Approval to Concord Village, Block 21801, Lot 1 and 1.01-1.46 on the Tax Map of the Township of Jackson.
- 2009-83 Resolution Granting Preliminary and Tentative Sewer and Water Approval to Jackson Tower Square, Block 11801, Lots 67, 68 and 69 (f/k/a LGG, Inc.

Commercial Site, Block 85, Lots 15.01, 15.02 and 15.03 on the Tax Map of the Township of Jackson.

2009-84 Resolution Granting Amended Tentative Sewer Approval to RG2 Major Subdivision Phase I, Block 19403, Lots 6, 7, 10 and 12 (f/k/a Block 53, Lots 30, 31.02 and 33) on the Tax Map of the Township of Jackson.

2009-85 Resolution Granting a Performance Guaranty Release for Water to Tiger Distributors Warehouse, Block 301, Lot 8.03 (f/k/a 154.32, Lot 21.03) on the Tax Map of the Township of Jackson for Water System.

Mr. Borys made a motion to approve Resolutions 2009-80 to 2009-85. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

6. Resolutions Offered:

2009-86 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll.

Mrs. Rickabaugh made a motion to approve Resolution 2009-86. Mr. Borys seconded the motion and it was passed unanimously.

2009-87 Resolution Awarding Demolition of Ground Storage Tank No. 1 and Booster Pumping Station, Contract No. C9-84026 to Brayco, Inc., in the Amount of \$36,000.00.

Mrs. Clayton made a motion to approve Resolution 2009-87. Mrs. Blake seconded the motion and it was passed unanimously.

2009-88 Resolution Approving Closeout and Release of a Performance Bond for Hampshire Hills Pump Station Renovation, Contract No. C7-00027 with D&D Utility Contractors, Inc.

Mrs. Blake made a motion to approve Resolution 2009-88. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-89 Resolution Approving Change Order No. 2 Final Quantities to D&D Utility Contractors, Inc. for Miscellaneous Trenchless Type Sewer Repairs, Contract No. C6-00174, in the Credit Amount of (\$16,502.02).

Mrs. Blake made a motion to approve Resolution 2009-89. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-90 Resolution Approving Change Order No. 1 - Final Quantities and Authorizing Closeout and Release of a Performance Bond for Sanitary Sewer System Evaluation, Phase 6B, Contract No. C8-00047 with D&D Utility Contractors, Inc. in the amount of \$(7,228.27).

Mrs. Clayton made a motion to approve Resolution 2009-90. Mr. Borys seconded the motion and it was passed unanimously.

2009-91 Resolution Authorizing the Award of Engineering Services to CMX for the Design, Permitting and Bidding of the Legler Water Main Extension and

Booster Station, Contract No. C9-83032, in an Amount Not to Exceed \$141,300.00.

Mrs. Borys made a motion to approve Resolution 2009-91. Mrs. Blake seconded the motion and it was passed unanimously.

2009-92 Resolution Certifying Audit Has Been Reviewed by Board.

Mrs. Rickabaugh made a motion to approve Resolution 2009-92. Mr. Borys seconded the motion and it was passed unanimously.

2009-93 Resolution Authorizing an Advanced Support Agreement with Rio Supply, Inc. for Authority Needs in the Amount of \$3,150.00, Contract No. C9-00031.

Mrs. Blake made a motion to approve Resolution 2009-93. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-94 Resolution Authorizing Promotion of James Miano to Sewer Repairer/Water Repairer/Water Treatment Operator.

Mrs. Rickabaugh made a motion to approve Resolution 2009-94. Mr. Borys 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. Mr. Borys seconded the motion and it was passed unanimously. Chairman Allmann declared the April 23, 2009 Public Meeting adjourned.

End of Minutes