

08/27/09

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 August 27, 2009."

Chairman Allmann requested a roll call.

The August 27, 2009 Public Meeting of the Jackson Township Municipal Utilities Authority was called to order at 5:30 P.M. Present were Members Borys, Clayton, Rickabaugh, Chairman Allmann and Alternate Member Garofano 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. 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 July 23, 2009.

Mrs. Clayton made a motion to approve the minutes of the Open Session Public Meeting of July 23, 2009. Mr. Borys seconded the motion and it was passed unanimously. Mr. Allmann and Mrs. Rickabaugh abstained.

2. Questions/Comments from the Public

Present from the Public were Mr. & Mrs. Iampaglia who were requesting information on how to obtain sewer lines to their home on Cedar Court off of Bartley Road. Mrs. Iampaglia discussed a petition that was generated through the neighborhood approximately 5-6 years ago to obtain interest in possible connections to sewer and noted the petition was submitted to the Authority along with a letter. Mrs. Iampaglia stated that she called each year following and engineers did come to her location. At that time the engineers stated that the entire block could not be connected without a pump station and an easement but they stated that the first few houses could connect to Bartley Road. It was noted that many of the residents on Cedar Court are having problems with their septic tanks and questioned why they could not connect since they are so close to the Knights of Columbus, which has sewer. It is difficult to justify spending \$20,000 into replacing an entire septic tank when the sewer line is directly across the street. Mr. Harpell stated that the Authority had their engineer look at the best way to serve this particular section when developing the sewer master plan. Chairman questioned how many people signed the petition; Mrs. Iampaglia stated that everyone had an interest. Mr. Harpell stated that the Authority would look at the petition and get back to Mrs. Iampaglia. Chairman Allmann stated that the Authority could send out a letter to the residents on Cedar Court to see if they still have interest in connections. Mrs. Iampaglia stated that there are some residents

who are definitely interested. Mr. Harpell stated he would revisit what the Master Plan shows can potentially be done and the number of residents who can be served. It was noted there are approximately 12 residents on Cedar Court. It was also noted that the engineers had suggested the option of an easement going through the property of a corner house. The residents suggested the owners of that property would most likely not allow an easement. Chairman Allmann stated that the Authority does not require mandatory hook-ups, therefore it may not be cost effective to run a sewer line without significant commitment.

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 Developer's Agreement on the agenda this evening with Breeder's Walk, LLC, noting that they will help pay for their prorated share of the tank that is being put up by Liberty High School and if they do go through the Whitesville Road Pump Station, they will pay for some of the upgrades at the station as well.
- The next item discussed was the amended agreement with JP Morgan Chase Bank. It was noted that this bank is on North County Line & Harmony Road. The first agreement referenced an easement, which is not necessary. This agreement formalizes the fact that it is not required.
- The next item discussed is an interlocal agreement on the agenda which will go before the Township Council. Ocean County is reconstructing Route 528 in Lakewood and Jackson. It was noted that there are few conflicts listed at \$1,250.00 with Ocean County. There will be very minimal disturbance. The Authority is requesting approval from the Board for a not to exceed amount of \$10,000.00 in the case some unforeseen utility conflicts arise. Mr. Harpell noted that P&A would be doing the construction for Ocean County.
- There is an MUAA Dinner/Meeting on Thursday, September 10th in Lacey Township. Please let Joan or Dave know if you're planning on attending.

Administrative Committee Report

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

Public Relations Committee Report

Mr. Harpell stated there will be no meeting this evening and we are waiting on a few items for Jackson Day. Next month the Committee will meet just prior to Jackson Day.

Engineering Committee Report

The Engineering Committee met on Tuesday, August 25, 2009 and Mr. Quijano discussed the following items this month.

Capital Projects - Action Items

- Award of Groundwater Rule Compliance Improvements. Mr. Quijano stated that the Authority has until December 1, 2009 to comply with the Groundwater Rule promulgated by the United States Environmental Protection Agency. In order to comply, work is required on Well #1, #3, #6, #11, Legler Water Treatment Plant and the Hyson Water Treatment Plant. The work will involve additional piping of the mains, putting in new chlorine analyzers, some installation of yard piping and some electrical work. The Authority received five bids ranging from \$195,560.00 to \$269,000.00. The Engineering Committee and Attorney have reviewed the bids and are recommending the award to D&D Utility Contractors in the amount of \$195,560.00.
- Approval of Final Quantities Change Order No. 1 for the Rehabilitation of Legler Well No. 3. The project is completed and the final quantities change order is needed for the closeout of the contract in the credit amount of (\$5,370.00). The original contract amount of \$171,350.00 will now be \$165,980.00. Chairman Allmann noted that the Township would pay a majority of the revised contract amount.
- The Award of Engineering Services for the Metedeconk Interceptor Odor Control Study. It was noted that there is an existing odor and corrosion control process (by Siemens Inc.) that is effective for the Metedeconk force mains. There is a concern of the \$15,000.00 annual licensing fee to Siemens, Inc. for use of their patented process. In order to eliminate this fee, the Authority solicited and has reviewed the proposal from T&M in the amount of \$10,000.00 to do an odor and corrosion control study. Chairman Allmann noted that the study should be started while SFGA is still open for the 2009 season for accuracy.
- The Award of Task Order No. 1 to Montgomery Watson Harza Americas, Inc. for the SCADA communications from the Hyson Water Treatment Plant to the Central Control Station at the Manhattan Street Control Room. The Authority has applied for an antenna height variance from the Jackson Township Zoning Board a few months ago. As a requirement of the approval, the Township is looking for a structural analysis of the antenna pole system. The cost of this analysis from MWH is \$6,250.00. Mr. Quijano noted that this analysis will be provided to the Jackson Township Zoning Board and the Authority will then be able to proceed with the project.
- Award of Feasibility Study of the Vincentown Aquifer Wells. The Authority issued a Request for Proposal to two firms to provide Hydrogeological Services. This is the possibility of re-drilling or replacing our existing Well #6 and Well #11. Well # 6 is only pumping 20% of its permitted capacity and Well # 11 is at 52%. Also, part of the scope of work is to explore future Vincentown Aquifer Wells. The Authority will identify properties in town; one is the Hyson Water Treatment Plant and JTMUA owned property off Claridge Drive. The Engineering Committee has reviewed the proposal and is recommending the award to O'Brien & Gere Engineers in the amount not to exceed \$76,235.00.
- The next two items are related to upgrading the present phone system in the Administration Building.

As part of the upgrade, new 50 pair cable and telephone wires currently in the field office will be moved to a new demarcation point fronting the administration building and Verizon has a provided a quote for \$10,000.00 to do the work. Depending on the final work, the Authority could receive a reimbursement or may submit a new invoice if the quote should change.

In order to facilitate the relocation of the mentioned cables, it necessary to install two (2) 4-inch PVC conduits with pull strings from the telephone pole in front of the 135 Manhattan Street to the basement of the JTMUA Administration Building. The Authority solicited three (3) quotes and only one (1) quote was received from Scalfo Electric, Inc. in the amount of \$9,920.00.

At this time, Mr. Quijano updated the Board on the progress of the New Manhattan Street Water Treatment Plant Project. As of August 20, 2009, the project is 52% complete and is still on schedule for the January 2010 completion. Total amount completed and stored is \$4,292,614.30 and the remaining project amount is \$3,962,414.00.

Construction of the 1MG Elevated Storage Tank started on August 3, 2009. The foundation is completed and on September 7th the contractor will start the installation of the columns. The Project is still scheduled to be completed October 2010.

The next update was on Demolition of Tank No. 1. After 20+ years of being out of service the demolition of the tank project is now 95% complete. Site clean up and installation of the yard hydrant is scheduled for next week.

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

DEVELOPER PROJECT

Mr. Jeff Staiger of Remington, Vernick & Vena Engineers stated there are three applications for approval on the agenda this evening. Chairman Allmann stated that bond releases on the agenda this evening are self-explanatory; therefore, Mr. Staiger does not need to be specific unless questions are raised.

- Holly Oaks @ Jackson. The applicant, Manhattan Real Estate Investment Group is proposing to construct an age restricted multi-family development consisting of 28 garden apartments at the intersection of Cooks Bridge Road and Manhattan. They propose to connect to the water and sanitary sewer and recommend preliminary and tentative water and sewer be granted.
- The next application is also the Manhattan Real Estate Investment Group who is proposing to construct a 2,800 square foot bank at the intersection of Cooks Bridge Road and Manhattan Street. They propose to connect to the water and sanitary sewer. We recommend tentative and final water and sewer be granted.

Mr. Borys stated that the application for Charlie Brown's was held last week due to an issue with storm water drainage. Mr. Staiger stated that it would not affect the sewer at all. It would be a separate issue.

- The last application is the Vinciguerra Offsite Sewer Main Extension. They are proposing construction the force main along Route 537 that will service Block 3001, Lot 1. We recommend tentative sewer approval be granted. Chairman Allmann noted that no site plans have been approved, they are trying to get the sewer lines installed.

Mr. Staiger stated there are five bond releases, which have been indicated in our Engineers Report of August 17, 2009.

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

Mr. Diaz stated that the Finance Committee met on Monday, August 24, 2009 discussing and recommending approval of items on the agenda this evening. The total dollars presented on the bill list was \$2,258,036.83. The funds were drawn from the following accounts:

1. Capital Reserve Fund in the amount of \$123,133.92 for Capital Projects;
2. NJEIT Project Fund in the amount of \$986,415.24 for NJEIT Projects;
3. Escrow Funds in the amount of \$44,811.36 for Developer Work;
4. Revenue General Fund in the amount of \$1,103,676.31 for Operating Expenses.

Mr. Diaz stated that the operating expenses of \$1,103,676.31 include \$200,000.00 for funding the payroll account and \$687,912.60 for OCUA's 3rd quarter 2009 installment. Mr. Diaz indicated in his report that we did receive a credit against the regular quarterly fee of \$723,075.00 from OCUA of \$35,162.40 for December 2008. They did a recalculation, which warranted the correction. It was noted the Authority requested the recalculation to avoid any more billing discrepancies.

- Mr. Diaz discussed the resolution on the agenda this month for a list of banks the Authority would like to use for investment purposes starting off with the NJ Cash Management Accounts and possibly some of the Ocean First Accounts. Upon approval, Mr. Diaz will reach out to the individual banks on the list via email with a number of different investments or funds to possibly invest. The banks will need to respond in a timeframe and Mr. Diaz will invest the Authority's funds with the banks with the best rate.

Next item discussed was the closing of the New Jersey Cash Management Account (Capital Reserve Restricted). There is approximately \$9,200.00 in the account and would like to transfer the funds including accrued interest into the New Jersey Cash Management Manhattan Street Project account.

- Mr. Diaz discussed a resolution for approval this evening to establish an interest bearing deposit account for Maple Glen capital improvements/depreciation. Since 2004 we have worked into our rates for Maple Glen approximately \$5,401.00 of depreciation. Since Maple Glen is a standalone system it was decided that those funds should be isolated for capital improvements for the Maple Glen Treatment Plant. There is a list of capital improvements that needs to be done. The transfer would be \$27,005.00 and at the end of each calendar year, the depreciation portion of \$5,401.00 will be transferred into the interest bearing account.
- Mr. Diaz discussed the purchase of a replacement blower at Maple Glen Sewer Treatment Plant. The Authority received the best response from Excelsior Blower System. They looked at repairing the blower as opposed to replacement and it was found that it was more cost effective to replace it. The cost would be \$9,785.00 under JTMUA Contract No. C9-00054.
- The next item discussed was the lightning damage to some of the systems. The proposal discussed was for the replacement of SCADA equipment and the quote is from Remote Automation Solutions a/k/a Bristol Babcock in the amount of \$5,888.90 under JTMUA Contract No. C9-00055.

- The next item discussed was a resolution on the agenda for Local Government Greenhouse Gas Reduction Program. This is in cooperation with the Township and the Board of Education. The Township explained that there was a stimulus grant for this particular program and if they had gone out on their own, they would be eligible for \$300,000.00. By grouping the three entities together, it could be as much as \$700,000.00. The Authority is requesting permission to submit the resolution so the Township can submit the three approvals. It was noted the deadline is September 1, 2009. Mr. Diaz stated this is a feasibility study related to the carbon footprint impact in Jackson Township. It was also noted there is no cost to the Authority.

Mr. Diaz updated the Board on the 2010 Budget Process. The Finance Committee has gone through the Water & Sewer Operations, Debt Service Schedules, Salary and Benefits and are still moving forward. There might be an interim meeting if necessary with the Finance Committee.

Mr. Harpell stated that since the Authority is making good progress with Six Flags Great Adventure proceedings, we will “hold” the resolution on the agenda this evening for authorization to retain a bankruptcy attorney until next month to see how things play out. Mr. Harpell noted that the Authority did receive debt service payment.

PERSONNEL

Mr. Diaz stated that the Personnel Committee met earlier this evening and there are no action items to discuss.

5. Consent Resolutions 2009-155 to 2009-165

- 2009-155 Resolution Ratifying Cash Management Report for July 2009.
- 2009-156 Resolution Granting Tentative and Final Water and Sewer Approval to Cooks Bridge Bank, Block 14801, Lot 5.01 on the Tax Map of the Township of Jackson.
- 2009-157 Resolution Granting Performance Bond Release for Water and Sewer to Four Seasons at Metedeconk, Sections 2A & 2B.
- 2009-158 Resolution Granting a Sanitary Sewer System Performance Bond Release to Four Seasons at Metedeconk, Section 1, Phase 2.
- 2009-159 Resolution Granting a Sanitary Sewer System Performance Bond Release to Four Seasons at Metedeconk, Section 1, Phase 3.
- 2009-160 Resolution Granting a Sanitary Sewer System Performance Bond Release to Four Seasons at Metedeconk, Section 1, Phase 4.
- 2009-161 Resolution Granting Preliminary & Tentative Sewer and Water Approval to Holly Oaks @ Jackson, Block 14801, Lot 5.02 and Block 12705, Lot 1 on the Tax Map of the Township of Jackson.
- 2009-162 Resolution Granting Tentative Sewer Approval to Anthony and MaryAnn Vinciguerra, Block 3001, Lot 1 on the Tax Map of the Township of Jackson.

- 2009-163 Resolution Granting a Sewer Performance Bond Release to Toll Brothers – Land Development for Westlake Village - Section 1.
- 2009-164 Resolution Granting a Water Performance Bond Release to Jackson Development Company for Jackson Mews
- 2009-165 Resolution Granting a Performance Bond Release to Leigh Realty Company for Jackson Commons.

Mrs. Clayton made a motion to approve Resolutions 2009-155 to 2009-165. Mr. Borys seconded the motion and it was passed unanimously.

6. Resolutions Offered:

- 2009-166 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll.

Mrs. Clayton made a motion to approve Resolution 2009-166. Mr. Borys seconded the motion and it was passed unanimously.

- 2009-167 Resolution Awarding Task Order Change No. 1 to Montgomery Watson Harza Americas, Inc. for SCADA Systems and Control/Instrumentation Improvements, Phase IV, Contract C8-00042, in the Amount of \$6,250.00.

Mrs. Rickabaugh made a motion to approve Resolution 2009-167. Mrs. Clayton seconded the motion and it was passed unanimously.

- 2009-168 Resolution Authorizing the Execution of an Agreement between the Authority and Breeders Walk, LLC for Construction and Installation of Water and Sewer System.

Mr. Borys made a motion to approve Resolution 2009-168. Mrs. Garofano seconded the motion and it was passed unanimously.

- 2009-169 Resolution Authorizing the Execution of an Amended Agreement Between the Authority and JP Morgan Chase Bank for Construction and Maintenance of Sanitary Sewer Force Main on North County Line Road and Harmony Road.

Mr. Borys made a motion to approve Resolution 2009-169. Mrs. Clayton seconded the motion and it was passed unanimously.

- 2009-170 Resolution Authorizing the Execution of an Agreement Between Ocean County and Jackson Township MUA for Improvements to Route 528 in an Amount Not to Exceed \$10,000.00, Contract No. C9-95356.

Mrs. Clayton made a motion to approve Resolution 2009-170. Mr. Borys seconded the motion and it was passed unanimously. Mrs. Rickabaugh abstained.

- 2009-171 Resolution Awarding Groundwater Rule Compliance Improvements, Contract No. C9-84252 to D&D Utility Contractors, Inc. in the Amount of \$195,560.00.

Mr. Borys made a motion to approve Resolution 2009-171. Mrs. Clayton seconded the motion and it was passed unanimously.

2009-172 Resolution Authorizing Award of Engineering Services for the Vincentown Wells Feasibility Study, Contract No. C9-93551 to O'Brien & Gere Engineers, Inc. in an Amount Not to Exceed \$76,235.00.

Mrs. Rickabaugh made a motion to approve Resolution 2009-172. Mr. Borys seconded the motion and it was passed unanimously.

2009-173 Resolution Approving Final Quantities Change Order No. 1 for Rehabilitation of Legler Well No. 3, Contract No. C9-00025 to A.C. Schultes, Inc. in the Credit Amount of (\$5,370.00).

Mr. Borys made a motion to approve Resolution 2009-173. Mrs. Garofano seconded the motion and it was passed unanimously.

2009-174 Resolution Authorizing Award of Engineering Services for Metedeconk Interceptor Odor Control Study, Contract No. C9-95253 to T&M Associates, in an Amount Not to Exceed \$10,000.00.

Mrs. Clayton made a motion to approve Resolution 2009-174. Mrs. Garofano seconded the motion and it was passed unanimously.

2009-175 Resolution Awarding Contract for the Installation of the Administration Building Phone Conduit, Contract No. C9-94850, to Scalfo Electric, Inc., in the Amount of \$9,920.00.

Mr. Borys made a motion to approve Resolution 2009-175. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2009-176 Resolution Awarding Contract No. C9-94846 to Verizon, for the Relocation of Existing Phone Cables to the Administration Building, in the Amount of \$10,000.00.

Mrs. Rickabaugh made a motion to approve Resolution 2009-176. Mrs. Garofano seconded the motion and it was passed unanimously.

2009-177 Resolution Designating Various Banks and Financial Institutions as Depositories for Utility Authority Investments.

Mr. Borys made a motion to approve Resolution 2009-177. Mrs. Clayton seconded the motion and it was passed unanimously.

2009-178 Resolution Authorizing the Closeout of the New Jersey Cash Management Fund and Cash Reserve Account (Restricted Account) and Transfer Funds to the Manhattan Street Project Account for Use of Said Account.

Mrs. Rickabaugh made a motion to approve Resolution 2009-178. Mr. Borys seconded the motion and it was passed unanimously.

2009-179 Resolution Authorizing the Establishment of a Deposit Account for Maple Glen Capital Improvements/Depreciation.

Mr. Borys made a motion to approve Resolution 2009-179. Mrs. Garofano seconded the motion and it was passed unanimously.

2009-180 Resolution Authorizing Contract C9-00054 to Excelsior Blower Systems, Inc. in the Amount of \$9,785.00 for Replacement of Failed Blower Motor No. 1 at the Maple Glen Sewer Treatment Plant.

Mrs. Rickabaugh made a motion to approve Resolution 2009-180. Mr. Borys seconded the motion and it was passed unanimously.

2009-181 Resolution Authorizing Contract C9-00055 to Remote Automation Solutions, Inc., a/k/a Bristol Babcock, in the Amount of \$5,888.90 for the Replacement of SCADA Equipment Damaged by Lightning on June 26, 2009 at the Manhattan Street Water Treatment Plant.

Mrs. Rickabaugh made a motion to approve Resolution 2009-181. Mrs. Garofano seconded the motion and it was passed unanimously.

2009-182 Resolution Authorizing the Submittal of an Application to the New Jersey Department of Environmental Protection in Coordination with Jackson Township and the Jackson Township Board of Education to Implement the Local Government Greenhouse Gas Reduction Program.

Mrs. Rickabaugh made a motion to approve Resolution 2009-182. Mrs. Clayton seconded the motion and it was passed unanimously.

2009-183 Resolution Authorizing the Authority to Retain Riker Danzig Scherer Hyland Perretti, LLP as Special Counsel for Six Flags Great Adventure Bankruptcy Proceedings in an Amount Not to Exceed \$17,000.00, Contract No. C9-00057.

The Board voted to hold this resolution.

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 August 27, 2009 Public Meeting adjourned.

End of Minutes