

August 28, 2008

Chairman Allmann called the meeting to order.

Flag Salute

Management Assistant read the following statement: "My name is Carolyn Mauro, Management Assistant of the Jackson Township Municipal Utilities Authority. It is 5:30 p.m. and we will commence with the public portion of the regular scheduled Public Meeting of August 28, 2008."

Chairman Allmann requested a roll call.

The August 28, 2008 Public Meeting of the Jackson Township Municipal Utilities Authority was called to order at 5:30 P.M. Present were Members Blake, Clayton and Chairman Allmann, Alternate Members Garofano and Lundy along with the Business Administrator, James Diaz, Management Assistant, Carolyn Mauro and Executive Director, David Harpell. Also in attendance were Authority Engineer, Alan Dittenhofer and Authority Counsel, William Hiering. Mr. Borys and Mrs. Rickabaugh were excused.

As Management 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 24, 2008.

Mr. Lundy made a motion to approve the minutes of the Open Session Public Meeting of the July 24, 2008. Mrs. Blake seconded the motion and was passed unanimously.

2. Approval of the Minutes of the Closed Session Public Meeting of July 24, 2008.

Mrs. Clayton made motion to approve the minutes of the Closed Session Public Meeting of July 24, 2008. Mrs. Blake seconded the motion and was passed unanimously.

3. Questions/Comments from the Public

Chairman Allmann opened the floor to the public.

At this time Mr. Jeff Masker, Jackson MUA Employee and Chairperson of the Transport Workers Union, thanked Dave Harpell and Jim Diaz for their efforts. Mr. Masker spoke on behalf of the field employees and stated that they appreciate all the support from the Authority. Mr. Harpell stated that Mr. Masker has been a pleasure to work with and indicated that it is a very positive situation when the employees are working hard to improve the Authority. The Board noted that it was great to see how everyone can work so well together.

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

4. 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 stated that the AEA Environmental Authorities agenda for the November Meeting is "Managing Utilities in Today's Economy". It was noted that there is no formal agenda yet, but is a timely and interesting topic on funding infrastructure improvements during economic downturns.
- The next item discussed was the Legler Water System. Mr. Harpell stated there were a couple of issues. The Authority is still looking for the potential leak and the Engineering Dept is looking through the SCADA System to see if they can find any additional information. As discussed with the Engineering Committee, the meter will most likely be replaced even though it tested accurately, to rule this out as a cause of the problem. It was noted that there is a "Notice of Intent" on the agenda this evening to continue discussions with the Township on the potential acquisition. Mr. Harpell then discussed some due diligence on the part of the Township noting that T&M is submitting a proposal to the Township to do some survey work to make sure all the Township's improvements are on their property and/or easements. It was noted that if they are not, the Township would work to obtain these easements. Mr. Harpell stated that it was also very important to look at the environmental issues to make sure the Authority is not assuming any liabilities and we are proposing to conduct a Phase I Site Assessment at the Township's property and to also look at the easement areas to make sure there are no environmental constraints. CMX proposed to do this work for \$3,500.00 and that this price is very competitive. Chairman Allmann noted that it was best to choose a third party, CMX, to do this assessment.
- The next item discussed was the water allocation status. It was noted that it was a very dry July and the Authority set a record this month for total pumpage of 186.139 million gallons. Mr. Harpell stated that the system performed very well but noted that there are a few areas where we need to work on the pressure. The first is in the Manhattan vicinity and down to South Hope Chapel Road. It was noted the new tank presently out to bid would take care of that problem. The other location is by New Prospect Road Remington Vernick & Vena did a preliminary study on this area in 2001 and will need to take another look at this next year. Chairman Allmann confirmed that we did not exceed any allocation.
- Mr. Harpell stated that the Middlesex Water Company approached the residents of Westlake about offering "LineCare" to the community which is essentially insurance on the water service lines and sewer laterals and they charge \$182.00 per year for \$10,000.00 of coverage. The concern we have with this approach is that it will not be available to all of our customers but just the newer communities. The Engineering Committee discussed this matter and we will further investigate firms who would provide this service to all of Jackson Township.

- The next item discussed was the Bureau of Safe Drinking Water Permit for Well No. 16. Remington Vernick & Vena is doing a good job in preparing the design documents for Well 16 and there is a resolution on the agenda this evening to approve \$4,558.00 in order to submit the permit to the NJDEP.
- Mr. Harpell discussed the issue with Wawa on South Hope Chapel Road. Wawa connected to the system in 2006 for water and sewer and at the time they connected, the force main was owned by the Board of Education. Evidentially, since the connected to a private force main, we did not charge them a sewer connection fee with the understanding that they would pay the connection fee when they abandoned their temporary pump station. This was, however, never formalized and Wawa subsequently objected to paying this fee. It was stated that there have been several meetings with their staff and attorneys and have come to a reasonable conclusion. Since Wawa had paid \$85,000.00 to the McAuliffe Middle School Pump Station upgrades in 2005/2006 and the Authority did not use all that money, at this point it is in the best interest of the Authority to offer to settle if Wawa pays 2/3 of the connection fees. If the Board agrees, we will offer a settlement next month to accept \$13,000.00 for sewer connection fees and settle this matter. Chairman Allmann and the Engineering Committee recommend the Authority move forward with this plan.
- Mr. Harpell discussed a recent interview with Mr. Barry Hutchins for a vacant operator position. Mr. Hutchins was recently employed with the Monroe MUA. The Authority is considering making Mr. Hutchins an offer prior to next month's public meeting and if he accepts this position, will memorialize it in September.

Engineering Committee Report

The Engineering Committee met on Tuesday, August 26, 2008 and Mr. Harpell discussed the following items this month.

ACTION ITEMS

- Miscellaneous Excavation Type Sewer Repairs, Contract No. C6-00158 – Approving Change Order No. 2 – Final Quantities to D&D Utility Contractors, Inc. in the credit amount of (\$6,846.00).
- Sanitary Sewer System Evaluation Phase 6B, Contract No. C8-00047 – Awarding Contract to D&D Utility Contractors, Inc. in an amount of \$185,441.75. This is the last phase in the multi-year I&I Studies noting that upon completion of this phase, the entire town will have been televised and investigated. D&D Utility's prices are competitive and the other bids ranged up to \$401,288.00 for this work.

DEVELOPER PROJECTS

Jackson Township Board of Education would like to connect to the water system; they are already on the sewer system.

- Granting Tentative and Preliminary Water Approval to Jackson Memorial High School, Lot 10 & 11, Block 16601.
- Granting Tentative and Preliminary Water Approval to Switlik School, Lot 10 & 11, Block 16601
- Granting Tentative and Preliminary Water Approval to the Administration Building, Lot 10 & 11, Block 16601.
- Granting Tentative and Preliminary Water Approval to the School District Transportation Office, Lot 10 & 11, Block 16601.

They are looking to connect next summer and would like to get approval this evening so they may acquire their permits from the State. It was also noted that the water main down Bennetts Mills Road presently does not have a lot of demand, so it would benefit to move some more water down that way. It was noted that this is also part of the agreement that the MUA will waive the connection fees for the property behind the Holman School and at Liberty High School.

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

Mr. Alan Dittenhofer of Remington, Vernick & Vena Engineers discussed the following development applications on the Engineers Report dated August 28, 2008 and requesting approval from the Board.

- County Line Plaza. The applicant, Hopkin Properties, LLC, is proposing to construct a 4,500 square foot two story bank and medical office building at the intersection of Bartley Road and North County Line Road. This is a preliminary water and sewer application. The applicant proposes to connect to the existing water main on County Line Road and existing sewer main at that intersection. We recommend this preliminary approval in our August 18, 2008 letter to the Board.
- Westgate Off-Site – Final water and sewer application. The applicant is proposing to construct water and sewer main extensions along Herman Road to service the future Westgate Office and Warehouse development. The applicant is proposing to install a 12” DIP water main along Herman Road and also extend an 8” PVC sewer main. We recommended this approval in our August 18, 2008 letter to the Board.

Mr. Dittenhofer noted that both of these developer applications are shown on the map this evening in blue.

- Kinder University. This is a recommendation for the release of a water performance guarantee and approval was recommended in our August 18, 2008 letter to the Board.
- Westlake II – We recommend release of water and sewer performance guarantees as per our August 18, 2008 letter to the Board.
- Westlake Village – Section 2B. We recommend release of the sewer performance guarantee as per our August 18, 2008 letter to the Board.

- Westlake Village – Section 4A. We recommend release of the water performance guarantee as per our August 18, 2008 letter to the Board.
- Butterfly Road Northern Water Main Extension. We recommend release of the water performance guarantee as per our August 18, 2008 letter to the Board.

Public Relations Committee Report

Mr. Harpell stated that the Public Relations Committee would meet briefly this evening after the public meeting. The theme this year for Jackson Day is “Support Our Troops”. The MUA will be handing out flags, a water conservation wheel and some Frisbees for the children. We also have a hydrogeological cycle on loan from Rural Water, which will also be set up at Jackson Day. Mr. Harpell stated that the draft logo would also be discussed this evening with the Committee.

Administrative Committee Report

Mr. Harpell stated that the Administrative Committee met on August 25th and discussed some items, which have also overlapped with the Personnel Committee. The Authority has updated the organizational chart with a five-year staffing plan to better illustrate the opportunities which may be available to the employees. In addition, a salary range has been updated and the salaries for some of the positions, such as operators, have been adjusted. Lastly, the Authority is offering to prepay tuition if the employees “reserve” vacation time in order to encourage education and obtainment of licenses.

Mr. Harpell discussed one resolution that will be pulled from the agenda this evening. The Authority was going to amend the State Health Benefits Waiver Compensation Policy offering 30% of the least expensive plan, which is an increase over what is presently being offered. This policy benefits both the employees and the Authority by cost-sharing the savings if benefits are provided by another source. The Committees had suggested that we speak to the five to six employees who this would affect to determine what would entice them to opt out rather than adopting the policy and then approach them. The staff will have a final recommendation for the Board next month.

5. Business Administrator’s Report Finance Committee Report Personnel Committee

Mr. Diaz stated that the Finance Committee met on Monday, August 25, 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 \$1,274,675.15 with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$101,297.94 for Capital Projects;
2. Construction Fund in the amount of \$122.92;
3. Manhattan Street Project Fund in the amount of \$333.68;
4. Escrow Funds in the amount of \$24,274.86 for Developer Work;
5. Customer Deposit in the amount of \$200.00;
6. Revenue General Fund in the amount of \$1,148,445.75 for Operating Expenses.

Mr. Diaz stated that the operating transfer of \$1,148,445.75 includes \$200,000.00 for funding the Payroll account and \$731,055.00 for OCUA's third quarter 2008 installment.

- Supplemental Meter Bid is for our Sensus Meter and Radios. At the beginning of the year we go out for an annual meter bid for Sensus and Neptune. We are getting close to our contract with Sensus so we went out for a supplemental bid and received a bid from H.D. Waterworks, LTD under C8-00053 in the amount of \$75,157.00 and the Finance Committee is recommending approval this evening. This was also discussed in the Engineering Committee Meeting.
- The next item discussed is a capital purchase for pulsafeeder pump which was approved last month, however the model was incorrect and received another quote from Geiger Pump and Equipment Co. under contract no. C8-00052 in the amount of \$5,600.00. The Finance Committee reviewed and is recommending approval this evening. The Resolution 2008-166 will be rescinded.

Mr. Diaz stated that the Finance Committee would be meeting again in September to review the 2009 Budget.

Mr. Diaz continued to discuss the submission of the NJEIT Funds and find that it is best that the Authority set up a separate account. Mr. Diaz asked for a verbal approval from the Board so that he may set up an account to handle the NJEIT activity so it's much cleaner to track the funds. It was noted that once the project is completed, the account would be closed.

At this time, Chairman Allmann entertained a motion to accept all the reports this evening. Mrs. Blake made a motion to approve. Mrs. Clayton seconded the motion and it was passed unanimously.

6. Consent Resolutions 2008-168 to-2008-179

2008-168 Resolution Ratifying Cash Management Report for July 2008.

2008-169 Resolution Granting Preliminary & Tentative Water Approval to Jackson Township Board of Education – Jackson Memorial High School, Block 16601, Lots 10 and 11 on the Tax Map of the Township of Jackson.

2008-170 Resolution Granting Preliminary & Tentative Water Approval to Jackson Township Board of Education – School Administration Building, Block 16601, Lots 10 and 11 on the Tax Map of the Township of Jackson

2008-171 Resolution Granting Preliminary & Tentative Water Approval to Jackson Township Board of Education – School District Transportation Office, Block 16601, Lots 10 and 11 on the Tax Map of the Township of Jackson

2008-172 Resolution Granting Preliminary & Tentative Water Approval to Jackson Township Board of Education – Switlik School, Block 16601, Lots 10 and 11 on the Tax Map of the Township of Jackson

- 2008-173 Resolution Granting Performance Bond Release for Water to Lennar Corporation for Butterfly Road Northern Water Main Extension.
- 2008-174 Resolution Granting Preliminary Sewer and Water Approval to County Line Plaza, Block 8401, Lot 6, on the Tax Map of the Township of Jackson.
- 2008-175 Resolution Granting a Performance Bond Release for Water to Kinder University, Block 8701, Lot 10 (a/k/a Block 113, Lot 27.01) on the Tax Map of the Township of Jackson
- 2008-176 Resolution Granting Sewer and Water Approval to Westgate Off-site, Block 2301, Lot 10 (a/k/a Block 147.02, Lot 38) on the Tax Map of the Township of Jackson.
- 2008-177 Resolution Granting a Performance Bond Release to Westlake Village, Section 2B for Sanitary Sewer System.
- 2008-178 Resolution Granting a Performance Bond Release to Westlake Village, Section 4A for
- 2008-179 Resolution Granting a Water and Sewer Performance Bond Release to Toll Brothers for Westlake II.

Mrs. Blake made a motion to approve Resolutions 2008-168 through 2008-179. Mrs. Clayton seconded the motion and it was passed unanimously. Chairman Allmann abstained on Resolution 2008-174.

7. Resolutions Offered:

- 2008-180 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll.

Mrs. Blake made a motion to approve Resolution 2008-180. Mrs. Clayton seconded the motion and it was passed unanimously.

- 2008-181 Resolution Approving Change Order No. 2 – Final Quantities to D&D Utility Contractors, Inc. for Miscellaneous Excavation Type Sewer Repairs, Contract No. C6-00158, in the Credit Amount of (\$6,846.00).

Mrs. Clayton made a motion to approve Resolution 2008-181. Mrs. Blake seconded the motion and it was passed unanimously.

- 2008-182 Resolution Awarding Sanitary Sewer System Evaluation, Phase 6B, Contract No. C8-00047, to D&D Utility Contractors, Inc. in the Amount of \$185,441.75.

Mrs. Clayton made a motion to approve Resolution 2008-182. Mr. Lundy seconded the motion and it was passed unanimously.

2008-183 Resolution Awarding 2008 Supplemental Sensus Water Meter Acquisition Contract No. C8-00053, to H.D. Supply Waterworks, LTD, in the Amount of \$75,157.00.

Mr. Lundy made a motion to approve Resolution 2008-183. Mrs. Garofano seconded the motion and it was passed unanimously.

2008-184 Resolution Authorizing Salary Range Change of Authority Titles.

Mrs. Clayton made a motion to approve Resolution 2008-184. Mrs. Blake seconded the motion and it was passed unanimously.

2008-185 Resolution Authorizing Execution of Sidebar Agreement to the Transportation Workers Union Local 225, Branch 4 for the Period of December 1, 2006 Through December 31, 2009.

Mrs. Clayton made a motion to approve Resolution 2008-185. Mrs. Blake seconded the motion and it was passed unanimously.

2008-186 Resolution Authorizing Adoption of Organizational Chart and 5-Year Staffing Plan.

Mrs. Blake made a motion to approve Resolution 2008-186. Mr. Lundy seconded the motion and it was passed unanimously.

2008-187 Resolution Authorizing Award of Engineering Services Contract No. C8-00054 to CMX, Inc. for Phase I Environmental Engineering Services for Legler Water System Properties in an Amount Not to Exceed \$3,500.00.

Mrs. Blake made a motion to approve Resolution 2008-187. Mr. Lundy seconded the motion and it was passed unanimously.

2008-188 Resolution Establishing a "Notice of Intent" to Review, Study and Possibly Acquire the Legler Water System from the Township of Jackson.

Mrs. Clayton questioned the "Notice of Intent" and Chairman Allmann explained that he and Mr. Harpell met with the Township who requested this notice so we could move forward. It was noted that the Township is very interested in this approach and are paying for all the survey work related to the process.

Mrs. Blake made a motion to approve Resolution 2008-188. Mr. Lundy seconded the motion and it was passed unanimously.

2008-189 Resolution Rescinding the Purchase of a Pulsafeeder Eclipse Pump from Geiger Pump Equipment under Contract No. C8-00052 and Resolution 2008-166.

Mrs. Clayton made a motion to approve Resolution 2008-189. Mrs. Blake seconded the motion and it was passed unanimously.

2008-190 Resolution Amending State Health Benefit Program Waiver Compensation Policy

This Resolution was not voted on.

2008-191 Resolution Authorizing the Payment to the Treasurer of the State of New Jersey in the Amount of \$4,558.00 for the Permit Fee for Well Number 16 Construction as Required by the New Jersey Bureau of Safe Drinking Water

Mrs. Clayton made a motion to approve Resolution 2008-191. Mrs. Blake seconded the motion and it was passed unanimously.

8. Other Matters

With no further matters to discuss, Mr. Lundy made a motion to adjourn. Mrs. Blake seconded the motion and it was passed unanimously. Chairman Allmann declared the August 28, 2008 Public Meeting adjourned.

End of Minutes

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