

January 25, 2007

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 regular scheduled Public Meeting of January 25, 2007."

Chairman Allmann requested a roll call.

The January 25, 2007 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 Member Garofano and Alternate Member Lundy, along with the Business Administrator, James Diaz, Administrative Assistant, Joan Haltigan and Principal Engineer, Peter Canal. Also in attendance were Authority Engineer, Alan Dittenhofer, and Authority Counsel, William Hering. Members Borys and Rickabaugh were absent.

Administrative Assistant stated that this meeting was in compliance with the provisions of the "Open Public Meetings Act," with adequate notice of the Public Meeting having been advertised in the manner prescribed by law, and that this statement would be entered in the Minutes of this meeting.

Mr. Allmann noted that with two members absent this evening, the two alternate members would be voting.

1. Approval of the Minutes of the Open Session Public Meeting of December 21, 2006

Mr. Lundy made a motion to approve the minutes of December 21, 2006. Mrs. Blake seconded the motion and was passed unanimously. Mrs. Clayton abstained.

2. Approval of the Minutes of the Closed Session Public Meeting of December 21, 2006

Mrs. Blake made a motion to approve the minutes of December 21, 2006. Mr. Lundy seconded the motion and was passed unanimously. Mrs. Clayton abstained.

3. Questions / Comments from the Public

Chairman Allmann opened the floor to the public.

At 5:35 p.m., Mr. Allmann requested a motion to go into closed session. Mrs. Blake made a motion to go to closed session under Resolution No. 2007-19. Mr. Lundy seconded the motion, and it was passed unanimously

Based on a motion made in closed session, the Administrative Assistant stated that it was approximately 5:40 p.m., and that we would continue with the public portion of the regular scheduled meeting of the Open Session of the January 25, 2007 Public Meeting.

4. Review of Executive Director's Report
 Engineering Committee Report
 Public Relations Committee Report
 Administrative Committee Report

Mr. Diaz discussed the following items on the Executive Director's Report:

AEA Spring Conference

Mr. Diaz stated that the AEA Spring Conference is being held on March 13-14, 2007 at the Trump Marina in Atlantic City. Rooms must be reserved by February 12, 2007. All the information necessary including conference agenda, registration form and hotel procedures have been provided to the Board.

JTMUA Reorganization Meeting

Mr. Diaz stated that the reorganization meeting would be held on Thursday, February 1, 2007 at 5:30 p.m. A draft agenda has been provided this evening. Mr. Diaz requested, with the Board's permission, that we send out the next agenda via email, with any changes requested. The Township has forwarded the information from their RFP and a chart, which basically summarizes what packages were received from the different professionals. The chart will be displayed at the February 1st meeting. Mr. Allmann stated that the professionals that are listed on the agenda now do not mean they will be approved. The RFPs from all submitted on the chart is in the Executive Director's office and anyone can view all those who applied.

Commissioner Information Request

Mr. Diaz discussed the resident request of information which he included in meeting package. Unless there are any questions regarding what was distributed, Mr. Diaz will continue going forward with this request.

Mr. Diaz stated that he had received today an OPRA request and a copy of the request has been handed out this evening. We will respond within 7 days.

Engineering Committee Report

Mr. Allmann stated that the Engineering Committee met and discussed all items in depth.

Mr. Canal discussed the Engineering Committee Report. The following items were discussed at the Engineers Committee Meeting on January 23, 2007 for action tonight:

Capital Projects

Bennetts Mills Road Inter-local Services Agreement with the County of Ocean – Amend Resolution No. 2006-258. The County requested amending the Schedule C Agreement, which

was executed in November 2006 to an Interlocal Agreement because the agreement spans more than one (1) year.

Bennetts Mills Road Water Transmission Main – Contract No. 04-109 – Approve Task Order Change No. 7: Hatch Mott MacDonald, in the amount of \$33,137.68. Hatch Mott MacDonald has asked for a budget amendment for additional costs incurred while providing Construction Administration Services and Inspection Services due to continued contractor delays, deficiencies and coordination of project related issues.

Flair Pump Station Emergency Repair, Contract No. C7-00010 – Award Contract to CFM Construction, in an amount not to exceed \$46,150.00. This contract is for the emergency repair of the wet well and various other necessary repairs and improvements. O'Donnell, Stanton and Associates (OSA) was awarded the engineering services at the November 2006 Public Meeting and received quotations on January 22, 2007 at 12:00 p.m. OSA is recommending we award the contract to CFM Construction in the amount of \$46,150.00.

Hyson Road Water Treatment Plant Expansion, Contract No. 03-105B Approve Final Quantities Change Order No. 4 to Clyde Lattimer & Son Construction Company, Inc. in a credit amount of (\$27,689.82). All work has been completed with the exception of a few punch list items. Therefore, O'Brien & Gere has recommended we proceed with a final quantities adjustment for the various approved change orders, as some of the proposed changes were not performed. The final change order amount is for a credit amount of (\$27,689.82).

Metedeconk Interceptor Odor Control Study, Contract No. 05-129 - Approve Task Order Change No. 3 – Pilot Study: Hatch Mott MacDonald, in the amount of \$13,600.00. In an effort to save the Authority costs, expedite the project and avoid proprietary issues, the staff is requesting that the necessary Metedeconk Interceptor Odor Control Pilot Study be performed in-house with Hatch Mott MacDonald's (HMM) assistance. HMM has requested a task order change, in the amount of \$13,600.00, which includes assisting the Authority with the selection and application treatments for odor control along the Metedeconk Interceptor under the pilot study program.

New Mexico Water Storage Tank Rehabilitation - Contract No. 05-110 - Approve Task Order Change No. 1: Schoor DePalma, Inc., in the credit amount of <\$7,387.50>. As of this date, Schoor DePalma has nearly completed work on all sub-tasks associated with the original contract, with the exception of work not performed in regards to the booster system conversion, which was not requested to be performed and total \$12,000.00. Additional services were necessary for the completion of the project, totaling \$4,612.50. Therefore, this task order is to amend their scope of services in the credit amount of <\$7,387.50>.

Status Items

- a) Update on SCADA Systems Phase III, Contract No. C6-00157. Numbers on the bids this month came in slightly higher than expected. We are evaluating and will have recommendations for next month.

- b) SCADA System Phase 1, Contract No.05-123, Change order No. 3 to Bristol Babcock Inc for \$5,229.00. This contract is to bring in the communications from the newly installed Dublin Pump Station to our Manhattan Street SCADA System.
- c) Status update on some issues with the Hampshire Hills Pump Station Rehab. Found that the pricing far exceeded what we expected it to be. We are looking at doing a full rehab at the Pump Station and will be meeting with O'Donnell Stanton & Associates to get a proposal for possible action next month. Mr. Diaz also stated that is was discussed at the Finance Committee Meeting as to how we are proceeding with this project.
- d) Board of Education Proposal and Inter-local Agreement as Licensed Operator. We have been meeting with the Board of Education to see how we can assist each other with some land acquisitions and one of the things they have asked is for some assistance in being a licensed operator for their water and sewer facilities for compliance only and the local agreement will allow us to do that. The Authority will be reimbursed on actual time and expense basis. Mr. Allmann and Mr. Canal have a meeting scheduled for next week to go over some land swap issues. Mr. Allmann reiterated, this is once again, consolidation of services between the School Board, Jackson Township and the MUA. We have a good working relation and are opening some doors.

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

Mr. Alan Dittenhofer of Remington, Vernick & Vena Engineers discussed the following three development applications for this evening and requesting approval from the Board. Mr. Dittenhofer stated that there are four developmental applications this evening, however item # 3 on the agenda, Howard Payne Landscaping, the authority and RVV received a letter from their attorney today indicating that they would like to have the application totally withdrawn. It did not state the reason for the request for withdrawal. Mr. Dittenhofer also stated that he was aware that this application was in front of the zoning board but it indicated that they would like the application withdrawn from both boards.

Cooks Landing Commercial Block 111, Lot 33.03 & Block 111.03, Lot 106. We recommended preliminary and tentative water and sewer approval as per our letter dated January 15, 2007. The applicant, White Dove, LLC, is proposing to construct 19 single-family dwellings on the west side of Whitesville Road, South of E. Veterans Hwy. The site contains a total of 11.116 acres. Applicant proposes to construct an 8" water main extension from Whitesville Road to the property and also connect to sewer main through the subdivisions of Whitesville Rd. We recommend preliminary sewer and water approval for this project with some conditions.

Clear Stream Road Subdivision Block 70, Lot 17.01. We recommended preliminary water and sewer approval in our letter dated January 15, 2007. The applicant Michael Rottenberg is proposing to construct five-lot subdivision with four proposed residential lots on the western side of Clear Stream Road, north of Green Valley Rd. The plan contains 9.3 acres. The applicant proposes to service the unit with on-site wells with deep water mains and septic systems. We recommend this approval be granted as per January 15th, 2007 letter to the Board.

Pinerock Estates, Block 53, Lot 14.03. We recommended preliminary water and sewer approval as per our review letter of January 15, 2007. The applicant is proposing to construct 19 single-family dwellings on the west side of Whitesville Road.

Mr. Dittenhofer referred to two Authority projects that RVV has been participating in with the Authority:

The water allocation permits modification. We did contact the NJDEP requesting a status. They indicated our request for a waiver from the test requirements that's been forwarded to the NJ Geological Survey who makes that determination. Mr. Dittenhofer has not yet been able to get answer back from this.

The rehabilitation of Well, 1, 3, 13 and 15. That project bid opening is scheduled for 1/30/07. We will look to award this on February 1, 2007 if everything is in order.

Mr. Dittenhofer had one more item is an Authority approval of a release of a water and sewer performance bond for Pollina Commercial Building. We had recommended this release as per letter dated January 15th, 2007.

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

Mr. Diaz stated there was nothing for Public Relations or Administration. Mr. Diaz stated that he would like to wait for the Executive Director to start before Committee Meetings are scheduled.

Mr. Diaz stated that he did not distribute the November financials and will get this out sometime next week.

Mr. Diaz stated that the Finance Committee met on Monday, January 22, 2007, discussing and recommending approval of items on agenda this evening, as well as the Total Voucher list amount submitted this evening in the amount of \$794,623.71, with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$ 321,482.89 for capital projects;
2. Construction Fund in the amount of \$1,296.00 for bond projects;
3. Escrow Funds in the amount of \$103,998.01 for developer work;
4. Customer Deposit in the amount of \$0.00 for deposit refund;
5. Revenue General Fund in the amount of \$367,846.81 for operating expenses.

Mr. Diaz stated that the total operating expenses of \$367,846.81 includes \$150,000.00 for funding the Payroll account.

2005 Fuel Charges

Mr. Diaz discussed the 2005 fuel charges for the Township. There had been some issues recording the information by the Township. The Township has given the Authority an estimate, which has been reviewed, and the records are in line with the Authority's. We have

on the agenda this evening an approval for payment of \$17,629.11 to finalize 2005 charges. Mr. Diaz has been in contact with the Township with regard to the 2006 charges and should have the remainder of 2006 charges by Monday. Mr. Diaz will reconcile and by next month's meeting, will present to the Finance Committee and prepare a resolution to close out 2006. This has all been accrued, so it is not an additional expense.

Mr. Allmann noted that there is a water main break in town at Chrystal Brook, which is affecting approximately 50 units. The team is presently there and hoping to find the valve and get half the units back on board, the other half should be on in approximately 4-5 hours. FYI, if any of the commissioners should receive any calls.

Personnel

The Personnel Committee met this evening and discussed the following:

Last month two union representatives attended the public meeting to discuss a grievance from October. Mr. Diaz met with the union along with Mr. Allmann yesterday to see if we could resolve this issue. It seems the union left out a bit of information when discussing the grievance on what the real problem was. We are going to pay the three individuals for the 2½ hours they have asked for but we will continue to only pay contact hours in the future, as we have done in the past. The only request from them was that if they are not on a regular shift that they are able to leave from their home. Mr. Diaz stated that since we are in the process of finalizing the union contract in its final version, he would put a call into our attorney and ask him to add an amendment. The union is agreeing to this amendment and requested it, therefore will sign off on it. This will clarify this particular part of the contract and we should not have any more issues in the future with them.

The next item is regarding a labor position with different levels. We posted for an R2 position. Our lower level laborer, Edward Roberto, had applied for it. Mr. Diaz spoke with the Superintendent who agrees to go ahead and change his level to R2. This evening there is resolution on the agenda, since there is a salary change, for approval. This is the position that works towards the sewer repair/water repair position, which Mr. Roberto will be training for over the next year. With the Board's permission, Mr. Diaz would like to post for replacement lower level maintenance laborer. The posting is for five days then we can advertise since it is not a competitive position.

At this time, Mr. Allmann entertained a motion to accept all the reports discussed this evening. Mrs. Blake made a motion to approve. Mr. Lundy seconded the motion and it was pass unanimously.

6. Consent Resolutions 2007-01 to 2007-06:

- | | |
|---------|---|
| 2007-01 | Resolution Ratifying Cash Management Report for December 2006 |
| 2007-02 | Resolution Granting Preliminary Sewer & Water Approval to Clear Stream Road Subdivision, Block 70, Lot 17.01 on the Tax Map of the Township of Jackson. |

- 2007-03 Resolution Granting Preliminary Sewer & Water Approval to Pinerock Estates, Block 53, Lot 14.03 on the Tax Map of the Township of Jackson.
- 2007-04 Resolution Granting Preliminary Sewer & Water Approval to Howard Payne Landscaping, Block 29, Lots 17 & 18 on the Tax Map of the Township of Jackson. **(WITHDRAWN BY APPLICANT)**
- 2007-05 Resolution Granting Preliminary and Tentative Sewer & Water Approval to Cooks Landing Commercial Block 111, Lot 33.03 & Block 111.03, Lot 106 on the Tax Map of the Township of Jackson.
- 2007-06 Resolution Granting Performance Bond Release to Sam Pollina for Pollina Commercial Building, Block 123.0, Lots 8 & 9 on the Tax Map of the Township of Jackson.

Mrs. Blake made a motion to approve Resolutions 2007-01 through 2007-06. Mr. Lundy seconded the motion and it was passed unanimously.

7. Resolutions Offered:

- 2007-07 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll

Mrs. Clayton made a motion to approve Resolution 2007-07. Mrs. Blake seconded the motion and it was passed unanimously. Mr. Lundy abstained from check #11067. Mr. Allmann stated that the Commissioners would abstain from any checks in their own name.

- 2007-08 Resolution Awarding Emergency Repairs of the Flair Pump Station, Contract No. C7-00010 to CFM Construction, Inc, in the amount of \$46,150.00.

Mrs. Blake made a motion to approve Resolution 2007-08. Mr. Lundy seconded the motion and it was passed unanimously.

- 2007-09 Resolution Amending Resolution 2006-258, Authorizing An Interlocal Services Agreement with the County of Ocean for Services in Connection with Installation of Water & Sewer Mains along a portion of Bennetts Mills Road for a sum of approximately \$200,000.00.

Mrs. Clayton made a motion to approve Resolution 2007-09. Mrs. Blake seconded the motion and it was passed unanimously.

- 2007-10 Resolution Authorizing an Interlocal Agreement with the Jackson Township Board of Education to Act as Licensed Operator for Compliance of Various Water and Sewer Facilities.

Mrs. Clayton made a motion to approve Resolution 2007-10. Mr. Lundy seconded the motion and it was passed unanimously.

2007-11 Resolution Approving Change Order No. 4 – Final for Hyson Road Water Treatment Plant Expansion, Contract 03-105B to Clyde Lattimer & Son Construction Company, Inc. in a credit amount of (\$27,689.82).

Mr. Lundy made a motion to approve Resolution 2007-11. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-12 Resolution Approving Engineering Task Order Change No. 1 to Schoor DePalma Engineers and Consultants for the New Mexico Water Storage Tank Rehabilitation Relative to Contract No. 05-110, decreasing the contract by (\$7,387.50).

Mrs. Blake made a motion to approve Resolution 2007-12. Mr. Lundy seconded the motion and it was passed unanimously.

2007-13 Resolution Authorizing the Award of Task Order Change No. 7 to Hatch Mott MacDonald for the Engineering Services for Bennetts Mills Road Water Transmission Main Relative to Contract No. 04-109, in the amount of \$33,137.68.

Mrs. Blake made a motion to approve Resolution 2007-13. Mr. Garofano seconded the motion and it was passed unanimously.

2007-14 Resolution Authorizing the Award of Task Order Change No. 3 to Hatch Mott MacDonald for Engineering Services for the Metedeconk Interceptor Odor Control Study Relative to Contract No. 05-129, in the amount of \$13,600.00.

Mrs. Blake made a motion to approve Resolution 2007-14. Mr. Lundy seconded the motion and it was passed unanimously.

2007-15 Resolution Authorizing an Application for a Loan from the New Jersey Environmental Infrastructure Financing Program.

Mrs. Clayton made a motion to approve Resolution 2007-15. Mr. Garofano seconded the motion and it was passed unanimously.

2007-16 Resolution Approving Change Order No. 3 to Bristol Babcock, Inc. for SCADA System Improvements – Phase 1 to Contract No. 05-123, in the amount of \$5,249.00.

Mrs. Blake made a motion to approve Resolution 2007-16. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-17 Resolution Ratifying Permanent Hire of Edward Roberto as Laborer (L) to Laborer (R2).

Mrs. Blake made a motion to approve Resolution 2007-17. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-18 Resolution Authorizing the Payment of \$17,629.11 to the Township of Jackson as Final Settlement of the 2005 Fuel Charges.

Mrs. Blake made a motion to approve Resolution 2007-18. Mr. Garofano seconded the motion and it was passed unanimously.

2007-19 Closed a) Closed Statement
b) Back to Open – Opening Statement & Roll Call

Mrs. Blake made a motion to approve Resolution 2007-19. Mr. Lundy seconded the motion and it was passed unanimously.

8. Other Matters

Mr. Diaz stated there were many items to be signed before leaving this evening and W2s would also be distributed. Mr. Allmann thanked the Board for keeping him informed on all issues in his absence. We wish Mr. Borys a quick recovery and Mrs. Rickabaugh best wishes that her family matters get resolved quickly.

Mr. Lundy questioned whether we would make a formal announcement if the candidate accepts the Executive Director's position. Mr. Allmann stated we would see how money was in the public relations budget.

With no further matters to discuss, Mr. Lundy made a motion to adjourn. Mrs. Blake. seconded the motion and it was unanimously passed. Chairman Allmann declared the January 25, 2007 Public Meeting adjourned.

End of Minutes

/jh