

**April 26, 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 April 26, 2007."

Chairman Allmann requested a roll call.

The April 26, 2007 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, Peter Canal. Also in attendance were Authority Engineer, Alan Dittenhofer, and Authority Counsel, Michael McKenna.

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.

1. Rate Hearing

Chairman Allmann called the April 26, 2007 Rate Hearing to order at approximately 5:30 p.m.

Mr. Borys made a motion to open the Rate Hearing to the Public. Mrs. Clayton seconded the motion and it was passed unanimously.

With no questions from the Public, Mr. Borys made a motion to close the Rate Hearing to the Public. Mrs. Clayton seconded the motion and it was passed unanimously.

Following the Rate Hearing, the April 26, 2007 Public Meeting of the Jackson Township Municipal Utilities Authority resumed at approximately 5:30.

2007-84 Resolution Adopting 2007 Rate Schedule

Mr. Borys made a motion to approve Resolution 2007-84. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2. Approval of the Minutes of the Open Session Public Meeting of March 29, 2007

Mrs. Clayton made a motion to approve the minutes of March 29, 2007. Mrs. Rickabaugh seconded the motion and was passed unanimously. Mr. Borys and Mr. Garofano abstained.

### 3. Questions/Comments from the Public

Chairman Allmann opened the floor to the public.

With no questions from the public, Mrs. Rickabaugh made a motion to close the public portion of the meeting. Mrs. Blake seconded it and it was passed unanimously.

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

Mr. Harpell discussed the following items on the Executive Director's Report, stating that there is a fairly light agenda and noting that there was no Engineering, Public Relations or Administrative Committee Meetings held this month.

- Water Allocation Permit Status. Mr. Harpell discussed the status of the water allocation permit and the proposed monthly allocation increases. Unfortunately, the DEP has stated that there are no issues with our permit but it is still not definite that we will receive it by the summer months. We will continue to help move this along but we are concerned at this point. Mr. Allmann stated that as discussed, if necessary, the Authority would put the water restrictions in earlier this year to avoid any binds from the DEP. We will have the restrictions in around June 15<sup>th</sup> as a precautionary measure.
- The next item discussed was the potable water rate comparison. A rate chart was compiled to compare Ocean County, Howell and Freehold water rates. The JTMUA's rates were found to be very competitive with a quarterly charge of \$74.20 versus an average charge of \$90.05 for 24,000 gallons of usage. It was also stated that connection fees are also very competitive. The Board noted that this information should be made available to the Public.
- Mr. Harpell noted that an OPRA Request was received from Mr. Mayerowitz requesting the developer's agreement for Westlake Village.
- Next item discussed was the above ground storage tank leak at Six Flags Great Adventure. Since the Authority owns the facility and property and Great Adventure pays for the improvements, it's difficult when deciding who would pay for a cleanup of this nature. It was noted that Peter Canal and Jim Diaz discussed the matter with Six Flags and they did agree to take the lead on the cleanup activities.
- Dave Harpell and Drew Wilson gave a talk regarding public health to the Boys Scouts this past weekend. This presentation was at the request of the Ocean County Engineering Department and took place at Six Flags Great Adventure.
- The last item discussed was the Citadel Road Reconstruction. The Township is proceeding with the Citadel Road Reconstruction project. It was noted there were recently two curb stops damaged and the bill will be submitted to the Township.

## **Engineering Committee Report**

Mr. Canal discussed two action items this month.

- Miscellaneous Trenchless Type Sewer Repairs, Contract No. C6-00174, Award Contract to D&D Utility Contractors, Inc. in the amount of \$75,444.78. This is basically to perform twenty-two (22) cured in place (CIP) sanitary sewer main spot repairs as well as some grouting of nine (9) shear breaks and eight (8) manholes that need to be relined. This contract is trenchless whereas you do not have to excavate the road, it is all done with no dig technology. Three bids came in ranging from \$75,444.78 to \$105,920.50, which were in-line with the estimates that O'Donnell Stanton and Associates had prepared. We are recommending that D&D be awarded the contract subject to counsel approval.
- Hyson Water Treatment Plant Expansion, Contract No. 03-105B to Memorialize the assignment of \$20,000.00 due to Clyde Lattimer & Son Construction which we paid to their subcontractor directly, Hungerford & Terry, Inc. Last month we approved a close-out subject to this payment and contingent upon the attorney's review. We have been advised to redirect the \$20,000.00 directly to Hungerford & Terry in accordance with the Assignment of Contract Rights we received from Clyde Lattimer & Son directly. We have also received an Affidavit of Release of Liens from Hungerford & Terry. The project is now closed out.

### **Other Matters**

Mr. Canal discussed Jackson Valley's request for the BSDW Permit. We have a memo of understanding with Hovbilt and feel that they have met the conditions we have asked and in accordance with our agreement with them we will issue the BSDW permit for Phase II.

The last item is for Bennetts Mills Road Water Transmission Main, Contract No. 05-113. This is for contract payment estimate #13. You will notice there are some checks on for tonight for payments to B and B Construction subcontractors and also for Jackson Township. These payments are in line with our settlement change order agreement that has previously been approved and will prevent more liens being placed on the project. The payments are as follows: \$51,053.99 to Johnson Baren Corp for paving services, \$8,834.00 to Kmetz, Inc. for drilling services and \$810.00 to the Jackson Township Police Department for traffic control. The total is \$60,697.99. The approval of these payments are subject to receiving the fully executed payment vouchers from all parties, receiving the fully executed assignment of contract rights from B and B Construction and review by the Authority's General Counsel as to compliance with all legal requirements. This would probably be memorialized by resolution next month.

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

Mr. Alan Dittenhofer of Remington, Vernick & Vena Engineers discussed the following development application for this evening and requesting approval from the Board. Mr. Dittenhofer noted:

Final Water & Sewer application approval for Wiggles World Amusement at Six Flags Great Adventure, Block 1, Lot 27.01. Tentative approval to this application was granted at last month's meeting. The applicant, Six Flags Great Adventure is proposing to redevelop a section of the existing Looney Tunes Seaport to create a Wiggles World Children's section at the amusement park. We recommended this approval in our April 16, 2007.

Mr. Dittenhofer noted that the other two items were previously discussed by Executive Director, the water allocation permit modification and the only other project is the rehabilitation of Wells #1-13 & 15. This work is progressing. Mr. Allmann stated that the good news was that Well #15 was salvable.

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

Mr. Diaz stated that the Finance Committee met on Monday, April 23, 2007, discussing and recommending approval of items on the agenda this evening, as well as the Total Voucher list amount submitted this evening in the amount of \$911,252.92 with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$480,540.81 for capital projects;
2. Construction Fund in the amount of \$63,039.42;
3. Escrow Funds in the amount of \$38,545.25 for developer work;
4. Revenue General Fund in the amount of \$329,127.44 for operating expenses.

Mr. Diaz stated that the total operating expenses of \$329,127.44 includes \$175,000.00 for funding the Payroll account.

- 1- Capital Purchase. The Authority has received a proposal from Arrow Locksmith to have out locks at all the JTMUA facilities changed out. The total of the contract would be not to exceed \$3,200.00. In the interest of security, this is necessary. Mr. Diaz stated that the Authority will look into installing an electronic system in the future.
- 2- Postage Machine Renewal. Pitney Bowes supplied a proposal for an upgraded machine with a \$23.00 per month savings. The agreement is for 36 months, renewable on an annual basis based on appropriations. It was stated that the rate would go from \$195.00 to \$172.00 per month.

**Personnel**

The Personnel Committee met on Thursday, April 26<sup>th</sup>. Mr. Diaz stated there is one item on the agenda which is a promotion for Mr. Andrea Asch. Mr. Asch is our Senior Water Treatment Plant Operator. The Committee is recommending his promotion to Assistant Water Utilities Superintendent, pending final approval from the Dept of Personnel. His salary would be increased by 12%, which will bring it to \$50,026.30. The Personnel Committee is recommending approval from the Board this evening. Mr. Diaz stated that this individual will be assisting Ed Mogila, Superintendent, in a much needed position. It was noted that two more

employee reviews were discussed in the Personnel Committee Meeting and the Board decided to discuss in closed session.

Mr. Allmann Entertained a motion to accept all the reports discussed this evening from all the Committees. Mrs. Blake made a motion to approve. Mr. Borys seconded the motion and it was passed unanimously.

6. Consent Resolutions 2007- to 2007-:

2007-85 Resolution Ratifying Cash Management Report for March 2007

2007-86 Resolution Granting Final Sewer & Water Approval to Six Flags Great Adventure, Block 1, Lot 27.01 on the Tax Map of the Township of Jackson

Mrs. Rickabaugh made a motion to approve Resolutions 2007-85 through 2007-86. Mrs. Blake seconded the motion and it was passed unanimously.

7. Resolutions Offered:

2007-87 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll

Mr. Borys made a motion to approve Resolution 2007-87. Mrs. Clayton seconded the motion and it was passed unanimously

2007-88 Resolution Awarding Miscellaneous Trenchless Type Sewer Repairs, Contract No. C6-00174 to D & D Utility Contractors, Inc. in the Amount of \$75,444.78

Mrs. Clayton made a motion to approve Resolution 2007-88. Mr. Borys seconded the motion and it was passed unanimously.

2007-89 Resolution Memorializing the Assignment of \$20,000.00 Due and Owing as the Final Payment to Clyde Lattimer & Son Construction Co., Inc. in Connection with The Hyson Water Treatment Plant Expansion, Contract No. 03-105B.

Mrs. Blake made a motion to approve Resolution 2007-89. Mr. Borys seconded the motion and it was passed unanimously.

2007-90 Resolution Awarding Leasing of Mail Stream Solution Equipment Including Maintenance for a Term Up To 36 Months, Contract No. C7-00024, to Pitney Bowes, for the Sum of \$172.00 per month.

Mrs. Blake made a motion to approve Resolution 2007-90. Mr. Borys seconded the motion and it was passed unanimously.

2007-91 Resolution Awarding New Keys and Rekeying of Locks for All Authority Facilities, Contract No. C7-00025 to Arrow Locksmith in an Amount Not to Exceed \$3,200.00.

Mrs. Blake made a motion to approve Resolution 2007-91. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-92 Resolution Authorizing Promotion of Andreas Asch from Senior Water Treatment Plant Operator to Assistant Water and Sewer Utilities Superintendent.

Mrs. Clayton made a motion to approve Resolution 2007-92. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

At 5:54 PM, Mr. Allmann requested a motion to close to public. Mrs. Clayton made a motion to close the public portion. Mr. Borys seconded the motion and it was passed unanimously.

2007-93 Closed a) Closed Statement  
b) Back to Open – Opening Statement & Roll Call

Based on a motion made in closed session, the Administrative Assistant stated that it was approximately 5:57 p.m., and that we would continue with the public portion of the regular scheduled meeting of the Open Session of the April 26, 2007 Public Meeting.

8. Other Matters

With no further matters to discuss, Mr. Borys made a motion to adjourn. Mrs. Rickabaugh seconded the motion and it was passed unanimously. Chairman Allmann declared the April 26, 2007 Public Meeting adjourned.

---

End of Minutes

/jh