

July 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 5:40 p.m. and we will commence with the public portion of the regular scheduled Public Meeting of July 26, 2007."

Chairman Allmann requested a roll call.

The July 26, 2007 Public Meeting of the Jackson Township Municipal Utilities Authority was called to order at 5:40 P.M. Present were Members Blake, Clayton, Rickabaugh and Chairman Allmann, Alternate Member Garofano 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, William Hierung. Member Borys was excused and Alternate Member Lundy was 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.

1. Maple Glen Rate Hearing

Chairman Allmann called the July 26, 2007 Maple Glen Rate Hearing to order at approximately 5:40 p.m.

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

Following the Maple Rate Hearing, the July 26, 2007 Public Meeting of the Jackson Township Municipal Utilities Authority resumed at approximately 5:50.

2007-127 Resolution Adopting 2007 Maple Glen Rate Schedule

Mrs. Rickabaugh made a motion to approve Resolution 2007-127. Mrs. Blake seconded the motion and it was passed unanimously.

1. Approval of the Minutes of the Open Session Public Meeting of June 21, 2007.

Mrs. Clayton made a motion to approve the minutes of the Open Session Public Meeting of June 21, 2007. Mr. Garofano seconded the motion and was passed unanimously. Mrs. Blake and Mrs. Rickabaugh abstained.

2. Approval of the Minutes of the Closed Session Public Meeting of June 21, 2007.

Mrs. Clayton made a motion to approve the minutes of the Closed Session Public Meeting of June 21, 2007. Mr. Garofano seconded the motion and was passed unanimously. Mrs. Blake and Mrs. Rickabaugh abstained.

Chairman Allmann noted for the record, with regard to the June Meeting Minutes, there is a quorum with three members that were here so with the two abstentions, the minutes still pass.

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.

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.

- Mayor Seda made several requests of the JTMUA at last month's public meeting and following is the status of these projects.

With the improvements at Holman Field, the fence line has been cleared of brush and green PVC privacy slats are being installed. A resolution is being presented this evening to purchase the slats.

There is also a resolution being presented this evening declaring that the two inoperable vehicles currently behind the Authority's property have no value. Once declared, these vehicles will be scrapped. For the record, Mr. Harpell listed the following vehicles as a 1996 Dodge VIN #IB7JF26Y6TJI76397 and a 2007 Chevy S10 VIN# 1GCCS14W7Y8158134. Chairman Allmann questioned if they would be listed at the Mayor's auction and Mr. Harpell stated they would be scrapped since there was so little value to them, however he will discuss the auction with the Township.

Chairman Allmann discussed his conversation with the Mayor today with regard to the water tank. For the Board's clarification, Jackson Pop Warner is requesting to put their logo on the water tower knowing that it is a short-term process. They will pay for the logo upon the Board's approval. They would like it completed by August 17th. Mrs. Blake motioned to approve. Mrs. Clayton seconded the motion and it was passed unanimously.

The next issue is the old Vista Center Soccer Fields. The Authority has had some productive days with the DPW working on the fields and most of the sewer stacks are cut down. There was a slight mishap today with a water main

damaged but it was not a major issue and has been repaired. There will be some additional work going forward, removing some hydrants and maybe capping a water main but at this point, we should be nearly out of the Township's way for the next phase.

Manhattan Street and Cooks Bridge Road Improvements. Mr. Harpell stated that he spoke with the County following last month's meeting. Originally they said it would be a 3 to 4 week redesign phase due to a gas main in the way not just a problem with our utilities. We have not heard back yet although the Township is hearing that it is a 2008 project now. We did tell the County that we did not want this delayed, so we are waiting to hear back as to what they plan to do. Chairman Allmann stated that he was informed today that the Mayor had a conversation with the County and it appears that the only conflict is with the MUA. It is slated for October of this year whether or not the MUA or gas company is in conflict. Chairman Allmann requested the Mr. Harpell reach out to the County again.

- Pleasant Garden South Condominium Association. There was an issue February 2007 where they had a water main break and we had an approximately \$8,500.00 repair bill. The Association has come back with a reasonable settlement with a check for \$5,000.00 and a request to extend payment terms for four additional months. With the Board's consent, we are recommending we let Pleasant Gardens proceed with a four month payment plan.
- Eleanor Traina. Mr. Harpell discussed the billing issues over the last year or so. Mr. Harpell had a conversation with Ms. Traina's attorney who did not have all the information when he sent a letter to the Authority and does not have a problem with waiting until the end of the summer to look into this and consider whether there should be a credit given. It was also stated that her attorney was not aware that the meter had been pulled and tested accurately. Mr. Diaz stated that the Authority is also submitting information to Scibal because Ms. Traina is claiming under Title 59 and will forward all correspondence on this particular case for their review. Mr. Hiering confirmed that he has been kept informed on this issue and believes this will work itself out. The Board discussed this issue and the fact that Ms. Traina had a plumber look at the problem who came back to state there was nothing wrong.
- Vehicle Accident - Truck No. 2 – On June 20th, one of the Authority's trucks was struck by another individual. The other driver was at fault so their insurance company should cover all the costs. The accident occurred at Bennetts Mills Road onto Manhattan Street. The employee driving the vehicle is fine with no lingering affects.
- 2007 Water Usage. The Authority's water usage is up 4.4% from last year with all of the additional demands related to summer usage.
- Ocean County Utilities Authority 2008 Rates. Mr. Harpell stated that their rates are going up by 2%, which will be additional charge to the Authority of approximately \$65,000.00.

- Gate at Claridge Drive. The Authority owns property off Claridge Drive, a former wastewater plant. There is an issue with people riding motorbikes and other vehicles on this property. The MUA installed a fence there a few years ago, which has been destroyed. A resolution is being offered for the installation of a guide rail gate, which should be more durable.
- Automated Gate at Manhattan Street. The Administration Building is very well fenced with the exception of the main entrance and there have been issues with trespassing and minor acts of vandalism. It was recommended in the Vulnerability Assessment to install a gate. Mr. Harpell stated that the price for installation of this gate would be approximately \$18,000.00. It was noted by the Board that this pricing seems high but Mr. Harpell stated that the Authority has to pay prevailing wage so the cost will be a bit higher. The company is a state contract vendor, Consolidated Steel & Aluminum Fence Company.
- Jackson Day. The Public Relations Committee met June 21, 2007 and has come up with some preliminary ideas as giveaways with the thought being water bottles with the JTMUA logo and some cartoon books. Mr. Harpell is requested a proposed budget from the Board of \$4,500.00 for this event. There is a resolution on the agenda this evening for approval of this budget.
- Meter Testing. The proposed Interlocal Agreement for the meter testing was approved by the Brick Township MUA at their June 25, 2007 Public Meeting and the Township of Jackson on July 10, 2007. There is a resolution on the agenda for approval of this project.
- Municipal Rate for the Township of Jackson. This issue came up this month regarding how it was developed and a letter from Mr. Kennedy was distributed. Mr. Harpell noted that the MUA's in-house policy has been the only entity that gets a municipal rate is the Township. There is one ball field, Bartley Field, which is connected to the system that does get the municipal rate. Right now it is strictly the Township itself, not the firehouses or Board of Education. Mrs. Rickabaugh questioned whether the ball fields would get this rate and Mr. Harpell stated that as long as the bill is from the Township, it will.
- Mission Statement. The Administrative Committee has been working on developing a Mission Statement, which we do have for consideration this evening. It was noted that it is a good start and appreciate the Board's patience in putting this together.
- Irrigation Meters in Westlake. There has been an on-going issue in the first two construction phases of Westlake. When an ordinance came in place for the second meter, some pit meters were installed. The problem is that we are losing 15% of those meters per year when air is blown through the meters and they are damaged. This has been an on-going problem and is costing the Authority a lot of money, which up to 2006, we have volunteered to pay all those costs. The Authority has spoken to Sensus one of the metering companies, who thinks they might have a meter that could handle the air going through. The Authority will test this meter in August and will present a recommendation to the Board at the August Public Meeting.

Chairman Allmann stated that we have to look at a meter that will work for us and not cost the Authority money every year. Mr. Garfano asked whether the sprinkler people would be informed of these changes. Mrs. Rickabaugh questioned whether non-toxic antifreeze could be used for winterizing the system and Mr. Harpell responded that generally, most irrigation systems are blown out with air. Mr. Canal stated that the freeze plate on the bottom of the meter is breaking, so there is failure from both sides also mentioning that he had looked into non-toxic antifreeze some years back but the manufacturers would not warrantee the meters with that product. Mr. Canal then stated that the MUA has spoken to several companies who are doing the winterization but each year there is a new company that is not aware of this ongoing problem. Mrs. Blake stated that if these new meters test okay and are installed and then broken, the homeowner will be responsible.

Engineering Committee Report

Mr. Canal discussed the following action items this month.

- Lakeland Shores Water and Sanitary Sewer Systems, Contract No. 05-139 – Approve Change Order No. 3 to Stacey Contracting, Inc. in the amount of \$55,081.34. This change order is for various scope of work increases mostly attributed to the paving changes necessary to complete the project. There is also \$4,000.000 to overlay Woodside Avenue, which was requested by the Township and they have indicated that they will reimburse us for that portion of the paving work. This is has also been recommended by Gannett Fleming which increases the revised contract amount of \$1,207,003.92 to \$1,262,085.26. All work is to be completed in 45 days.
- Hyson Water Treatment Plant Expansion, Contract No. 03-105 – Approve Task Change Order No. 6 Final to O'Brien & Gere Engineers, Inc. in the amount of \$35,000.00. Additional services were required for the engineering, administration and inspection of the Hyson WTP expansion. Originally the claim submitted was for \$53,573.00 and has been negotiated down to \$35,000.00 and this would be the final change and payment to O'Brien and Gere to close out the project. The increase is a lump sum amount and increases the contract from \$466,872.00 to \$501,872.00.

Chairman Allmann stated that Mr. Canal spent a great deal of time to bring this project to a close and worked diligently with the contractor and O'Brien and Gere to resolve these issues. They were probably entitled to the \$53,000.00 and did negotiate to \$35,000.00 for the Board to approve this evening.

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

Mr. Alan Dittenhofer of Remington, Vernick & Vena Engineers discussed the following development applications and one performance bond reduction for this evening and requesting approval from the Board.

Preliminary and Tentative Sewer and Water Approval to Harmony Bank, Block 6507, Lots 11 & 12. This approval was recommended to the Board in our letter in June.

Jo Ann Timbers, subdivision on Casseville & Toms River Road. It is two units on Casseville and two units on Toms River Road. This is a final Water Application and recommend that approval be granted in our letter to the Board.

Preliminary and Tentative Water and Sewer Application to Charlie Brown's Restaurant. The restaurant is to be located on the south side of No. County Line Road west of Kingston Drive. We have recommended this approval in our letter to the Board.

Preliminary Sewer and Water Approval to Jackson Center. The applicant is proposing to construct 22,700 square foot retail building on the south side of Whitesville Road, south of Chapel Road. We recommended this approval in our letter to the Board.

The final item is a Performance Bond Reduction for Four Seasons at Metedeconk, Section 1 Model Area. We recommended this reduction in our letter to the Board.

Public Relations Committee Report

Mr. Harpell stated that the Public Relations Committee met on June 21, 2007 following the Public Meeting. The Public Relations Committee is recommending a budget this evening for approval by resolution.

Administrative Committee Report

Mr. Harpell stated that the Administrative Committee met on Monday, July 23, 2007 and the only item discussed was the Mission Statement which is on the agenda this evening for approval by resolution.

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

Mr. Diaz stated that the Finance Committee met on Monday, July 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 \$678,861.84 with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$164,821.35 for capital projects;
2. Construction Fund in the amount of \$16,874.90 for bond projects;
3. Escrow Funds in the amount of \$91,067.96 for developer work;
4. Revenue General Fund in the amount of \$406,097.63 for operating expenses.

Mr. Diaz stated that the total operating expenses of \$406,097.63 includes \$160,000.00 for funding the Payroll account

Mr. Diaz discussed the following items:

- Capital Purchase for a photo ID system. It was noted that the Authority has been working with the Township regarding this purchase, which is a shared cost. The Authority's cost would be \$6,643.13. The Township will be managing the project and every employee will receive badges. This replaces the badges that the Authority currently has. Chairman Allmann stated that this project is in conjunction with Emergency Management, in case of a national disaster, these ID tags will prevent people from going through areas where they should not be. The tags can be scanned and therefore, know where people are and in what areas they can be of help.

Mrs. Rickabaugh stated that the MUA would actually be paying \$155.00 per employee. Mrs. Rickabaugh voiced her concern regarding the cost to the Authority for these badges stating that it should not be split 50/50 with the explanation being there are far less employees at the MUA. Mr. Garofano also expressed his concern, noting that he brought this to the attention of the Finance Committee earlier this evening prior to this Public Meeting. Chairman Allmann stated that the Board approved this project, which has been discussed over the past year and the Authority has made the commitment. Mr. Garofano stated that despite his concern, the Board did make a commitment to go ahead with this project so there is not much that can be done at this point. Discussion continued regarding the cost and capabilities of the photo ID system. It was stated how important these ID's would be in the case of a national emergency. After much discussion, the Board decided they would revisit any meeting minutes and conversations regarding this matter. The Board will not vote on Resolution 2007-140 and will address this project again at the next public meeting.

- Emergency Repair/Purchase. There was an issue with the column pipe for Well #9. The contractor is AC Schulte and the amount is \$4,305.00 and we are recommending approval of that. Mr. Harpell stated that we thought it would be a warrantee repair until it was actually pulled apart.
- Resolution to amend the 2004 Bond Amendment. We have an issue with the Hampshire Hills Pump Station, which has been discussed in the past. We are looking to redo that pump station and there will be some money left in the 2004 Bonds. The resolution tonight is to allow McManimon & Scotland to go through that process in an amount not to exceed \$5,000.00 to amend the bonds to include the Hampshire Hills Pump Station. Chairman Allmann stated that the repair does fall into possible bond requirements.
- NJEIT Resolution. This is a supplemental bond resolution authorizing issuing of the 2007 water and sewer bonds for not to exceed \$13,500,000.00 dealing with the Manhattan Street Project.

Mr. Garofano wanted to commend Mr. Harpell and Mr. Diaz on their work on the budget for the first six months of this year. They are doing an excellent job and we are a little over 11% under budget. I attend the Finance Meetings and question line items and I am always given good explanations. Chairman Allmann stated that they should be commended on doing an excellent job on the budget.

Personnel

The Personnel Committee did not meet this month and there is one new hire on the agenda this evening for Mr. Ted Appignani as the Authority's Inspector at \$45,000.00 plus benefits. We looked at this very carefully and believe this will be benefit to the Authority overall with our capital projects. It was noted that it is also a billable position and an area where we can generate revenues from. Chairman Allmann stated that this is a transfer from the Township and a local service agreement. This employee was being laid off from the building department and does have the qualifications and had received high recommendation from the building department to us. I believe it will be a benefit to the Authority to have Ted on board.

Mr. Diaz had an update on Aflac. Unfortunately, we did not get the minimum participants of three that was necessary to implement the plan. I will bring them back in approximately six months with possibly a new representative.

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

5. Consent Resolutions 2007-128 to 2007-132:

- 2007-128 Resolution Ratifying Cash Management Report for May 2007
- 2007-129 Resolution Granting Preliminary & Tentative Sewer and Water Approval to Citgo Gas Station, Block 54, Lot 1, on the Tax Map of the Township of Jackson.
- 2007-130 Resolution Granting Final Sewer & Water Approval to South Knolls Section 3, Block 111.03, Lot 1, on the Tax Map of the Township of Jackson.
- 2007-131 Resolution Granting Tentative and Final Water Approval to Tiger Distributors Warehouse – Block 154.32, Lot 21.03, on the Tax Map of the Township of Jackson.
- 2007-132 Resolution Granting Final Sewer and Water Approval to Jackson Mews Partial Off-site Water and Sewer Extensions, West Freehold and Cedar Swamp Roads, on the Tax Map of the Township of Jackson.

Mrs. Blake made a motion to approve Resolutions 2007-128 through 2007-132. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

6. Resolutions Offered:

- 2007-133 Resolution Granting a Performance Bond Reduction to K. Hovnanian at Jackson, LLC for Four Seasons at Metedeconk – Section 1 Model Area.

Mrs. Blake made a motion to approve Resolution 2007-133. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-134- Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll

Mrs. Rickabaugh made a motion to approve Resolution 2007-134. Mrs. Blake seconded the motion and it was passed unanimously.

2007-135 Resolution Authorizing the Award of Task Order No. 6 – Final to O’Brien & Gere Engineers, Inc. for Hyson Water Treatment Plant Expansion, Contract No. 03-105, in an Amount not to exceed \$35,000.00.

Mrs. Blake made a motion to approve Resolution 2007-135. Mr. Garofano seconded the motion and it was passed unanimously.

2007-136 Resolution Authorizing the Award of Task Order No. 3 to Stacey Contracting, Inc. for Lakeland Shores Water and Sanitary Sewer Systems, Contract No. 05-139 in the Amount of \$55,081.34.

Mrs. Rickabaugh made a motion to approve Resolution 2007-136. Mrs. Blake seconded the motion and it was passed unanimously.

2007-137 Resolution Authorizing A Contract For Water Emergency Repairs, Contract No. C7-00028, In An Amount Not to Exceed \$4,305.00.

Mrs. Blake made a motion to approve Resolution 2007-137. Mr. Garofano seconded the motion and it was passed unanimously.

2007-138 Resolution Authorizing the Contract & Payment to Consolidated Steel & Aluminum Fence Co., Inc and Daley Electric Company for Installation of Electric Gate on Authority Property Contract No. C7-00030 & C7-00031.

Mrs. Blake made a motion to approve Resolution 2007-138. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-139 Resolution Authorizing Majestic Fence to supply green PVC Slats for the Rear Fence of Administration Building.

Mrs. Blake made a motion to approve Resolution 2007-139. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-140 Resolution Authorizing the Sharing of Costs with the Township of Jackson for a Photo Identification System – Contract No. C7-00033

It was decided at this time there would be no vote on this resolution until next month. The Commissioners should have the proper paperwork between now and the next meeting. Any questions can be directed to Commissioner Borys.

2007-141 Resolution Authorizing the Appropriation of \$4,500.00 for the Jackson Day Celebration

Mrs. Blake made a motion to approve Resolution 2007-141. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-142 Resolution of the Jackson Township MUA Adopting a Mission Statement as Established by the Authority.

Mrs. Blake made a motion to approve Resolution 2007-142. Mrs. Rickabaugh seconded the motion and it was passed unanimously

2007-143 Resolution Authorizing Intergovernmental Transfer of Ted Appignani from Jackson Township to the Authority at an Annual Salary of \$45,000.00 Commencing July 27, 2007

Mrs. Rickabaugh made a motion to approve Resolution 2007-143. Mr. Garofano seconded the motion and it was passed unanimously.

2007-144 Resolution of the Jackson Township MUA Approving an Interlocal Services Agreement with the Brick Township MUA for the Testing of Water Meters – Contract No. C7-00032.

Mrs. Blake made a motion to approve Resolution 2007-144. Mr. Garofano seconded the motion and it was passed unanimously.

2007-145 Resolution Authorizing the disposing of Fully Depreciated and Inoperable Vehicles Behind the Manhattan Street Water Treatment Plant

Mrs. Blake made a motion to approve Resolution 2007-145. Mr. Garofano seconded the motion and it was passed unanimously.

2007-146 Resolution Authorizing the Contract Award and Payment to Majestic Fence Co., Inc. for Installing Guide Rail Gate to Secure Authority Property Off of Claridge Drive, Contract No. C7-00029, In The Amount of \$2,752.00.

Mrs. Blake made a motion to approve Resolution 2007-146. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-147 Resolution Authorizing the Approval of a Payment Schedule for Pleasant Gardens South Condominium Association in Connection with Emergency Repairs Performed on the Property of Said Association

Mrs. Rickabaugh made a motion to approve Resolution 2007-147. Mrs. Blake seconded the motion and it was passed unanimously.

2007-148 Resolution Authorizing the Issuance of Not to Exceed \$13,500,000 Water and Sewer Revenue Bonds, Series 2007, of the Jackson Township MUA through the NJ Environmental Infrastructure Trust Financing Program

Mrs. Blake made a motion to approve Resolution 2007-148. Mr. Garofano seconded the motion and it was passed unanimously.

2007-149 Resolution Amending the 2004 Bonds to Revise the Scope of the Projects to Include Hampshire Hills Pump Station

Mrs. Blake made a motion to approve Resolution 2007-149. Mr. Garofano seconded the motion and it was passed unanimously.

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

There was no closed session.

7. Other Matters

As discussed earlier on the agenda, Chairman Allmann spoke with Mayor Seda today and would like to present to the Board this evening that the Pop Warner Football League has requested that we put their logo on our water tank. They are aware that it will only be here for two years. At this time, Chairman would like to ask the Board for approval for the Jackson Township Pop Warner to put their logo on the Manhattan Street Water Tower. The Board approved and it was noted that the logo would be painted by August 17th, 2007.

It was also stated that when the tank is dismantled, Island Heights may have an interest in taking it from the Authority. This would be a cost savings for the MUA.

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

End of Minutes

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