

September 27, 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 September 27 2007."

Chairman Allmann requested a roll call.

The September 27, 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, William Hiering.

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. Approval of the Minutes of the Open Session Public Meeting of August 23, 2007

Mr. Borys made a motion to approve the minutes of the Open Session Public Meeting of August 23, 2007. Mrs. Blake seconded the motion and was passed unanimously.

Questions/Comments from the Public

Chairman Allmann opened the floor to the public.

With no questions from the public, Chairman Allmann closed the public portion of the meeting, noting that he will reopen the meeting if someone from the public should arrive.

2. 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 Association of Environmental Authorities' 2007 Annual Meeting being held November 13 and 14th in Atlantic City. The Authority would like to submit the registration by October 1st and is requesting that the Board inform Joan if

they would like to attend. It was noted that the deadline for hotel registration is October 20th and that the AEA will not hold any rooms unless already registered. It was also noted that individuals should pay for hotel accommodations and can expense the cost for reimbursement by the Authority.

- The next item discussed was the longstanding issue with resident Mrs. Eleanor Traina. The Authority informed Mrs. Traina that we would re-evaluate her account after the summer to determine if a credit could be justified for the higher than normal usage experienced in 2005 and 2006. There is a resolution on the agenda for approval this evening for a one-time credit of \$1,402.24 for excess water and sewer charges in 2005 and 2006 over her historical average.
- Water Allocation Permit Major Modification. Mr. Harpell discussed the need for the Authority to retain a hydrogeologist to assist with specific portions of the Water Allocation Permit Major Modification application, which will be submitted in late 2007. Proposals were received from \$31,100.00 to \$42,000.00. The Authority would like to award this project to Hatch Mott MacDonald.
- Mr. Harpell had one addition to the Executive Director's Report with regard to Mr. Canal's request not to attend future Public Meetings. Mr. Canal started attending the meetings in late 2006 when the Executive Director's position became vacant. The Board and Authority are in agreement that Mr. Canal will not attend future meetings unless there is an item on the Agenda for which Mr. Canal should be present.
- Mr. Harpell discussed one confidential item from the Executive Director Report stating that Mr. James Diaz is up for a 2% salary increase this month. The Authority and the Personnel Committee would like to recommend approval for this increase to the Board this evening.

Engineering Committee Report

Mr. Canal discussed the following action items this month.

- **Emergency Repair of the Flair Pump Station, Contract No. C6-00171 – Approve Task Change Order No. 1 – Final for O'Donnell, Stanton & Associates, Inc. in the amount of \$5,200.00.** Additional services were required for engineering, administration and inspection of the Flair Pump Station. This is a fair request for a lump sum final amount of \$5,200.00, which increases the contract from \$24,000.00 to \$29,200.00.
- **Hyson Water Treatment Plant Komax Static Mixer, Contract No. C7-00043 – Authorize Purchase from Valley Tech, Inc. in the amount of \$3,525.00.** This purchase request is for a new metallic 16" chemical static mixer to replace the existing damaged PVC mixer. The replacement cost will be submitted under the insurance claim.
- **2007 Infrared Paving, Contract No. C7-00041 – Award Contract to Atlantic Infrared, Inc., in the amount of \$23,110.00.** Three (3) bids were received ranging in price from \$23,110.00 to \$60,875.00. The project entails final paving restoration on

various township/county roadways as a result of MUA utility repairs. The work will be performed in accordance with the Road Opening Permits. We are recommending award to Atlantic Infrared, Inc., in the amount of \$23,110.00, subject to legal review.

- **Miscellaneous Trenchless Type Sewer repairs, Contract No. C6-00174 – Approve Change Order No. 1 for D&D Utility Contractors, Inc., in the amount of \$141.75.** This Change Order is to approve the transfer of two (2) warranty inspection items required to be performed under D&D Utility Contractors, Inc., Sanitary Sewer System Evaluation – Phase V (SSSE5), Contract No. C6-00143 in order to allow closeout of said contract. Since only one spot repair was necessary under SSSE5, it is recommended we transfer the one-year inspection requirement to this contract since D&D has 22 spot repairs to perform warranty inspections. In addition to closing out the SSSE5 contract, we will also be receiving a credit for work that was not necessary as a result of the favorable quality of the pipe found.

- **New Mexico Water Storage Tank Rehabilitation, Contract No. C6-00174 – Approve Change Order No. 4 – Final Quantities for Magnum Painting Company, Inc., in a credit amount of (\$2,750.00).** Change Order No. 4 is a final quantities change order decrease to close out Contract No. C6-000174. The credit is due to the fact that no pit repairs had to be completed because there has been much less corrosion found than anticipated. Our Consulting Engineer, CMX (formerly Schoor DePalma Engineers) are recommending this Change Order, bringing the revised contract total of \$265,803.00 to \$263,053.00.

Chairman Allmann questioned whether the Authority has been back to look at the tank and it was confirmed that the MUA is getting prices to have the graffiti covered.

- **New Mexico Water Storage Tank Rehabilitation, Contract No. C6-00174 – Grant Closeout and Performance Bond Release to Magnum Painting Company, Inc.** Magnum Painting has completed all punch list items and therefore has fulfilled their contractual obligations for the project. Our Consulting Engineer, CMX has recommended the contract be closed out, the performance bond released and a two-year maintenance bond be held, subject to legal review.
- **Approving Change Order No. 1 – Final Quantities to Uni-Tech Drilling, Co., Inc. for Construction of Well No. 15, Contract No. 01-101, in the credit amount of (\$59,700.00).** Change Order No. 1 is a final quantities change order decrease to close out Contract No. 01-101. All the work has been completed and is recommending this change order for Well 15 bringing contract total of \$335,645.00 to a decreased amount of \$275,945.00.
- **Sanitary Sewer System Evaluation – Phase V, Contract No. C6-00143 – Approve Change Order No. 1 – Final Quantities for D&D Utility Contractors, in a Credit Amount of (\$17,890.25).** This is a Final Quantities change order decrease to close out the contract. The credit is attributed to the fact that our sewer mains in this area were in far better shape than anticipated. Our Consulting Engineer, O'Donnell, Stanton & Associates inc., is recommending this change order for D&D Utility Contractors, Inc. bringing the contract total of \$138,422.76 to \$120,532.51.

- **Sanitary Sewer Evaluation – Phase VI, Contract No. C7-00042 – Award Professional Services to O’Donnell, Stanton and Associates, Inc. in the amount of \$63,850.00.** O’Donnell, Stanton and Associates, Inc. has submitted a proposal to perform the Sanitary Sewer System Evaluation for Phase 6A. This will allow for the proper sewer pipe inspections of Westlake Developments properties. We are also negotiating with Lennar and Toll Brothers for them to contribute their fair share of the project. We are recommending the proposal be awarded to O’Donnell, Stanton and Associates, Inc. in an amount not to exceed \$63,850.00, subject to legal review.

Action Items

- **St. Aloysius Church, Block 120.06, Lot 37.02 – Tentative & Final Sewer & Water.** The applicant has applied for both Tentative and Final Sewer and Water Approval for an 18,800 sq ft/1,000 seat church to be built next to the existing church and school. This project was reviewed in-house to minimize the expense to the Church and a copy of the review was sent to the applicant and LGA Engineering is requesting revisions and additional information. Based on the receipt of these items, the Engineering Staff is recommending tentative and final sewer and water approvals be granted.

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

Mr. Alan Dittenhofer of Remington, Vernick & Vena Engineers discussed the following development applications on the Engineers Report of September 19, 2007 and requesting approval from the Board.

- Granting Final Sewer and Water Approval to Whitesville Business Park, Phase I, Regional Pump Station, Block 56.07, Lot 4. The applicant is proposing to construct a pump station located on the north side of Industrial Way. We recommended this approval in our letter dated September 26, 2007 letter to the Board.
- Granting Sewer and Water Performance Bond Reductions to Jackson Development Company, LLC for Commodore Road & Cedar Swamp Road Water & Sewer Extensions, West Freehold Road “Dry” Water Main and Vista Affordable Housing Offsite Sewer.

Public Relations Committee Report

Mr. Harpell stated that the Public Relations Committee would like to thank the Commissioners and staff for their support and help with Jackson Day 2007.

Administrative Committee Report

Mr. Harpell stated that the Administrative Committee did not meet this month.

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

Mr. Diaz stated that the Finance Committee met on Monday, September 24, 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 \$575,895.61 with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$152,475.83 for capital projects;
2. Escrow Funds in the amount of \$27,889.53 for developer work;
3. Revenue General Fund in the amount of \$395,530.25 for operating expenses.

Mr. Diaz stated that the total operating expenses of \$395,530.25 includes \$140,000.00 for funding the Payroll account.

Mr. Diaz discussed the following items:

- NJDOP Assessment. Mr. Diaz discussed the \$2,048.00 assessment based on a title processed back in 2004. It was decided that this title was not suitable to the duties that were being performed for this title. The DOP waived the title but because the Authority went through the process, they assessed a charge. Mr. Diaz stated that there is a resolution on the agenda this evening for the Board's approval.
- Mr. Diaz discussed the resolution on the agenda this evening to close out the Ocean First Metedeconk Interceptor and Western Main Extension bank accounts noting that he has reviewed the paperwork and there is no indication that this money cannot be released. Mr. Diaz stated that it is time to close out the accounts and transfer the balances to the Authority's Capital Reserve account. The Authority will look for the Board's approval this evening.
- Discussion continued regarding a customer deposit of \$845.00 that also needs to be closed out. It was stated that this money has not been claimed, therefore would transfer this balance to the Authority's Capital Reserve account. Mr. Diaz stated that there was no need for a resolution for the transfer of this money. Mr. Garofano questioned whether the Authority goes through the auditor when closing accounts. Mr. Diaz confirmed that they did without any problems, stating that it was mainly interest accumulated over the years.
- Mr. Diaz discussed the Tax Lien Sale scheduled for October 19, 2007, stating that the list consists of 100 accounts totaling \$54,842.61.
- Mr. Diaz stated that a meeting was scheduled at Westlake for October 1, 2007 to discuss the Authority's process and answer any questions the residents may have with regards to the removal of the sprinkler meters.

Personnel

Mr. Diaz stated that Mrs. Carolann Weisel started Monday, September 17th in the title of Clerk Typist (Billing Clerk) position. Carolann is presently going through the training process and is

working out very well for the Authority. There is a resolution on the agenda this evening for the Board's approval.

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

4. Consent Resolutions 2007-167 to 2007-170:

2007-167 Resolution Ratifying Cash Management Report for August 2007

2007-168 Resolution Granting Sewer and Water Performance Bond Reductions to Jackson Development Company, LLC for Commodore Road & Cedar Swamp Road Water & Sewer Extensions, West Freehold Road "Dry" Water Main and Vista Affordable Housing Offsite Sewer.

2007-169 Resolution Granting Tentative and Final Sewer and Water Approval to St. Aloysius Church, Block 120.06, Lot 37.02 on the Tax Map of the Township of Jackson

2007-170 Resolution Granting Final Sewer and Water Approval to Whitesville Business Park -Phase 1, Regional Pump Station, Block 56.07, Lot 4 on the Tax Map of the Township of Jackson.

Mrs. Rickabaugh made a motion to approve Resolutions 2007-167 through 2007-170. Mr. Borys seconded the motion and it was passed unanimously.

5. Resolutions Offered:

2007-171 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll

Mrs. Blake made a motion to approve Resolution 2007-171. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-172 Resolution Authorizing the Award of a Professional Service Agreement to O'Donnell, Stanton and Associates, Inc. for Sanitary Sewer Evaluation – Phase 6A Contract C7-00042, in an Amount not to Exceed \$63,850.00.

Mr. Borys made a motion to approve Resolution 2007-172. Mrs. Blake seconded the motion and it was passed unanimously.

2007-173 Resolution Awarding 2007 Infrared Paving, Contract No. C7-00041 to Atlantic Infrared, Inc., in the Amount of \$23,110.00.

Mrs. Blake made a motion to approve Resolution 2007-173. Mr. Borys seconded the motion and it was passed unanimously.

2007-174 Resolution Approving Change Order No. 1 – Final Quantities to D&D Utility Contractors, Inc. for Sanitary Sewer System Evaluation – Phase V, Contract No. C6-00143, in the Credit Amount of (\$17,890.25).

Mrs. Blake made a motion to approve Resolution 2007-174. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-175 Resolution Approving Change Order No. 1 D&D Utility Contractors, Inc. for Miscellaneous Trenchless Type Sewer Repairs, Contract No. C6-00174, in the Amount of \$141.75.

Mrs. Blake made a motion to approve Resolution 2007-175. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-176 Resolution Approving Change Order No. 4 – Final Quantities to Magnum Painting Co., Inc. for New Mexico Water Storage Tank Rehabilitation, Contract No. 05-110, in the Credit Amount of (\$2,750.00).

Mrs. Blake made a motion to approve Resolution 2007-176. Mr. Borys seconded the motion and it was passed unanimously.

2007-177 Resolution Granting a Closeout & Performance Bond Release to Magnum Painting Co., Inc. for New Mexico Water Storage Tank Rehabilitation, Contract No. 05-110.

Mrs. Blake made a motion to approve Resolution 2007-177. Mr. Borys seconded the motion and it was passed unanimously.

2007-178 Resolution Approving Task Order Change No. 1 to O'Donnell, Stanton & Associates, Inc. for Engineering Services for Emergency Repair of the Flair Pump Station, Contract No. C6-00171 in the amount of \$5,200.00.

Mr. Borys made a motion to approve Resolution 2007-178. Mrs. Blake seconded the motion and it was passed unanimously.

2007-179 Resolution Approving Change Order No. 1- Final Quantities to Uni-Tech Drilling, Co., Inc. for Construction of Well No. 15, Contract No. 01-101 in the Credit Amount of (\$59,700.00).

Mrs. Borys made a motion to approve Resolution 2007-179. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-180 Resolution Awarding the Professional Hydrogeological Services Project, Contract No. C7-00044 to Hatch Mott MacDonald in an Amount Not To Exceed \$31,100.00.

Mr. Borys made a motion to approve Resolution 2007-180. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-181 Resolution Authorizing the Purchase of One (1) Model 52167 Static Mixer for the Hyson Water Treatment Plant, Pursuant to Contract No.C7-00043 from Valley Tech, Inc. in the Amount of \$3,525.00.

Mrs. Blake made a motion to approve Resolution 2007-181. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-182 Resolution Authorizing Payment of the Sum of \$2,048.00 to the State Department of Personnel in Connection with the Authority's Request for an Appointment Waiver and Resulting from the Prior Administration of a Test by Said Department.

Mr. Borys made a motion to approve Resolution 2007-182. Mrs. Clayton seconded the motion and it was passed unanimously.

2007-183 Resolution Authorizing the Closing Out of Two (2) Bank Accounts Established in Connection with the Authority's Metedeconk Interceptor Project & Further Authorizing the Deposit of Said Funds into the Authority's Capital Account.

Mrs. Rickabaugh made a motion to approve Resolution 2007-183. Mr. Borys seconded the motion and it was passed unanimously.

2007-184 Resolution Authorizing a One-Time Water and Sewer Credit to Eleanor Traina in the Amount of \$1,402.24.

Mrs. Rickabaugh made a motion to approve Resolution 2007-184. Mr. Borys seconded the motion. Mrs. Clayton abstained.

2007-185 Resolution Modifying the Annual Salary of the Authority's Business Administrator.

Mrs. Blake made a motion to approve Resolution 2007-185. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2007-186 Resolution Ratifying the Hiring of a Non-Competitive Classified Employee.

Mrs. Rickabaugh made a motion to approve Resolution 2007-186. Mr. Borys seconded the motion and it was passed unanimously.

There was no closed session.

6. Other Matters

The November 29th Public Meeting was briefly discussed noting that Chairman Allmann would not be in attendance. It was confirmed that there would be a quorum; therefore the meeting will not have to be rescheduled.

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 September 27, 2007 Public Meeting adjourned.

End of Minutes

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