

November 30, 2006

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 November 30, 2006."

Chairman Allmann requested a roll call.

The November 30, 2006 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 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.

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 October 26, 2006

Mrs. Rickabaugh made a motion to approve the minutes of October 26, 2006. Mrs. Clayton seconded the motion and was passed unanimously.

2. Approval of the Minutes of the Closed Session Public Meeting of October 26, 2006

Mrs. Blake made a motion to approve the minutes of October 26, 2006. Mr. Borys seconded the motion and was passed unanimously.

3. Questions / Comments from the Public

Chairman Allmann opened the floor to the public.

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

Mr. Allmann discussed the interviewing process for the Executive Director's position, which will be held in closed session this evening. There are three individuals to be interviewed and each Commissioner will have a specific question to ask. The Business Administrator will also have the opportunity to ask a question. Mr. Allmann stated that after review, the Board will go back to the Personnel Committee and do further investigation with regards to previous

employers and come back with a recommendation to the Board. At that time another special meeting will be scheduled for the purpose of hiring an individual prior to the next scheduled Public Meeting of December 21, 2006. Mr. Allmann asked if there were any questions concerning the interviewing process. Mr. Allmann then stated there was some time before the first candidate was to arrive so we would continue in open session until that time.

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

Mr. Diaz stated that the Public Relations Committee and Administrative Committee would hold off meeting after January. There was no Personnel Committee Meeting this month.

Mr. Diaz discussed the following items on the agenda this evening:

AEA Conference

Mr. Diaz handed out an expense report to be completed by those who attended the recent AEA Conference. Mr. Diaz confirmed the mileage is 44.5 cents per mile for those who would be submitting for mileage reimbursement and to see him with any questions on filling out the form.

Pumping Stations

There was a request from the Commissioners for a list of the locations for all the pump stations. Mr. Diaz provided a list to the Board, stamped confidential and stated that the MUA could provide transportation to anyone who would like to visit any of these sites since some may be hard to locate.

MELJIF Training

Mr. Diaz confirmed how many people did not attend the MELJIF Conference in order to get an idea how many would be attending training at the MUA. Mrs. Rickabaugh and Mr. Borys will attend the training at the MUA. Mr. Diaz will make arrangements for sometime in January, stating that at that point the Executive Director would probably be in-house and attend as well.

Traffic Control

Mr. Diaz discussed an additional resolution on the agenda this evening dealing with traffic control, posting in escrow \$2,500.00 with the Jackson Township Police Department. This is for traffic control for use of the MUA. A need recently arose in the past week, which required police officers availability to the MUA at present and for future use.

Mr. Allmann stated that he spoke with Business Administrator today and would like to put a line item in the 2008 budget for police services.

Other Matters

Mr. Diaz discussed a letter from a customer about one of our employees who had helped her out. This employee is Andrea Simmonds who works in the Billing Department. Ms. Simmonds noticed that the individual's usage was higher than normal, contacted the customer and informed them. The customers discovered they did have a leak and wanted to express her gratitude for contacting them.

Mr. Diaz then discussed the MUA's website and junk emails. All the email addresses are temporarily being removed from the website. The MUA has been inundated with a lot of SPAM and junk mail in-house. Some software has been installed on our file server and some upgrades have been made on our host file server to try to reduce some of the junk emails we're getting. This has just been implemented and Mr. Diaz thought he could work with Mr. Lundy and our consultants to figure out an approach to try and slow this down even further.

Mr. Diaz then discussed the MUA's Holiday Party. The memo was distributed to staff and Commissioners are welcome to come. The luncheon is on Friday, December 22nd and hopes that everyone can attend.

The last item discussed by Mr. Diaz was a resolution on the agenda regarding the acceptance of property from the Democratic Club, Block 84.01, and Block 4.03. Mr. Diaz checked the tax records due to some concerns regarding back taxes. The amount of back taxes is approximately \$310.00, which is for one quarter. The MUA has a water main running through the property.

Engineering Committee Report

Mr. Canal discussed the Engineering Committee Report. The following items were discussed at the Engineers Committee Meeting on November 28th for action tonight

- a) Hyson Road Water Treatment Road, Backup Well #16, Contract No. 05-109, Approve Task Order No. 1 to Birdsall Engineering, in an amount not to exceed \$6,525.50. The project is to permit with the NJDEP for a test well. The work ended up costing more than anticipated with regard to major modifications the state requested which is above and beyond the services Birdsall had proposed.
- b) Bennetts Mills Road Reconstruction Project, Contract No. C6-00112. Approved Task Order #2 to French & Parrello Associates, in an amount not to exceed \$10,537.92 for additional design services needed with regard to field services and asbuilt drawings. The amount is fair and reasonable and recommend approval from the Board this evening.
- c) Bennetts Mills Road Ocean County Roadway Reconstruction Project, Approve Inter-local Service Agreement with the County of Ocean This is to reimburse the county for the cost associated with their project for water and sewer improvements that they have incorporated into their contract documents for the MUA. There is \$200,000.00 budgeted for 2007 and the balance will be budgeted in 2008. This also includes ten houses where septic systems have been removed and the Authority will credit them for connection fees.

- d) Miscellaneous Excavation Type Sewer Repairs, Contract No C6-00158, Award Public Contract to D&D Utility Contractors in the amount of \$99,636.00, as part of the Sewer System Evaluation performed by O'Donnell, Stanton & Associates. Four phases of repairs were recommended to be done and this contract will make those repairs.
- e) Rehabilitation of the Flair Pump Station, Contract No. C6-00171, Award Professional Services to O'Donnell & Stanton Associates, in an amount not to exceed \$24,000.00. Recently it was discovered there were some problems in our wet well where the concrete was eroding. The work needs to move quickly to get repaired before it becomes a larger problem. Recommending approval and hope to have the repair contract awarded in January.
- f) Appointment of Special Project Engineers for various future capital improvement contracts. RFPs were advertised on the Authority's website and six proposals were accepted on November 27th. Engineering Committee is recommending all six be added to the list. 1) Gravatt Consulting Group, 2) Hatch Mott MacDonald, 3) Montgomery Watson Harza, 4) O'Brien & Gere, 5) O'Donnell, Stanton & Associates and 6) Schoor DePalma Engineers.
- g) Construction of Well #16, Contract No. C6-00170, awarding professional services to Demicco & Associates, in the amount not to exceed \$7,500.00 for Hydrogeologic Consulting Services in connection with the construction of Test Well #16. Project will be handled in house and needed some hydrogeological assistance.
- h) Status Update on Bennetts Mills Road. Last week, two water main leaks and a sewer main break were discovered. The major leak was repaired immediately and still trying to locate the second water leak. The NJ American Leak Detection Unit was hired to do some investigative work but have not received report the as of yet. The sewer break could have been caused by a backhoe and will be repaired under the emergency service contract.
- i) Development Project Approval for Jackson Township Public Works equipment storage facility, Block 40, Lot 37.01. Preliminary, tentative and final approval. In an effort to save the Township administrative and review fees, the Authority performed the review in-house and is recommending award conditional on the items noted in the review correspondence.

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

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

WAWA, Block 111, Block 34. Tentative Water & Sewer Application. The applicant is proposing to construct a 5,773 square foot store in association with a gas station along County Line Road and North Cooks Bridge Road. The site contains 2.95 acres. The applicant is applying for tentative approval at this time. The applicant also proposes an onsite water main extension and water service from North Cooks Bridge Road. The project is located within the water service area, therefore, connection will be required. The applicant has received preliminary approval for this project. All work is being constructed in accordance with the Authority's rules and regulations. The proposed water improvements will be owned and operated and maintained by the applicant. With

respect to sewer system, the project is located within the sewer service area and connection will be required. The applicant has received preliminary approval and all work will be constructed in accordance with Authority's rules and regulations and proposed improvements will be maintained by applicant. RV&V recommends approval this evening from the Board.

RG2 Major Subdivisions, Block 53, Lots 30, 31.02, 32.01 and 33. Preliminary application for Water & Sewer. The applicant is proposing to construct a 94 unit subdivision on the east side of Grawtown Road. The property contains 52.9 acres. The applicant is applying for preliminary utility services at this time. The applicant proposes to construct an 8-inch water main loop throughout the subdivision and out through Grawtown Road. With respect to the sewer system, the project is located in an active sewer service area. Connection of this project to the Authority's system is required and all work will be constructed in accordance with the Authority's rules and regulations. The waster is located within an active water service area and connection of this project is required. All work to be constructed in accordance with the Authority's rules and regulations. We recommend this evening from the Board.

At this time, Mr. Allmann requested a motion to go into closed session to conduct interviews for the Executive Director position. Mr. Borys made a motion to go to closed session under Resolution No. 2006-274. Mrs. Rickabaugh seconded it, and it was passed unanimously. At this time, Alan Dittenhofer was excused from the meeting.

Based on a motion made in closed session, the Administrative Assistant stated that it was approximately 7:30 p.m., and that we would continue with the public portion of the regular scheduled meeting of the Open Session of the November 30, 2006 Public Meeting.

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

Mr. Diaz stated that the Finance Committee met on Monday, November 27th, 2006, 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 \$1,311,365.61, with the funds being drawn against the following accounts:

1. Capital Reserve Fund in the amount of \$ 216,536.45 for capital projects;
2. Construction Fund in the amount of \$10,965.76 for bond projects;
3. Escrow Funds in the amount of \$145,906.70 for developer work;
4. Customer Deposit in the amount of \$800.00 for deposit refund;
5. Revenue General Fund in the amount of \$937,156.70 for operating expenses.

Mr. Diaz stated that the total operating expenses of \$937,156.70 includes \$125,000.00 for funding the Payroll account and \$676,600.00 for 4th quarter 2006 OCUA installment.

Mr. Diaz then stated that the Finance Committee also discussed the 2007-water/sewer budgets. The state returned them and are in the adoption process. There are two resolutions on the agenda this evening to adopt the budgets.

Mr. Diaz discussed the next item concerning the 2007 water/sewer service rate, not connection fees. Service rates were discussed with the Finance Committee. Mr. Diaz informed the Board based on the rate models done, there should not be a need for a rate increase this year. Regarding the connection fee, Mr. Diaz is now in the process of doing that calculation. If a rate hearing is necessary, chances are we would be holding that in January. Mr. Allmann reiterated any increase would be in just connection fees and asked if this would be across the board, just residential or just commercial. Mr. Diaz stated there only two rates we have, one water and one sewer, therefore it would be across the board.

The next item Mr. Diaz discussed deals with our annual Risk Management Consultant Agreement with Commerce Banc Insurance. This was discussed with the Finance Committee and it is an annual agreement. They help with all of our insurance needs. Mr. Diaz is recommending approval of this resolution from the Board this evening.

Mr. Diaz discussed the next item of banking. On an annual basis in November our bonds allow us to draw from our general account. Mr. Diaz has made a transfer from our Trust Account to our New Jersey Cash Management Account. This evening on the agenda is to restrict the funds and the discussion that took place at the Finance Committee Meeting was to restrict for the 2007 Capital needs, \$3,302,000.00 and to set up another account under NJ Cash Management Fund for the Manhattan Street Project of which Mr. Diaz is recommending that we restrict \$1,500,00.00. Mr. Diaz distributed a list this evening breaking down exactly where these fund will go.

Mr. Diaz discussed capital purchases for approval this evening.

- Seely Equipment for two different types of spreaders, one walk behind, one truck mounted, total amount \$2,788.00.
- Affordable Backyard Supply for a 10x16 storage barn, total amount \$2,550.00.

Mr. Diaz discussed the next item regarding equipment rental. We had a pump in Hampshire Hills for a total amount of \$7,056.00 to Pumping Services. This was also discussed with the Finance Committee and is recommending approval this evening.

Mr. Diaz discussed the next item dealing with the Westlake Lift Station. The MUA has advertised under the fair and open process on our website for a vendor to repair one of the pumps, there are presently two pumps and one is down. This will be reimbursed by the developer and the MUA needs to award and will go after the developer. Pumping Services submitted an amount of \$5,748.00.

Mr. Diaz stated we have an emergency repair almost a continuation of the summertime on Well #9. The MUA was trying to go through the bidding process but there has been a need to get Well #9 up and running. Right now there is a temporary pump in Well #9, but Well #13 & #15 have issues, which is causing an additional emergency to be able to meet out water needs. Under the emergency contract, the total amount to AC Schultes would be \$48,242.00.

The last item discussed deals with annual furnishing of chemicals. This was discussed in the Finance and Engineering Committee. This is a 13-month contract, December 2006 and ends

December 2007. The total contract is for \$288,129.76, which is for various vendors who have bid. The Committee is recommending approval from the Board this evening.

Mr. Diaz has one personnel item this month. This individual is Andrea Simmonds who works in the Billing Department. Mr. Diaz spoke about Ms. Simmonds earlier this evening. Her current title is Account Clerk Typist. It has been budgeted this year and would like to promote to Senior Account Clerk Typist. Andrea is doing an excellent job. Mr. Diaz is looking for approval from the Board this evening.

Mr. Allmann entertained a vote on the use of vehicle by Engineering Department. Use of vehicle consists of to and from work and use for Authority business and emergencies as needed. This was discussed during closed session. Mr. Borys made a motion to approve. Mrs. Blake seconded the motion. Mrs. Rickabaugh opposed and Mr. Garofano abstained.

Mr. Allmann stated that the Personnel Committee did not meet and discussed in closed that a special meeting was scheduled for December 6th to continue interviews for the Executive Director position.

Consent Resolutions 2006-248 to 2006-253:

- 2006-248 Resolution Ratifying Cash Management Report for October 2006
- 2006-249 Resolution Authorizing the Acceptance by the JTMUA of Real Property Known as Block 84.01, Lot 4.03 by Gift from The Jackson Township Democratic Club.
- 2006-250 Resolution Authorizing Execution of a Risk Management Consultant's Agreement to Commerce National Insurance.
- 2006-251 Resolution Granting Preliminary, Tentative & Final Water Approval to Jackson Township DPW Equipment Storage Facility, Block 40, Lot 37.01.
- 2006-252 Resolution Granting Preliminary Sewer and Water Approval to RG2 Major Subdivision, Block 53, Lots 30, 31.02, 32.01 and 33.
- 2006-253 Resolution Granting Tentative Sewer and Water Approval to Wawa, Block 111, Lot 34.

Mrs. Clayton made a motion to approve Resolutions 2006-248 through 2006-253. Mr. Borys seconded the motion and it was passed unanimously.

7. Resolutions Offered:

- 2006-254 Resolution Authorizing Payment of Vouchers, Deposit Refunds & Payroll

Mrs. Clayton made a motion to approve Resolution 2006-254. Mrs. Blake seconded the motion and it was passed unanimously.

- 2006-255 Resolution of the JTMUA Appointing Special Projects Engineers

Mr. Borys made a motion to approve Resolution 2006-255. Mrs. Blake seconded the motion and it was passed unanimously.

2006-256 Resolution Authorizing the Purchase of a Salt Spreader from Seely Equipment, Cont No. C6-00168, in the Amount of \$2,788.00.

Mrs. Rickabaugh made a motion to approve Resolution 2006-256. Mrs. Clayton seconded the motion and it was passed unanimously.

2006-257 Resolution Authorizing the Purchase of a Storage Barn from Affordable Backyard Supply, Contract No. C6-00169 in the Amount of \$2,550.00

Mrs. Blake made a motion to approve Resolution 2006-257. Mrs. Clayton seconded the motion and it was passed unanimously.

2006-258 Resolution Authorizing Ocean County Agreement for Services in Connection with the Installation of Water & Sewer Mains Along a Portion of Bennetts Mills Road for the Sum of Approximately \$200,000.00.

Mrs. Clayton made a motion to approve Resolution 2006-258. Mr. Borys seconded the motion and it was passed unanimously.

2006-259 Resolution Authorizing the Award of Task Order No. 2 to French & Parrello Associates for Bennetts Mills Road Reconstruction Project, Contract No. C6-00112, in the amount of \$10,537.92.

Mrs. Blake made a motion to approve Resolution 2006-259. Mr. Borys seconded the motion and it was passed unanimously.

2006-260 Resolution Authorizing the Award of Task Order Change No. 1 to Birdsall Engineering, Inc. for Hyson Road Water Treatment Plant Backup Well No. 16, Contract No. 05-109, in the amount of \$6,525.50.

Mrs. Clayton made a motion to approve Resolution 2006-260. Mr. Borys seconded the motion and it was passed unanimously.

2006-261 Resolution Awarding Miscellaneous Excavation Type Sewer Repairs, Contract No. C6-00158 to D & D Utility Contractors, Inc., in the amount of \$99,636.00.

Mrs. Clayton made a motion to approve Resolution 2006-261. Mr. Borys seconded the motion and it was passed unanimously.

2006-262 Resolution Awarding Annual Furnishing of Chemicals 2006-2007, Contract No. C6-00159 through C6-00165, in the total award of \$288,129.76.

Mrs. Rickabaugh made a motion to approve Resolution 2006-262. Mr. Borys seconded the motion and it was passed unanimously.

2006-263 Resolution Approving Professional Services for Rehabilitation of The Flair Pump Station, Contract No. C6-00171 in the amount not to exceed \$24,000.00.

Mrs. Clayton made a motion to approve Resolution 2006-263. Mrs. Blake seconded the motion and it was passed unanimously.

2006-264 Resolution Awarding Contract No. C6-00173 to Pumping Services Inc., for Equipment Necessary to Maintain the Operation of the Hampshire Hills Pump Station, in the Amount of \$7,056.00.

Mrs. Rickabaugh made a motion to approve Resolution 2006-264. Mrs. Blake seconded the motion and it was passed unanimously.

2006-265 Resolution Awarding Emergency Repairs & Service Work to Well #9, Cont C6-00166 to A.C. Schultes in amount of \$48,242.00.

Mrs. Blake made a motion to approve Resolution 2006-265. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2006-266 Bid for Repair & Installation Fee for Worn Submersible Pump #2 at West Lake Lift Station, Contract No.C6-00167.

Mr. Borys made a motion to approve Resolution 2006-266. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2006-267 Resolution Authorizing the Award of a Professional Service Agreement to Demicco & Associates, Inc. for Hydrogeologic Consulting Services in Connection with the Construction of Well No. 16 Pursuant to Contract No. C6-00170, in the Amount Not To Exceed \$7,500.00.

Mrs. Blake made a motion to approve Resolution 2006-267. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2006-268 Resolution Authorizing the Restriction of Authority Funds.

Mr. Borys made a motion to approve Resolution 2006-268. Mrs. Clayton seconded the motion and it was passed unanimously.

2006-269 Resolution Adopting 2007 JTMUA Sewer Operating/Capital Budget State Version.

Mrs. Clayton made a motion to approve Resolution 2006-269. Mrs. Blake seconded the motion and it was passed unanimously.

2006-270 Resolution Adopting 2007 JTMUA Water Operating/Capital Budget State Version.

Mrs. Blake made a motion to approve Resolution 2006-270. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

2006-271 Resolution Approving Promotion of Andrea Simmonds to Senior Account Clerk, Typing.

Mrs. Blake made a motion to approve Resolution 2006-271. Mrs. Clayton seconded the motion and it was passed unanimously.

2006-272 Resolution Accepting Memo of Agreement to Continue with the 2006-2007 Union Contract Process.

Mrs. Blake made a motion to approve Resolution 2006-272. Mr. Borys seconded the motion and it was passed unanimously.

2006-273 Resolution Authorizing The Execution of an Agreement with the Township of Jackson for Extra Duty Employment Police Officers for Traffic Control and Authorizing the Further Payment of the Sum of \$2,500.00 to the Township for an Escrow Pursuant to Township Ordinance.

Mrs. Rickabaugh made a motion to approve Resolution 2006-273. Mr. Blake seconded the motion and it was passed unanimously.

2006-247 Closed a) Closed Statement
b) Back to Open – Opening Statement & Roll Call

Mr. Borys made a motion to approve Resolution 2006-274. Mrs. Rickabaugh seconded the motion and it was passed unanimously.

8. Other Matters

- a) Mr. Allmann discussed the Manhattan Water Treatment Plant. We have budgeted for the project design in the 2007 Capital Budget. The MUA needs to have a substantial plan completion by March 2, 2007. We are waiting for a proposal from O'Brien & Gere for possible award at the December Public Meeting.
- b) Mr. Allmann also discussed his meeting with the School Board and it was a very cooperative meeting regarding property acquisitions for the Manhattan replacement plant and the replacement water storage tank.
- c) Mr. Allmann looking for the Board's recommendation as to whether a petition can be left at the JTMUA to Governor Corzine to lower Jackson Township's school taxes. This is a non-partisan petition. Mrs. Rickabaugh made a motion and Mrs. Blake seconded.
- c) Mr. Diaz questioned whether all the Commissioners who voted should be signing the Union Memo of Agreement. Mr. Hiering stated that the Chairman and Mr. Diaz could sign.

With no further matters to discuss, Mrs. Rickabaugh made a motion to adjourn. Mrs. Blake seconded the motion and it was unanimously passed. Chairman Allmann declared the November 30, 2006 Public Meeting adjourned.

End of Minutes

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