

**JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**  
**OPEN MINUTES**  
**September 24, 2020**  
**5:30 PM**

The Public Meeting of September 24, 2020 was called to order by William Allmann, Chairman. For the record, this meeting is also being conducted by telephonic conference due to the COVID-19 issue.

**PLEDGE OF ALLEGIANCE** – Chairman Allmann led the Commissioners in the Pledge of Allegiance.

The Open Public Meetings Act notice was read into the record by Joan Haltigan, Executive Assistant. It was noted that for the record that this Public Meeting was advertised as being held via teleconference on the Authority’s website. The meeting is being recorded. If any participant is disconnected, please dial back in. For any public participation, you will be muted until the Chairman opens this meeting for any public comment. All participants will be asked to identify themselves.

**ROLL CALL OF THE BOARD OF COMMISSIONERS:**

William Allmann, Chairman	Present
Carol Blake, Vice-Chairwoman	Present
Clara Glory, Treasurer	Present
Todd Porter, Assistant Secretary/Treasurer	Present
Vicki Rickabaugh, Secretary	Present
Lewis Wildman, Alternate	Present

**PROFESSIONALS:**

Attorney – William T. Hierung, Esq.	Present
Consulting Engineer – Alan Dittenhofer, PE	Present

**AUTHORITY STAFF:**

David Harpell, Executive Director	Present
James Diaz, Asst. Executive Director/Director of Finance	Present
Earl Quijano, Principal Engineer	Present
Joan Haltigan, Executive Assistant	Present

Approval of the Minutes of the Open Session Public Meeting of August 27, 2020

Moved:	Commissioner Glory
Second:	Commissioner Blake
Vote:	Unanimous
Abstain:	Commissioner Porter

At approximately 5:35 pm, Chairman Allmann requested a motion to go to closed session.

2020-106 Resolution of the Jackson Township Municipal Utilities Authority – Closed Session

Moved: Commissioner Rickabaugh  
Second: Commissioner Blake  
Vote: Unanimous  
Abstain: None

Based on a motion made in closed session, at approximately 5:40 pm, the open session resumed of the September 24, 2020 Public.

**REPORTS:**

**EXECUTIVE DIRECTOR’S REPORT:**

Mr. Harpell discussed the following from the Executive Director’s report:

**RESOLUTION CONSENTING TO THE ASSIGNMENT OF WATER AND SEWER CONNECTION FEE WAIVERS FROM JACKSON DEVELOPMENT COMPANY, LLC, TO THE GARDENS AT JACKSON TWENTY-ONE, LLC** – Jackson Development Company, LLC would like to assign another forty-eight (48) water and sewer connection fee waivers to the Gardens at Jackson Twenty-One, LLC. This assignment is typically done by resolution since both parties have asked the Authority to acknowledge and accept this assignment. This has been discussed with the Finance Committee and is recommending approval this evening.

**JACKSON TOWNSHIP ORDINANCE 15-20** – The Authority has had issues over the years where a water and/or sewer connection was not cost-effective but was required by ordinance. It was noted mandatory connections are important for the system as we cannot afford to extend infrastructure without connections.

A situation occurred this summer and it was discussed with the Council President that the Authority may want to have the option of not requiring the connection if it was too expensive. The Jackson Township had their first reading of Ordinance 15-20 on September 8, 2020 and the Authority believes this ordinance can resolve this issue as the Authority has the right to determine if it is feasible which is a nice option in certain situations. The Authority appreciates the Township being so proactive on this issue and has communicated our appreciation.

**QUESTIONS/COMMENTS FROM THE PUBLIC:** At this time, Chairman Allmann opened the meeting for public comment. Present from the public was Mr. William Cordts. Also in attendance via teleconference were Mr. Alan Lyster, Ms. Donna Jennings, Esq., Wilentz, Goldman & Spitzer, P.A., and Mr. Mordy Eichorn, Jackson Trails, LLC.

Mr. Alan Lyster who owns property on Sams Road asked if the Board would consider installing sewers to the existing homes on Sams Road as part of a project being developed by County Line Construction. Mr. Lyster stated that the subdivision was approved by the Planning Board for five (5) homes at the end of the road. Testifying at the Planning Board Meeting was Mr. Al Yodakis, President of BORO Engineering. Mr. Yodakis testified that he had spoken with the Jackson MUA regarding the sewer line for the subdivision. Mr. Harpell explained that

extending infrastructure is generally not cost-effective. Chairman Allmann noted that it depends on the size and grade of the sewer line and how many of the existing homeowners would be interested in connecting. Mr. Lyster inquired how a property owner would normally be notified of a new development. Chairman Allmann responded that, if there is interest, the Authority would normally send a letter to the residents, take a look at the way the sewer line runs down the road and if other properties would want to connect. Mr. Harpell stated the ideal situation would be to tie into a gravity main, instead of a force main, from the property to a future pump station and then pump to one pipe. Options can be discussed with the developer and BORO Engineering. Mr. Harpell had some preliminary discussion about this project and there was no formal action with the exception of the preliminary approval for the project. Mr. Harpell will reach out to Mr. Yodakis for an update as it has been a few years. The Authority will notify Mr. Lyster if there are any updates or further approvals to this project. In the meantime, Chairman Allmann suggested Mr. Lyster may want to consider polling the neighbors to see if they would be willing to contribute anything towards the project and update the Authority, noting with the expense of infrastructure this could make it more cost-effective. Mr. Lyster stated that this neighborhood has older septic and leach fields and it would be beneficial to all to introduce sewer service lines. Mr. Lyster thanked the Authority and the Board for their time.

Ms. Donna Jennings, Esq., spoke on behalf of Jackson Trails, LLC. Ms. Jennings thanked Mr. Harpell for responding to her request to speak to the Board this evening with regard to the Jackson Trails project for residential development. Ms. Jennings stated the focus of tonight's discussion was to ask the Authority to reconsider applying for the Pinelands Infrastructure Trust Funding (PITF) for their project and wanted to make it clear there would be no cost to the Authority. Ms. Jennings voiced her concern that in January 2019, the Authority sent an email to the Pinelands Commission stating the Authority is fully supportive of any funding to support the Pinelands Infrastructure Master Plan. In approving the project and funds, the Pinelands Commission ranked this project second out of ten proposals and the large number of dwellings units per residential design and environmental benefit of reduced demand on the aquifer contributed to the ranking of this project. This project was offered \$2,745,011.00 in grants and \$2,745,011.00 in loans. The grant money is basically free to make this project work and our understanding is a thirty (30) year loan. When I spoke with Mr. Harpell in August, he indicated that the Authority has done a lot with the I-Bank but we are very busy with current projects and this could be administratively burdensome. Ms. Jennings stated that the developer will post an escrow fee to cover any cost to facilitate the funding and did reach out to the I-Bank to make all is understood as to what is involved. Ms. Jennings is trying to understand why the Authority has decided not to move on this particular funding for this highly ranked project.

Mr. Harpell stated that the resolution approving the application stated that the Authority would probably not take out a loan for the applicant and if this did occur, we would request full funding for future debt service. Mr. Harpell noted that the Authority has taken many loans with I-Bank and is very familiar with the program, however, timing is an issue as the Authority is currently taking on 30 million dollars of debt service with I-Bank and it is a big commitment to take on more loans. The process is very labor intensive, as the Authority manages the loans in-house, with very little consultant support. New debt service also affects the Authority's financials, bond covenants and managing the loan for twenty (20) or thirty (30) years. The current loans include funding a water treatment plant replacement at Six Flags Great Adventure (SFGA), a new water main running out to SFGA and improvement of facilities at the Manhattan Street Complex, including a new water storage tank, new warehouse and booster station. One (1) of these projects is closed and two (2) are on-going. Ms. Jennings questioned if the Authority has in the past taken loans for applicants or declined other projects. In

response, Mr. Harpell stated that the Authority has never taken a loan for a new development. The Authority has done a shared service loan with Six Flags Great Adventure (SFGA) over the years but never for a new project coming on board, noting that SFGA is currently paying more than half the debt service for the water treatment plant replacement which is a regional plant we are building.

Ms. Jennings asked if an applicant requests one of these loans, what criteria would the Authority be looking at to accept or reject. Mr. Harpell stated that many factors can weigh against taking on a loan. The Board is open this evening to listen to your presentation and any solid points you may have to take out a loan. Ms. Jennings stated the project consists of ninety (90) affordable units and regulations make sure there are no unnecessary fees. Ms. Jennings stated she still does not understand why the Authority would not want to consider taking on this loan. Mr. Harpell again stated that twenty or thirty years of municipal debt is not free, and is a burden on our accounting and finance staff. Many factors are involved in borrowing, including single audits. The Authority will listen to your concerns, but the process is probably much more involved than you are currently aware of.

Ms. Jennings at this time requested some comments from the Board and Mr. William Hiering, Esq., suggested Ms. Jennings continue with her presentation, noting that this is not a discovery matter and the Board and Authority Professionals are open and willing to listen. Chairman Allmann stated that the Board cannot make any decision this evening but would like to hear your presentation.

Mr. Jennings stated the project is 367 family homes with affordable housing. The infrastructure for the project itself is over 7 million dollars and almost 2/3 of the project can be paid for with grant and loan money. It advances the Master Plan and the Pinelands Infrastructure Master Plan. Ms. Jennings also noted that the developer would pay the 10% local match requirement.

In closing, Chairman Allmann requested that Ms. Jennings put your proposal in writing so the Board we can review. We will discuss this matter and see how this benefits the Authority. Ms. Jennings will prepare a letter setting forth exactly what the proposed plan is. Mr. Mordy Eichorn of Jackson Trails, LLC was present via teleconference and agreed that a formal proposal will be prepared and forwarded to the Authority for consideration.

Mr. William Cordts had a brief question regarding sewer work being done on Brewer's Bridge Road. Chairman Allmann responded that this is a force main for the development on Hope Chapel Road. This development is across the road from Wawa and they are putting in another 4" force main.

At this time, Chairman Allmann stated that the Authority will continue with the reports this evening but will leave the public portion of the meeting open for the remaining balance of the meeting.

#### **ENGINEERING COMMITTEE REPORT:**

Mr. Quijano reported the following from the Engineering report:

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 TO COPPOLA SERVICES, INC., FOR THE SIX FLAGS GREAT ADVENTURE WATER TREATMENT PLANT REPLACEMENT, CONTRACT CT-16096, IN THE DECREASED AMOUNT OF <\$286.56>** – Change Order No. 3 consists of various item deletions and additions in the project

contract, as detailed in the Engineering report. The price decreases and increases bring Change Order No. 3 to an overall decreased amount of <\$286.56>. The revised contract total amount will be decreased from \$13,471,502.86 to \$13,471,216.29. The Authority's staff and Consulting Engineers have reviewed Change Order No. 3 and are recommending approval. This matter has been reviewed with the Engineering Committee and is recommending approval this evening.

**CONSULTING ENGINEER'S REPORT:**

On behalf of Remington & Vernick Engineers, Mr. Alan Dittenhofer reported on the following developer approvals this evening.

**RESOLUTION GRANTING PRELIMINARY SEWER AND WATER APPROVAL TO DUBIN OFFICE BUILDING, BLOCK 6501, Lot 42.04, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON** – The applicant, Dubin Contracting, LLC, is proposing to construct a 6,000 square foot office building between the north side of West County Line Road and west of Corporal Luigi Marciante Jr. Memorial Drive. The applicant proposes to provide sanitary sewer service to the site by installing a sanitary sewer lateral connecting directly to an existing sanitary manhole in West County Line Road. Water service shall be provided by installing a wet tap into the existing water main on West County Line Road. This approval was recommended in our September 7, 2020 letter to the Board.

**RESOLUTION GRANTING PRELIMINARY SEWER AND WATER APPROVAL TO SOLOMON ZOLTY GRAWTOWN ROAD SUBDIVISION, BLOCK 19501, LOT 35, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON** - The applicant, Solomon Zolty Investments, LLC, is proposing to construct twenty-four (24) single family dwelling units adjacent to the intersection of Whitesville Road and Grawtown Road. The applicant is proposing to service the subdivision with an 8" water main extension and an 8" PVC sanitary sewer main. This approval was recommended in our September 7, 2020 letter to the Board.

**PUBLIC RELATIONS COMMITTEE REPORT:**

None.

**ADMINISTRATIVE COMMITTEE REPORT:**

None.

**ASSISTANT EXECUTIVE DIRECTOR/DIRECTOR OF FINANCE REPORT:**

Mr. Diaz reviewed the following from the Assistant Executive Director/Director of Finance report:

**FINANCE COMMITTEE REPORT:**

**RESOLUTION ACCEPTING THE CASH MANAGEMENT REPORT FOR MONTH ENDING AUGUST 31, 2020** – The August Cash Management Report has been reviewed by the Finance Committee and is being recommended for approval this evening. The average rates remain stable.

**RESOLUTION AUTHORIZING PAYMENT OF VOUCHERS, DEPOSIT REFUNDS AND PAYROLL FOR SEPTEMBER 2020** - The September Bill List was presented this month for approval totaling \$857,608.65. The Finance Committee has reviewed and is recommending approval this evening.

**RESOLUTION AUTHORIZING PURCHASES UNDER STATE COOPERATIVE PURCHASING CONTRACTS, IN EXCESS OF THE AUTHORITY'S BID THRESHOLD** – There is a resolution on the agenda this evening requesting approval to authorize purchases from Hach Company and W.W. Grainger, under State Cooperative Purchasing in excess of the Authority's bid threshold of \$17,500.00. This approval would afford the Authority to exceed the limit for these vendors to a not to exceed \$25,000.00, through the end of 2020, noting that supplies and equipment purchased through Hach Company can be very expensive but they are the only approved vendor for the required chlorine analyzers. It was also noted that once the Authority's Purchasing Department has a Qualified Purchasing Agent, the bid threshold would be \$44,000.00. This has been reviewed with the Finance Committee and is recommending approval this evening.

**RESOLUTION AUTHORIZING THE TRANSFER AND RESTRICTION OF FUNDS** - There is a resolution on the agenda this evening requesting approval to transfer one million dollars (\$1,000,000.00) from the BYN Mellon General Fund account to the Parke Bank Capital Reserve account. This transfer is in accordance with the 1996 Bond Covenants and will be used to support the Authority's capital initiatives. This has been reviewed with the Finance Committee and is recommending approval this evening.

**CENTRAL JERSEY HEALTH INSURANCE FUND (CJHIF) ANNUAL DIVIDEND** - The Authority received notification from the Central Jersey Health Insurance Fund (CJHIF) that it will be issuing a dividend to its members in the amount of \$9,655,237.46, of which the Authority's portion is \$9,801.00. In 2019 the Authority chose to receive a check and if there is no objection from the Board this evening, would consider receiving a check for 2020 which would be applied against the Authority's expense line for dental insurance. This has been reviewed with the Finance Committee.

**PERSONNEL COMMITTEE REPORT:**

There are (5) promotions the agenda this evening as follows:

**RESOLUTION AUTHORIZING THE PROMOTION OF LINDSAY BROWN TO THE CIVIL SERVICE TITLE OF PERSONNEL ASSISTANT** - Ms. Lindsay Brown has held the Civil Service Commission title of Senior Account Clerk since June 10, 2019. Ms. Brown has acquired the requisite education and experience to qualify for a promotion to Personnel Assistant, effective September 28, 2020 and has been recommended by her Supervisor. This has been reviewed with the Personnel Committee and is recommending approval this evening.

**RESOLUTION AUTHORIZING THE PROMOTION OF MICHAEL JANUSZ TO THE CIVIL SERVICE TITLE OF RISK MANAGER** - Mr. Michael Janusz has held the Civil Service Commission title of Safety and Insurance Coordinator since July 1, 2019. Mr. Janusz has acquired the requisite education and experience to qualify for a promotion to Risk Manager, effective September 28, 2020 and has been recommended by his Supervisor. This has been reviewed with the Personnel Committee and is recommending approval this evening.

**RESOLUTION AUTHORIZING THE PROMOTION OF YVETTE MITCHELL TO THE CIVIL SERVICE TITLE OF ASSISTANT SUPERVISOR OF CUSTOMER**

**SERVICE** – Ms. Yvette Mitchell has held the Civil Service Commission title of Senior Customer Service Representative since June 26, 2017. Additionally, Ms. Mitchell has been working out of title as the Authority’s Assistant Supervisor of Customer Service since March 30, 2020. Ms. Mitchell has acquired the requisite education and experience to qualify for a promotion to Assistant Supervisor of Customer Service, effective September 28, 2020 and has been recommended by her Supervisor. This has been reviewed with the Personnel Committee and is recommending approval this evening.

**RESOLUTION AUTHORIZING THE PROMOTION OF ROBERT SEARLES TO THE CIVIL SERVICE TITLE OF WATER REPAIRER 1** - Mr. Robert Searles has held the Civil Service Commission title of Laborer 1 since July 23, 2018. Mr. Searles has acquired the requisite education and experience to qualify for a promotion to Water Repairer 1, effective September 28, 2020 and has been recommended by his Supervisor. This has been reviewed with the Personnel Committee and is recommending approval this evening.

**RESOLUTION AUTHORIZING THE PROMOTION OF LISA SIEMANOWICZ TO THE CIVIL SERVICE TITLE OF ACCOUNT CLERK/CLERK 2** – Ms. Lisa Siemanowicz has held the Civil Service Commission title of Senior Customer Service Representative since November 11, 2018. Ms. Siemanowicz has acquired the requisite education and experience to qualify for a promotion to Account Clerk/Clerk 2, effective September 28, 2020 and has been recommended by her Supervisor. Lisa is currently working on obtaining her certification as a Qualified Purchasing Agent (QPA). This has been reviewed with the Personnel Committee and is recommending approval this evening.

**RESOLUTION AUTHORIZING AN UNPAID LEAVE OF ABSENCE FOR SCOTT ENGELBRECHT** – Mr. Scott Engelbrecht has been on Short Term Disability since June 29, 2020 which runs concurrently with the Family Medical Leave Act (FMLA) in accordance with the Authority’s employee handbook. The Authority received a letter from Mr. Engelbrecht requesting to extend his leave beyond the allotted twelve (12) week period due to health conditions. There is a resolution on the agenda this evening requesting authorization to for this extension until December 31, 2020. This has been discussed with the Personnel Committee and is recommending approval this evening.

All of the above have also been discussed with the Finance Committee.

**CONSENT RESOLUTIONS:**

2020-107      Resolution Accepting the Cash Management Report for Month Ending August 31, 2020

2020-108      Resolution Granting Preliminary Sewer and Water Approval to Dubin Office Building, Block 6501, Lot 42.04, on the Tax Map of the Township of Jackson

2020-109      Resolution Granting Preliminary Sewer and Water Approval to Solomon Zolty Grawtown Road Subdivision, Block 19501, Lot 35, on the Tax Map of the Township of Jackson

Moved:            Commissioner Blake  
Second:          Commissioner Porter  
Vote:              Unanimous  
Abstain:          None

**RESOLUTIONS OFFERED:**

- 2020-110 Resolution Authorizing the Payment of Vouchers, Deposit Refunds and Payroll for September 2020
- Moved: Commissioner Porter  
Second: Commissioner Glory  
Vote: Unanimous  
Abstain: Commissioner Rickabaugh abstained on Check #27097 and Commissioner Glory abstained on Check #27142
- 2020-111 Resolution Consenting to the Assignment of Water and Sewer Connection Fee Waivers from Jackson Development Company, LLC, to the Gardens at Jackson Twenty-One, LLC
- Moved: Commissioner Blake  
Second: Commissioner Rickabaugh  
Vote: Unanimous  
Abstain: Commissioner Glory
- 2020-112 Resolution Authorizing Change Order No. 3 to Coppola Services, Inc., for the Six Flags Great Adventure Water Treatment Plant Replacement, Contract CT-16096, in the Decreased Amount of <\$286.56>.
- Moved: Commissioner Glory  
Second: Commissioner Porter  
Vote: Unanimous  
Abstain: None
- 2020-113 Resolution Authorizing Purchases Under State Cooperative Purchasing Contracts, in Excess of the Authority's Bid Threshold
- Moved: Commissioner Blake  
Second: Commissioner Porter  
Vote: Unanimous  
Abstain: None
- 2020-114 Resolution Authorizing the Transfer and Restriction of Funds
- Moved: Commissioner Porter  
Second: Commissioner Rickabaugh  
Vote: Unanimous  
Abstain: None
- 2020-115 Resolution Authorizing the Promotion of Lindsay Brown to the Civil Service Title of Personnel Assistant
- Moved: Commissioner Glory  
Second: Commissioner Blake  
Vote: Unanimous  
Abstain: None

2020-116 Resolution Authorizing the Promotion of Michael Janusz to the Civil Service Title of Risk Manager

Moved: Commissioner Rickabaugh  
Second: Commissioner Porter  
Vote: Unanimous  
Abstain: None

2020-117 Resolution Authorizing the Promotion of Yvette Mitchell to the Civil Service Title of Assistant Supervisor of Customer Service

Moved: Commissioner Glory  
Second: Commissioner Blake  
Vote: Unanimous  
Abstain: None

2020-118 Resolution Authorizing the Promotion of Robert Searles to the Civil Service Title of Water Repairer 1

Moved: Commissioner Rickabaugh  
Second: Commissioner Porter  
Vote: Unanimous  
Abstain: None

2020-119 Resolution Authorizing the Promotion of Lisa Siemanowicz to the Civil Service Title of Account Clerk/Clerk 2

Moved: Commissioner Rickabaugh  
Second: Commissioner Porter  
Vote: Unanimous  
Abstain: None

2020-120 Resolution Authorizing an Unpaid Leave of Absence for Scott Engelbrecht

Moved: Commissioner Porter  
Second: Commissioner Glory  
Vote: Unanimous  
Abstain: None

Chairman Allmann noted that the next Public Meeting will take place October 22, 2020 at 5:30 PM.

**OTHER MATTERS:**

With no further matters to discuss, Commissioner Rickabaugh made a motion to adjourn. Commissioner Blake seconded the motion and it was passed unanimously. Chairman Allmann declared the September 24, 2020 Public Meeting adjourned.

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End of Minutes