

JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
OPEN MINUTES
February 25, 2021
5:30 PM

The Public Meeting of February 25, 2021 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. Any public comments submitted through electronic mail or written letter format forty-eight (48) hours prior to the start of this remote public meeting, shall be read aloud from the beginning of the remote public portion of the meeting.

ROLL CALL OF THE BOARD OF COMMISSIONERS:

William Allmann, Chairman	Present
Carol Blake, Vice-Chairwoman	Present (via telephonic conference)
Clara Glory, Treasurer	Present
Janet Longo Secretary	Present
Todd Porter, Assistant Secretary/Treasurer	Present
Lewis Wildman, Alternate	Present (via telephonic conference)

PROFESSIONALS:

Attorney – William T. Hierung, Esq.	Excused
Consulting Engineer – Alan Dittenhofer, PE	Present (via telephonic conference)

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 January 28, 2021

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

Approval of the Minutes of the Open Session Reorganization Meeting of February 4, 2021

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

QUESTIONS/COMMENTS/WRITTEN CORRESPONDENCE FROM THE PUBLIC:

At this time, Chairman Allmann stated that there was no public participation or written correspondence but will leave the meeting open for the balance of the meeting. Please hold off on any questions or comments until recognized and you will be asked to state your name.

REPORTS:

EXECUTIVE DIRECTOR'S REPORT:

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

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM (WESTERN WATER MAIN PROJECT – 1511001-12)

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM (SIX FLAGS WATER TREATMENT PLANT PROJECT – 1511001-13)

The resolutions on the agenda this evening are to authorize the loan agreements for the Western Water Main Extension and Six Flags Water Treatment Plant projects. The next step in the borrowing will be to have the various loan and escrow documents executed for a May closing. At this time, the loan documents are templates and once final documents are received, the Authority will be reaching out to the Board members who will need to sign these documents. The only issue remains that the Six Flags Water Treatment Plant project may not be completed by the March 25, 2021 deadline. The Authority will be pushing hard to close out this project in order to avoid a possible supplemental loan. Mr. Harpell noted that our present bond counsel, GluckWalrath, LLC, has been very helpful through this process and the staff appreciates the Board's appointment of such solid professionals. This has been reviewed with the Finance Committee and is recommending approval this evening.

ENGINEERING COMMITTEE REPORT:

Mr. Quijano reported the following from the Engineering report:

RESOLUTION AUTHORIZING AWARD OF CONTRACT NO. CT-21201 TO GAELIC COMMUNICATIONS, LLC, FOR THE GRAMME AVENUE GROUND LEASE AGREEMENT – The Authority advertised and solicited bids for the Gramme Avenue Lease Agreement, Contract No. CT-21201 on December 16, 2020. Two (2) bids were received and publicly opened on January 20, 2021 with an initial annual lease price ranging from a low of \$30,000.00 to a high of \$37,560.00, with an increase of three percent (3%) per year, in accordance with the Authority’s bid specifications. The Authority’s staff and the Engineering Committee are recommending award of the Gramme Avenue Ground Lease Agreement to Gaelic Communications, LLC as the highest initial annual lease price, in the amount of \$37,560.00 for the first year lease price. It was noted, this is a five (5) year term lease with the option of four (4) five (5) year extensions which would bring the annual lease price for the 25th year to \$76,351.60, with anticipated revenue of over \$1,000,000.00. This has been reviewed with the Engineering Committee and is recommending approval this evening. It was noted that Verizon Wireless was the other bidder and we are hopeful that they will work with Gaelic Communications.

RESOLUTION AUTHORIZING AN AMENDED SEWER AND WATER SERVICE AGREEMENT WITH SOLOMON ZOLTY INVESTMENTS, LLC, BLOCK 21702, LOT 32 AND BLOCK 21801, LOTS 57, 58, 59 AND 61 ON THE TAX MAP OF THE TOWNSHIP OF JACKSON – The applicant, Solomon Zolty Investments, LLC, executed a Sewer and Water Service Agreement, which the Authority was prepared to execute upon approval of Resolution No. 2020-076 dated June 25, 2020. The applicant subsequently requested additional consideration for the installation of seventeen (17) off-site sewer laterals in which the Authority would provide sewer connection fee waivers in an amount not to exceed \$17,000.00. This 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 CONSENTING TO THE PROPOSED OCEAN COUNTY WATER QUALITY MANAGEMENT PLAN AMENDMENTS FOR A PORTION OF BLOCK 4601, LOTS 10 AND 11, A PORTION OF BLOCK 14101, LOT 18 AND BLOCK 3101, LOT 19, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON – There are three (3) requests for sewer service area master plan amendments. The three requests are included in one resolution beginning with Royale Property Subdivision, the applicant is Royale Property Management on behalf of the Royal Property Subdivision. The applicant is proposing an amendment that would expand the sewer service area (SSA) of the Ocean County Utilities Authority Northern Wastewater Pollution Control Facility by 5.5 acres on Block 14101, Lot 18, in Jackson Township, Ocean County. The expansion of the SSA would allow for the construction of a residential subdivision of five (5) three-bedroom or larger single family homes. This request has been recommended for approval in our February 19, 2021 letter to the Board.

The second request is from Jackson Diner, the applicant is Lirama, LLC on behalf of Jackson Diner. The applicant is proposing an amendment that would establish a new sewer service area (SSA) for a septic installation of 2.67 acres to serve a proposed new restaurant on Block 3101, Lot 19, in Jackson Township, Ocean County. The project consists of the construction of a 6,500

SF, 200-seat diner. This request has been recommended for approval in our February 19, 2021 letter to the Board.

The third request is from Boulevard Office Retail Plaza, the applicant is Maz Properties on behalf of Boulevard Office Retail Plaza. The applicant is proposing an amendment that would expand the sewer service area (SSA) of the Ocean County Utilities Authority Northern Wastewater Pollution Control Facility by 1.89 acres to serve a proposed commercial development on portions of Lots 10 and 11 on Block 4601 in Jackson Township, Ocean County. This request has been recommended for approval in our February 19, 2021 letter to the Board.

As previously noted, these three items are included on the above referenced resolution on the agenda for approval this evening.

RESOLUTION GRANTING FINAL WATER APPROVAL TO SCHWARZMAN EXPORT IMPORT WAREHOUSE, BLOCK 2508, LOT 8, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON – The applicant, 323 West Commodore, LLC is proposing to construct a 47,129 SF warehouse and light commercial facility on the south side of West Commodore Blvd. The applicant is applying for final water approval at this time. The applicant received preliminary and tentative water approval on November 19, 2020, via Resolution No. 2020-135. The applicant proposes to install a single 2” domestic copper water service and an 8” ductile iron fire service connected directly to an existing 16” water main in West Commodore Blvd. This approval was recommended in our February 19, 2021 letter to the Board.

RESOLUTION GRANTING FINAL APPROVAL TO THE SIX FLAGS GREAT ADVENTURE PUMP STATION REPLACEMENT, BLOCK 3101, LOT 28.01, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON – The applicant, EL at Jackson, LLC, is obligated, per a Developer’s Agreement dated November 20, 2018, to replace an existing pump station, known as Six Flags Great Adventure Pump Station, as part of the construction of a 1,100 unit inclusionary subdivision, to be constructed in two (2) phases along Perrineville Road. The applicant is applying for final pump station approval at this time. This approval was recommended in our February 19, 2021 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 JANUARY 31, 2020 - The January Cash Management Report has been reviewed by

the Finance Committee and is being recommended for approval this evening. The average rates remain stable at 1.67%.

RESOLUTION AUTHORIZING PAYMENT OF VOUCHERS, DEPOSIT REFUNDS AND PAYROLL FOR FEBRUARY 2021 - The February Bill List was presented this month for approval totaling \$1,670,838.05. The Finance Committee has reviewed and is recommending approval this evening.

RESOLUTION AUTHORIZING AWARD OF THE 2021 CLEANING SERVICES, CONTRACT NO. CT-21020 TO BEST CLEANING BUILDING SERVICE, INC., IN AN AMOUNT NOT TO EXCEED \$27,880.00 – The resolution on the agenda this evening is requesting award for weekly cleaning services, under the Buildings & Grounds Department which includes the Administration Building, Purchasing/Warehouse Offices, Hyson Road Water Treatment Plant, London Water Treatment Plant and Perrineville Water Treatment Plant. The contract includes bid alternates for additional services as needed. The Authority solicited bids and received three (3) ranging in the amount of \$24,151.08 to \$37,296.00. The low bidder's required documentation was found to be non-compliant and therefore non-responsive. The Authority is requesting approval to award to the second lowest bidder, Best Cleaning Building Service, Inc., Contract No. CT-21020 for one (1) year, effective March 1, 2021 through February 28, 2022, with the option to extend for up to one (1) additional year, in an amount not to exceed \$27,880.00. This has been reviewed with the Finance Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING BENEFIT ADMINISTRATION CHANGES WITH BENEFITS EXPRESS AS THE FLEXIBLE SPENDING ACCOUNT ADMINISTRATOR, IN AN AMOUNT NOT TO EXCEED \$250.00 - Pursuant to Section 125 of the Internal Revenue Code and in accordance with Local Finance Notice LFN 2011-20R, the Authority is required to provide a Flexible Spending Account for its employees (FSA). The Authority previously designated Benefits Express as its FSA Administrator. There is the ability to implement Benefit Administration Changes as a result of Government guidance for COVID-19. The Benefit Administration Changes includes changes to the Extend Grace and Run Out Period for 2020 and 2021 Health Care FSA. The resolution being presented this evening is to authorize the Benefit Administration Changes with Benefits Express. The Authority and Benefits Express would continue to be bound by the "Scope of Services, Fees, Fee Schedule and Payment Terms" originally executed on December 13, 2018. Additionally, the Authority does not currently need to approve the Fee Schedule as the annual compensation to Benefits Express is significantly below the quote threshold, pursuant to N.J.S.A 40A:11-1 et seq., of the Local Public Contracts Law. This has been reviewed with the Finance Committee and is recommending approval this evening.

RESOLUTION AMENDING ITS AGREEMENT WITH MASSMUTUAL LIFE INSURANCE COMPANY TO ACCEPT EMPOWER RETIREMENT FOR THE AUTHORITY'S 457(b) DEFERRED COMPENSATION PLAN - The Authority previously authorized the use of MassMutual Life Insurance Company (MassMutual) to manage its 457(b) Deferred Compensation Plan (Plan). Effective January 1, 2021, Empower Retirement (Empower) acquired the MassMutual retirement business. At this time, it is desired to continue the use of the retirement Plan in accordance with the original Agreement submitted by MassMutual under the new company of Empower. The resolution presented this evening is to amend the agreement with MassMutual to accept Empower for the Authority's 457(b) Deferred Compensation Plan. This has been reviewed with the Finance Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING THE APPROVAL OF LINE ITEM ADJUSTMENTS TO THE 2020 SEWER/WATER OPERATING BUDGET - The Authority reviews budget

line items annually where there are shortfalls on individual expense line items and entails reclassing budget dollars from one expense line that is projected to come in under budget to cover an expense line item that is projected to come in over budget. It was noted, the line item adjustments would not cause an increase/decrease in the 2020 operating expense but rather clean up the individual line items. This has been reviewed with the Finance Committee and is recommending approval this evening.

PERSONNEL COMMITTEE REPORT:

There were no action items to report this month

CONSENT RESOLUTIONS:

- 2020-032 Resolution Accepting the Cash Management Report for Month Ending January 31, 2021
- 2021-033 Resolution Granting Final Approval to the Six Flags Great Adventure Pump Station Replacement, Block 3101, Lot 28.01, on the Tax Map of the Township of Jackson
- 2021-034 Resolution Authorizing an Amended Sewer and Water Service Agreement with Solomon Zolty Investments, LLC, Block 21702, Lot 32 and Block 21801, Lots 57, 58, 59 and 61, on the Tax Map of the Township of Jackson
- 2021-035 Resolution Consenting to the Proposed Ocean County Water Quality Management Plan Amendments for a Portion of Block 4601, Lots 10 and 11, a Portion of Block 14101, Lot 18 and Block 3101, Lot 19, on the Tax Map of the Township of Jackson
- 2021-036 Resolution Granting Final Water Approval to Schwarzman Export Import Warehouse, Block 2508, Lot 8, on the Tax Map of the Township of Jackson

Moved: Commissioner Glory
Second: Commissioner Longo
Vote: Unanimous
Abstain: Chairman Allmann abstained on Resolution 2021-035

RESOLUTIONS OFFERED:

- 2021-037 Resolution Authorizing the Payment of Vouchers, Deposit Refunds and Payroll for February 2021
- Moved: Commissioner Glory
Second: Commissioner Longo
Vote: Unanimous
Abstain: Commissioner Glory abstained on Check #21-00221
- 2021-038 Resolution Authorizing the Execution and Delivery of Loan Agreements to be Executed by the Jackson Township Municipal Utilities Authority and Each of the New Jersey Infrastructure Bank and the State of the New Jersey, Acting By and Through the Department of Environmental Protection, and Further Authorizing the Execution and Delivery of an Escrow Agreement, All Pursuant

to the New Jersey Infrastructure Bank Financing Program (Western Water Main Project – 1511001-12).

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

2021-039 Resolution Authorizing the Execution and Delivery of Loan Agreements to be Executed by the Jackson Township Municipal Utilities Authority and Each of the New Jersey Infrastructure Bank and the State of the New Jersey, Acting By and Through the Department of Environmental Protection, and Further Authorizing the Execution and Delivery of an Escrow Agreement, All Pursuant to the New Jersey Infrastructure Bank Financing Program (Six Flags Water Treatment Plant Project – 1511001-13)

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

2021-040 Resolution Authorizing Award of Contract No. CT-21201 to Gaelic Communications, LLC for the Gramme Avenue Ground Lease Agreement

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

2021-041 Resolution Authorizing Award of the 2021 Cleaning Services, Contract No. CT-21020 to Best Cleaning Building Service, Inc., in an Amount Not to Exceed \$27,880.00

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

2021-042 Resolution Authorizing the Approval of Line item Adjustments to the 2020 Sewer/Water Operating Budget

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

2021-043 Resolution Authorizing Benefit Administration Changes with Benefits Express as the Flexible Spending Account Administrator, in an Amount Not to Exceed \$250.00

Moved: Commissioner Glory
Second: Commissioner Longo

Vote: Unanimous
Abstain: None

2021-044 Resolution Amending its Agreement with MassMutual Life Insurance Company to Accept Empower Retirement for the Authority's 457(b) Deferred Compensation Plan

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

There was no closed session.

Chairman Allmann noted that the next regular scheduled Public Meeting will be held on March 25, 2021 at 5:30 PM.

OTHER MATTERS:

It was noted that the property located on Herman Road was sold by auction for \$235,000.00. It's a nice piece of property and hopefully can become a good ratable for the Township.

With no further matters to discuss, Commissioner Glory made a motion to adjourn. Commissioner Longo seconded the motion and it was passed unanimously. Chairman Allmann declared the February 25, 2021 Public Meeting adjourned.

End of Minutes