

JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
OPEN MINUTES
October 28, 2021
5:30 PM

The Public Meeting of October 28, 2021 was called to order by William Allmann, Chairman. The meeting is being held in-person, including public participation, but 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 is being held in-person but was also advertised as being held via teleconference on the Authority’s website. The meeting is being recorded. If any remote participant is disconnected, please dial back in. For any public participating remotely, 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
Janet Longo Secretary	Present
Todd Porter, Assistant Secretary/Treasurer	Present
Lewis Wildman, Alternate	Present

PROFESSIONALS:

Attorney – William T. Hierung. Esq.	Present (via teleconference)
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 September 23, 2021

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

QUESTIONS/COMMENTS/WRITTEN CORRESPONDENCE FROM THE PUBLIC:

Present from the public was Mr. Cordts. At this time, Chairman Allmann stated that there was no public comment 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:

JACKSON DEVELOPMENT COMPANY, LLC – The Authority received the paperwork from Jackson Development Company, LLC to assign the 22 sewer and water connection fee waivers to the Gardens at Jackson Twenty-One, LLC, which was discussed last month. As previously noted, this assignment is by resolution since both parties have asked the Authority to acknowledge and accept this assignment. A resolution is being presented this evening requesting approval to memorialize this assignment. This has been reviewed with the Finance Committee and is recommending approval this evening.

2021 HOMESERVE USA CHARITABLE DONATION – The Authority has received three (3) applications for the 2021 HomeServe USA Charitable Donation and they are Adopt A Senior Organization, the Veteran's Memorial Garden and the Jackson Women of Today Food Pantry. These are all worthy charities and are eligible for funding. HomeServe USA has indicated that \$9,755.21 is available for 2021 and we have established a maximum of \$3,000.00 per charity. There is also \$5,818.54 remaining in the bill assistance program as we have only given \$400.00 for bill assistance since 2019. The staff has some ideas to make the bill assistance program easier for our customers to use which will be reviewed with the Public Relations Committee next month. This has been discussed with the Finance Committee.

ASSOCIATION OF ENVIRONMENTAL AUTHORITIES (AEA) FALL MEETING AND CONFERENCE – The AEA is planning to hold the Fall Meeting and Conference in person again this year on November 16th and November 17th. Please let Joan know if you plan to attend.

ENGINEERING COMMITTEE REPORT:

Mr. Quijano discussed the following from the Engineering report:

RESOLUTION AUTHORIZING AWARD OF THE MANHATTAN STREET WATER MAIN REPLACEMENT DESIGN, CONTRACT NO. CT-21211, VIA A FAIR AND OPEN PROCESS, TO REMINGTON & VERNICK ENGINEERS, IN AN AMOUNT NOT TO EXCEED \$91,600.00 – In accordance with the Water Quality Accountability Act (WQAA), the Authority's pipe replacement program will focus on replacing asbestos cement pipe (ACP) in its distribution system. The staff is in need of a survey, design, permitting and construction management services to replace the existing ACP mains along Manhattan Street, a segment on Bennetts Mills Road and also from Beam Avenue to the London Water Treatment Plant. The Authority previously adopted Resolution No. 2021-025 on February 4, 2021 appointing Remington and Vernick Engineers as the Authority's Engineer. A proposal was requested and received from Remington and Vernick Engineers with an amount not to exceed \$91,600.00 There is resolution on the agenda this evening requesting approval to award to Remington & Vernick Engineers. This has been reviewed with the Engineering Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING AWARD OF THE WHITESVILLE REGION FEASIBILITY STUDY, CONTRACT NO. CT-21210, VIA A FAIR AND OPEN PROCESS, TO VAN CLEEF ENGINEERING ASSOCIATES, LC, IN AN AMOUNT NOT TO EXCEED \$15,500.00 – The current sewer flows in the Whitesville region flow via the Toms River Municipal Utilities Authority sewer system and ultimately discharges to the Ocean County Utilities Authority. The sewer capacity in this region is limited due to infrastructure limitations in this region. The Authority is in need of a feasibility study, which will identify sewer routing options, the recommended site(s) for any regional pump stations as needed in Jackson as well as potential infrastructure upgrades in Toms River and Manchester Township. The Authority previously adopted Resolution No. 2021-026 on February 4, 2021, establishing a list of professional engineering firms from which to select for special projects in compliance with the New Jersey Local Unit Pay to Play Law, under N.J.S.A. 19:44A-20 et seq. A proposal was requested and received from Van Cleef Engineering Associates, LLC, in an amount not to exceed \$15,500.00. There is resolution on the agenda this evening requesting approval to award to Van Cleef Engineering Associates, LLC. This has been reviewed with the Engineering Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING AWARD OF THE WATER/SEWER EMERGENCY REPAIRS AND SERVICE WORK, CONTRACT NO. CT-21092, TO J.F. KIELY CONSTRUCTION CO., IN AN AMOUNT NOT TO EXCEED \$399,670.00 – The bid for the Water/Sewer Emergency Repairs & Service Work, Contract No. CT-21092 was advertised in the Asbury Park Press on September 10, 2021. The bid included an alternate bid item for the installation of fifty (50) cleanouts. Two (2) bids were received and publicly opened on September 30, 2021 at 2:00 p.m. ranging in price from a low base bid plus alternate bid item of \$399,670.00 to a high base bid plus alternate bid item of \$931,750.00. The Authority's staff and Legal Counsel have reviewed the bids and are recommending award of the contract, which includes the bid alternate item to J.F. Kiely Construction Co., in an amount not to exceed \$399,670.00, as the lowest responsive and responsible bidder. This has been reviewed with the Engineering Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING AWARD OF THE HYSON ROAD MONOPOLE NO. 1 CO-LOCATION LAND LEASE AGREEMENT, CONTRACT NO. CT-21207, TO DISH WIRELESS LLC – Pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Authority duly advertised and solicited bids for the Hyson Road Monopole No. 1 Co-Location Land Lease Agreement, Contract No. CT-21207, on September 24, 2021. One (1) bid was received and publicly opened on October 13, 2021, at 2:00 p.m., with an initial lease price of \$12,000.00, with an increase of four percent (4%) per year, in accordance with the Authority's bid specifications. The Authority's staff and the Engineering Committee are recommending award of the Hyson Road Monopole No. 1 Co-Location Land Lease Agreement, Contract No. 21207, to Dish Wireless, LLC. This has been reviewed with the Engineering and Finance Committee and are recommending approval this evening.

RESOLUTION AUTHORIZING AWARD OF THE MANHATTAN STREET MONOPOLE CO-LOCATION LAND LEASE AGREEMENT, CONTRACT NO. CT-21208, TO DISH WIRELESS LLC - Pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Authority duly advertised and solicited bids for the Manhattan Street Monopole Co-Location Land Lease Agreement, Contract No. CT-21208, on September 24, 2021. One (1) bid was received and publicly opened on October 13, 2021, at 2:30 p.m., with an initial lease price of \$12,000.00, with an increase of four percent (4%) per year, in accordance with the Authority's bid specifications. The Authority's staff and the Engineering Committee are recommending award of the Manhattan Street Monopole Co-Location Land Lease

Agreement, Contract No. 21208, to Dish Wireless, LLC. This has been reviewed with the Engineering and Finance Committee and is recommending approval this evening.

It was noted, that DISH Wireless only needs a very small area of land - approximately thirty-five (35) square feet.

RESOLUTION AUTHORIZING A SEWER SERVICE AGREEMENT WITH 528, LLC FOR LIBERTY COMMONS, BLOCK 21202, LOT 6.01, BLOCK 13801, LOTS 4.01, 5, 6.01 AND 7.01 AND BLOCK 13802, LOTS 1, 3, 4 AND 5, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON - The applicant, 528, LLC constructed a shopping center consisting of three (3) retail buildings totaling 52,000 square feet at the intersection of East Veterans Highway and North Hope Chapel Road in the northeast corner. The Developer installed approximately 9,000 linear feet of 4-inch polyvinyl chloride sewer force main in lieu of increasing the existing 3-inch force main to 4-inch in order to serve their project. An interconnection valve vault that will provide redundancy to our existing 3-inch force main will also be constructed. In return for the sewer infrastructure improvements, which benefitted third-parties and the Authority, the Developer shall be entitled to \$117,961.43 in sewer connection fee waivers for this project and any other 528, LLC project connecting into this force main. Additionally, for a period of five (5) years from the date of execution of this agreement, the Authority will reserve a total Average Daily Flow (ADF) of 51,200 GPD with a Peak Flow (PF) of 128,000 GPD (ADF x 2.5 peaking factor) as to provide sufficient capacity for the Developer's proposed projects along this force main. 528, LLC, has agreed to enter into a Sewer Service Agreement which outlines terms and conditions specific to this request. The Authority's staff is recommending that the proposed Sewer Service Agreement be executed with 528, LLC. This has been reviewed with the Engineering Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING A SEWER AND WATER SERVICE AGREEMENT WITH CARDINALE & JACKSON CROSSING ASSOCIATES, LLC, BLOCK 3001, LOTS 1, 2, 3, 4, 5, 6, 19 AND 20, ON THE TAX MAP OF THE TOWNSHIP OF JACKSON - Cardinale & Jackson Crossing Associates, LLC is proposing to construct a commercial, recreational and hotel facility consisting of fifteen (15) separate structures comprising of a total of 329,875 square feet on the south side of Ocean County Route 537. The Developer constructed a 3,115 linear foot 16-inch water main extension from Anderson Road through their property and tied into the water main on Monmouth Road in the vicinity of Pine Drive. The Authority was able to eliminate a portion of the Western Water Main Extension project by utilizing the water main extension completed by the Developer. The Developer provided a utility easement and is turning over the constructed mains to the Authority. The Authority staff reviewed the construction cost and found that \$384,147.50 is a reasonable cost for the installation and recommends the cost incurred by the Developer be reimbursed through water connection fee waivers. The Developer further requested private ownership of the sewer infrastructure, including the pump station, on the project site, which the Authority outlined the conditions of ownership in its October 4, 2019 letter. The Owner has agreed to enter into a Sewer and Water Service Agreement that outlines terms and conditions specific to this request. The Authority's staff is recommending that the proposed Sewer and Water Service Agreement be executed with Cardinale & Jackson Crossing Associates, LLC. This has been reviewed with the Engineering Committee and is recommending approval this evening.

NORTH COOKS BRIDGE WATER MAIN EXTENSION - This item is not on the agenda this evening but was discussed with the Engineering Committee. In 2013, the design of the North Cooks Bridge Water Main Extension was completed. It was permitted but held due to

budget reasons relating to a relocation of the 16" force main from Six Flags Great Adventure. At that time, Ocean County was rebuilding North Cooks Bridge and requested the relocation of the force main and budget monies were shifted since this was now considered priority. The permit for this project will expire in October 2022 and the project needs to be completed or will have to re-apply for this costly permit of approximately \$20,000.00. The Authority would like to update the plans. Maser Consulting, P.A, now known as Colliers Engineering and Design, Inc., completed the original design for this project, would be updating the rates since they are based on 2013. We are looking at close to \$16,000.00 to include construction management time and update the current set of plans. Once this is complete, this would complete the loop from the Hyson Water Treatment Plan. The Authority is requesting permission from the Board this evening to move forward with the design of this project and memorialize in November. The Board agreed.

CONSULTING ENGINEER'S REPORT:

On behalf of Remington & Vernick Engineers, Mr. Alan Dittenhofer reported there were no developer approvals to discuss this evening:

PUBLIC RELATIONS COMMITTEE REPORT:

None. The Public Relations Committee will meet in November to discuss possible amendments to the current HomeServe USA Bill Assistance Program.

ADMINISTRATIVE COMMITTEE REPORT:

None.

ASSISTANT EXECUTIVE DIRECTOR/DIRECTOR OF FINANCE REPORT:

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

FINANCE COMMITTEE REPORT:

RESOLUTION ACCEPTING THE CASH MANAGEMENT REPORT FOR MONTH ENDING SEPTEMBER 30, 2021 – The September 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 OCTOBER 2021 - The October Bill List was presented this month for approval totaling \$869,806.80. The Finance Committee has reviewed and is recommending approval this evening.

RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR OVERSIZED VEHICLE CLEANING SERVICES, CONTRACT NO. CT-22027, WITH THE COUNTY OF OCEAN, IN AN AMOUNT NOT TO EXCEED \$1,000.00 – The resolution being presented this evening is for an intergovernmental agreement for oversized cleaning services through the County of Ocean – Department of Vehicle Services for the period of January 1, 2022 through December 31, 2022, in an amount not to exceed \$1,000.00. The contract rate will remain the same from 2021 and this service is for the larger vehicles that

cannot go through a regular cleaning service. This has been discussed with the Finance Committee and is recommending approval this evening.

2022 WATER/SEWER OPERATING/CAPITAL BUDGET – The 2022 Water/Sewer Operating/Capital Budget State version has been finalized along with the annual rate analysis. This has been reviewed with and recommended by the Finance Committee and forwarded to the Board for their review. There is a resolution on the agenda this evening requesting approval of the Authority’s 2022 Water/Sewer Operating/Capital Budget State Version.

2022 RATE HEARING – As previously discussed, the 2022 Schedule of rates has been reviewed and advertised for a rate hearing to take place on November 18, 2021.

RESOLUTION AUTHORIZING THE TRANSFER AND RESTRICTION OF FUNDS – The resolution on the agenda this evening is requesting approval to transfer one million dollars (\$1,000,000.00) from the BNY Mellon General Fund account to Parke Bank Capital Reserve account. The transfer will be used to support the Authority’s capital initiatives.

RESOLUTION APPOINTING CAROLYN MAURO AS THE PUBLIC AGENCY COMPLIANCE OFFICER FOR 2022 – Carolyn Mauro served as the Public Agency Compliance Officer (P.A.C.O.) in 2021 and the Authority is requesting approval this evening to appoint Carolyn Mauro as the Authority’s P.A.C.O for 2022. Carolyn is familiar with the affirmative action requirements and this appointment is required for public entities. It was noted, there is no stipend offered for this appointment. N.J.A.C. 17:27-3.3 requires the Authority to designate a P.A.C.O and to notify the Division of Purchase and Property of this designation annually by January 10th. The Finance Committee has reviewed and is recommending approval this evening.

RESOLUTION RATIFYING THE AUTHORIZATION TO REFRAIN FROM REFERRING DELINQUENT USER FEES TO THE TOWNSHIP OF JACKSON FOR THE 2021 TAX SALE FOR YEAR ENDED 2020 – Executive Order (EO) 246, was issued on June 14, 202 extending the grace period for collections on delinquent accounts until December 31, 2021 for utilities, including water, in an effort to give continued relief to individuals affected by the pandemic. Sewer accounts, once again, were not included. The EO encourages sewer utilities to work with its customers on delinquent accounts rather than perusing collections through the tax lien process. There is a resolution on the agenda this evening requesting approval to ratify the Authority’s decision to refrain from participating in the 2021 tax sale for year ended 2020. This has been discussed with the Finance Committee and is recommending approval this evening.

RESOLUTION AUTHORIZING COMPETITIVE CONTRACTING FOR CUSTODIAL SERVICES – The Authority’s current contract for Custodial Services ends on February 28, 2022 with the ability to extend one (1) additional year. The resolution being presented this evening affords the Authority the ability to bid for custodial services via competitive contracting should the Authority choose to not extend the current contract.

CENTRAL JERSEY HEALTH INSURANCE FUND (CJHIF) ANNUAL DIVIDEND – the Authority received notification from the CJHIF that it will be issuing a dividend to its members in the amount of \$4,247,756.52, of which the Authority’s dividend portion is \$8,751.47. As in the past, the Authority has requested to receive this dividend in the form of a check in the above stated amount of \$8,751.47. This is a nice benefit the Authority receives. Noted, the annual dental premium is approximately \$60,000.00, with a return of \$8,751.47.

PERSONNEL COMMITTEE REPORT:

The following action item was discussed:

RESOLUTION ADOPTING UPDATED PERSONNEL POLICIES AND PROCEDURES

Policies and Procedures Manual and Employee Handbook (Handbook) has been updated by the Authority staff and been reviewed by the Administrative Committee and the Board. This Handbook is recommended to be updated every two (2) years in accordance with the Municipal Excess Liability Joint Insurance Fund (MEL) as part of a program for lowering insurance deductibles. Also noted, the Handbook was completed and signed off by the Authority's General Counsel as required by the MEL. There is a resolution requesting approval on the agenda this evening. The Personnel, Administrative and Finance Committees have reviewed and are recommending approval this evening.

CONSENT RESOLUTIONS:

2021-119 Resolution Accepting the Cash Management Report for Month Ending September 30, 2021

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

RESOLUTIONS OFFERED:

2021-120 Resolution Authorizing the Payment of Vouchers, Deposit Refunds and Payroll for October 2021

Moved: Commissioner Glory
Second: Commissioner Porter
Vote: Unanimous
Abstain: Commissioner Glory abstained on Check #21-01343 and #28409

2021-121 Resolution Authorizing Approval of the 2022 JTMUA Sewer/Water Operating Capital Budget – State Version

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

2021-122 Resolution Authorizing the Transfer and Restriction of Funds

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

2021-123 Resolution Authorizing a Sewer Service Agreement with 528, LLC for Liberty Commons, Block 21202, Lot 6.01, Block 13801, Lots 4.01, 5, 6.01 and 7.01 and Block 13802, Lots 1, 3, 4, and 5, on the Tax Map of the Township of Jackson

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

2021-124 Resolution Authorizing a Sewer and Water Service Agreement with Cardinale & Jackson Crossing Associates, LLC, Block 3001, Lots 1, 2, 3, 4, 5, 6, 19 and 20, on the Tax Map of the Township of Jackson

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

2021-125 Resolution Memorializing the Assignment of Sewer and Water Connection Fee Waivers from Jackson Development Company, LLC, to the Gardens at Jackson Twenty-One, LLC

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

2021-126 Resolution Authorizing Award of the Hyson Road Monopole No. 1 Co-Location Land Lease Agreement, Contract No. CT-21207, to Dish Wireless LLC

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

2021-127 Resolution Authorizing Award of the Manhattan Street Monopole Co-Location Land Lease Agreement, Contract No. CT-21208, to Dish Wireless

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

2021-128 Resolution Authorizing Award of the Manhattan Street Water Main Replacement Design, Contract No. CT-21211, Via a Fair and Open Process, to Remington & Vernick Engineers, in an Amount Not to Exceed \$91,600.00

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

- 2021-129 Resolution Authorizing Award of the Whitesville Region Feasibility Study, Contract No. CT-21210, Via a Fair and Open Process, to Van Cleef Engineering Associates, LLC, in an Amount Not to Exceed \$15,500.00
- Moved: Commissioner Glory
 Second: Commissioner Blake
 Vote: Unanimous
 Abstain: None
- 2021-130 Resolution Authorizing Award of the Water/Sewer Emergency Repairs and Service Work, Contract No. CT-21092, to J.F. Kiely Construction Co., in an Amount Not to Exceed \$399,670.00
- Moved: Commissioner Porter
 Second: Commissioner Longo
 Vote: Unanimous
 Abstain: None
- 2021-131 Resolution Authorizing Competitive Contracting for Custodial Services
- Moved: Commissioner Blake
 Second: Commissioner Porter
 Vote: Unanimous
 Abstain: None
- 2021-132 Resolution Ratifying the Authorization to Refrain from Referring Delinquent User Fees to the Township of Jackson for the 2021 Tax Sale for Year Ended 2020
- Moved: Commissioner Glory
 Second: Commissioner Porter
 Vote: Unanimous
 Abstain: None
- 2021-133 Resolution Adopting Updated Personnel Policies and Procedures Manual and Employee Handbook
- Moved: Commissioner Glory
 Second: Commissioner Longo
 Vote: Unanimous
 Abstain: None
- 2021-134 Resolution Appointing Carolyn Mauro as the Public Agency Compliance Officer for 2022
- Moved: Commissioner Blake
 Second: Commissioner Porter
 Vote: Unanimous
 Abstain: None

2021-135 Resolution Authorizing an Intergovernmental Agreement for Oversized Vehicle Cleaning Services, Contract No. CT-22027, with the County of Ocean, in an Amount Not to Exceed \$1,000.00

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

At approximately 6:00 pm, Chairman Allmann requested a motion to go to closed session.

2021-136 Resolution of the Jackson Township Municipal Utilities Authority – Closed Session

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

Commissioner Porter made a motion to close the Remote/Open Session of the October 28, 2021 Public Meeting. Commissioner Glory seconded the motion and it was passed unanimously.

Based on a motion made in Closed Session, at approximately 6:10 pm, the Open Session resumed of the October 28, 2021 Public Meeting.

Chairman Allmann noted that the next regular scheduled Public Meeting will be held on the third Thursday, November 18, 2021 at 5:30 PM.

OTHER MATTERS:

With no further matters to discuss, Commissioner Glory made a motion to adjourn. Commissioner Porter seconded the motion and it was passed unanimously. Chairman Allmann declared the October 28, 2021 Public Meeting adjourned.

End of Minutes