

WESTERN MONMOUTH UTILITIES AUTHORITY

WORKSHOP MEETING

MAY 21, 2019

Chairman Mendez called the Western Monmouth Utilities Authority's Public meeting to order at 6:58pm. It was announced that pursuant to the Open Public Meeting Act and N.J.S.A. 10:4-6 et seq., adequate notice of this meeting has been sent to the Asbury Park Press, The Home News and Tribune, Clerks of Manalapan and Marlboro Townships, and is posted in the lobby of the Western Monmouth Utilities Authority ("W.M.U.A.")

Upon roll call:

Present: Messrs. McEnery, Mendez, Rosen and Pernice
Absent: None
Also in Attendance: F. Borin, DeCotiis, Fitzpatrick & Cole, LLP
G. Stankiewicz, Accountant
C. Ballard, T&M Associates
M. Musich, Manalapan Township Committeewoman
B. Valentino, C.E.O.
J. Carr, Chief Operating Officer
K. Leatherman, Chief Administrative Officer
A. Finnerty, Authority Clerk

All present cited the Pledge of Allegiance.

The meeting continued at 7:00pm.

Chairman Mendez asked for any public comment. There was none.

Chairman Mendez asked for any comment regarding the Chief Executive Officers Report.

Brian Valentino, CEO stated that he has distributed copies of the final adopted as amended strategic plan. He advised the Commissioners that the WMUA has been selected to serve on the storm water working group for the AEA and they will be meeting monthly. Annual training updates are continuing. In the past two weeks we have been to Atlantic City for the WE A and training in house as well for the Confined Space Rescue Team. Today Mr. Valentino stated that he gave a tour to the Men's Club of Four Seasons. They were here for 3 hours and they were very pleased and enlightened. The Authority was invited to participate in the Freehold Memorial Day parade and our employees have volunteered to man our vehicles without going into any overtime expense. He asked the Commissioners if they were interested in riding along, please contact him. Mr. Valentino turned the meeting over to Ms. Leatherman to speak about Bridge Plaza.

Ms. Leatherman stated that Michael Volovnik contacted her regarding Bridge Plaza. The commissioners confirmed the location of Bridge Plaza. Mr. Volovnik stated that he cannot rent 9 of

the units because Manalapan denied him the Certificate of Occupancy's because the people he wants to rent to require more parking spaces that Manalapan has allotted. Chairman Mendez stated that Manalapan follows the same codes that every other town follows. Ms. Leatherman stated that he came to the office with all the information from the zoning board. Ms. Leatherman stated that the zoning information he received in 1985 when it was approved stated that he has to have 256 parking spots which he has. He is unable for eight years to rent nine of the units because the people that want to rent maybe a doctor or somebody that requires more than 2 spots. Now there is insufficient parking and Manalapan states that there are too many doctors at that location. This has left him paying us \$119.00 per quarter for nine units that he is unable to rent because Manalapan is blocking this. He will be suing Manalapan. He came to us before he included us in this lawsuit. He contacted the Board of Public Utilities which right away stated that they have no jurisdiction over us. However the law may very well be that we have to offer him a way to disconnect he cannot rent them. If he was a single family resident he could disconnect, which Ms. Leatherman stated is true! Chairman Mendez asked Ms. Leatherman what exactly he is requesting from the WMUA. Ms. Leatherman stated he wants to know what we can do to offer him relief from those nine units. He wants the WMUA to understand that he built this and put in the solitary line that services these units. Commissioner Rosen stated that he should disconnect. Chairman Mendez stated that this is not our issue; it is with Nancy DeFalco, the zoning board in Manalapan. Commissioner Pernice stated that he has an issue with Manalapan based on the zoning laws and for him being unable to rent this is not the Authority's issue. He said if it was rented the tenants would be paying. Ms. Musich, the Manalapan liaison arrived at the meeting and Ms. Leatherman reiterated the issue to Ms. Musich regarding Bridge Plaza. Ultimately we are billing him \$436.00 a year for nine vacant units. Mr. Valentino asked the Authority Attorney if we have been threatened with litigation if we should continue this in closed session. Mr. Borin stated that the Bridge Plaza conversation will be continued in Closed Session.

Mr. Valentino stated that Mr. Carr will be giving the construction and engineering report. Mr. Carr stated that regarding the raw sewage pump station; all four raw sewage pumps, valves and piping have been installed. The wet well, the roof and the electrical improvements are ongoing. Due to delays in the manufacturer and the testing of the raw sewage pumps, Coppola has asked for a time extension which is on the Agenda tonight which is no additional cost to the Authority. The manufacturer has acknowledged that they are at fault and has offered to add 2 years to the warranty on top of the standard 2 year warranty which will cover these pumps for 4 years. They have provided enough spare parts to completely rebuild each pump. The Route 79 pump station and force main replacement that Carbro Construction is working on is ongoing. The contractor is currently working on Brandon Road. As expected the residents lives have been disrupted and they are calling for status updates. The variable message boards have been installed on Route 79. The next phase of this contract will be on Route 79 and there will be lane closures during night work. Some businesses on Route 79 have called and one in particular is a hair salon. Their septic system failed a few weeks ago. The town has no record of this septic system and she is paying to have it pumped out every 3 days. She is going to connect to our force main which is about to be replaced. The application has been submitted. This is a single lot connection and there are no real issues. We are trying our best to help her out because she needs the permit from the DOT. The DOT will not give her the permit, it is in our name because it is our project. There is an ongoing disagreement with the contractor; there have been a few times they have come across mismarked utilities, none of which are ours. When this occurs, they send a letter to CME that there are costs associated with these mismarked utilities. CME stated as per the contract that the contractor is responsible for locating the utilities and they should contact the utility directly. There is one utility conflict that the contractor will have to submit a change order due to

an 8" gas main not marked out. It falls in direct conflict with one of our launching pits, so we have to realign the sewer and there are some additional costs associated with that change submitted to CME for review. The concrete equalization tank which is with Stone Hill Contracting is in the process of removing sludge from the EQ basin. There is significantly more sludge in the basin than anticipated. A Change order is required because the actual amount of sludge removed in the basin exceeds the contract quantity. The contract completion date for this contract is March 2020. All other projects have started with a few exceptions. Some miscellaneous repairs have been started which we budget for every year. Chairman Mendez thanked him for the report.

Chairman Mendez asked if the Commissioners reviewed the Agenda for tonight's meeting. The Commissioners confirmed that they did. Chairman Mendez asked if anyone had any questions on the Consent Agenda. Chairman Mendez asked for some clarity regarding the Pasmel Subdivision, Project #619. Mr. Carr stated that they are just asking for an extension because no work has taken place yet and their approval has expired. They are located in Marlboro.

Chairman Mendez asked for a motion for Resolutions 19-61 through 19-64.

- 19-61 Approving Minutes of April 16, 2019
- 19-62 Granting Approval to Manalapan Crossing, Project #604
- 19-63 Approving Change Order #1 for the Raw Sewage Pump Station
- 19-64 Extending Approval for the Pasmel Subdivision, Project #619

Chairman Mendez continued with the Discussion Items.

- Chairman Mendez asked for any comment regarding the purchase of the Ford F250. Ms. Leatherman stated that we purchased 2 Durango and a Ford last year on capital budget. This is budgeted for this year. It is a replacement pick-up truck. Mr. Valentino stated that this goes to facilities maintenance, the collections crew. Commissioner Pernice confirmed that this was on the capital budget and we purchased 2 trucks last year that cost almost \$60,000.00 which is on today's bill list. We have another truck on tonight's agenda for which we are looking for approval. He said several years ago we asked for a list of vehicles. He stated that he would like to get an updated inventory of all the vehicles in our fleet which would consist of their condition, their age, and who is using them. We need to assess the vehicles and not spend money unnecessarily. Mr. Valentino stated that he will get back to him. Chairman Mendez stated that he has a Chief Executive Officer in place and it is his decision to run this company. Commissioner Pernice stated that it is the Commissioners job to vote on these decisions and that is why they are here. Chairman Mendez asked that Mr. Valentino include the mileage on the inventory report. Mr. Valentino stated that we have a rotation in the budget that allows us to purchase one truck in odd number years and two trucks in even number years. The reason this is standing out on the bill list is that the truck from two years ago didn't get delivered until the middle of last year. The two trucks that we ordered from last year's budget came in at the same time so it looks like we purchased a bunch of new vehicles. This is the one truck for this year. We rotate the roadworthy trucks into the plant where they no longer leave the plant; they are just used to drive around the plant. They are off of insurance. This truck will be replacing a truck that should not be on the road. Mr. Valentino stated that he will provide the Commissioners with the inventory encompassing all the variables. Commissioner Pernice stated that Mr. Valentino does come to them regarding purchases and this was done in the past.

- Chairman Mendez asked for any comment regarding the financial software, Edmunds and Associates. Commissioner Pernice asked about the amounts and what is covered. Mr. Valentino stated that it is basically three things; it is the purchase of the license, it is the transition of the data and training of the staff. Commissioner Pernice asked how many years does that cover. Mr. Valentino stated that the license is about \$20,000.00 per year. Commissioner Pernice asked if we have to spend \$20,000.00 each year to renew the license. Mr. Valentino stated we do have to renew yearly. Commissioner Rosen stated that this is a standard licensing price.

Chairman Mendez asked for a motion for Resolution 19-65. Commissioner Rosen moved, seconded by Commissioner Pernice, the vote was as follows:

AYES:	Messrs. McEnergy, Mendez, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

Chairman Mendez asked for a motion for Resolution 19-66. Commissioner Rosen moved, seconded by Commissioner McEnergy, the vote was as follows:

AYES:	Messrs. McEnergy, Mendez, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

Chairman Mendez asked for a motion for Resolution 19-67. Commissioner Rosen moved, seconded by Chairman Mendez. Commissioner Rosen recused himself. The vote was as follows:

AYES:	Messrs. McEnergy, Mendez, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

Chairman Mendez asked for a motion for Resolution 19-68. Commissioner Rosen moved, seconded by Commissioner McEnergy. The vote was as follows:

AYES:	Messrs. McEnergy, Mendez, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

Chairman Mendez asked for a motion for Resolution 19-69. Commissioner Rosen moved, seconded by Commissioner Pernice. The vote was as follows:

AYES:	Messrs. McEnergy, Mendez, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

Chairman Mendez asked for a motion for Resolution 19-70. Commissioner Rosen moved, seconded by Commissioner Pernice. The vote was as follows:

AYES:	Messrs. McEnery, Mendez, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	None
ABSENT:	None

Chairman Mendez stated he would like to have a vote on the **Consent Agenda**. Chairman Mendez asked for a motion for Resolution 19-61 through and including 19-64. Commissioner Pernice moved, seconded by Commissioner Rosen, the vote was as follows:

AYES:	Messrs. McEnery, Pernice and Rosen
NAYS:	None
ABSTENTIONS:	Chairman Mendez
ABSENT:	None

Chairman Mendez confirmed that he will abstain on all the items on the Consent Agenda.

Mr. Valentino stated that he neglected to mention that he has four items to talk about in Executive Session.

Chairman Mendez asked if there were any comments on the bill list. Commissioner Rosen asked about the hotel reimbursement to Brian Valentino regarding the Explorers. Mr. Valentino stated that the advisors to the explorer posts who went on the trip to Washington were paid for with his credit card. These were for three rooms for the staff. Commissioner Rosen moved, seconded by Commissioner Pernice. All present voted aye.

At 7:28PM, Chairman Mendez asked for a motion for Resolution 19-71; Authorizing the Commissioners to go into Closed Session for the purpose of Discussing Litigation and/or Personnel and they *will not* Return to Public Session. Commissioner Pernice moved, seconded by Commissioner Rosen, all present voted aye.

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