

WESTERN MONMOUTH UTILITIES AUTHORITY

WORKSHOP AND PUBLIC MEETING

AUGUST 11TH, 2011

Chairman Toubin called the Western Monmouth Utilities Authority's Public meeting to order at 7:34PM. 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. McEnergy, Pernice, Rosen and Toubin

Absent: none

Also in Attendance: R. Rybak, Attorney, Wisniewski & Associates

K. Henderson, Engineer, T&M Associates

T. Gillen, Engineer, CME Associates

G. Stankiewicz, Auditor

D. Martindell, Facility Manager

R. Smith, Plant Supervisor

R. Fillimon, Lab Supervisor

G. Kasternakis, Maintenance Supervisor

R. Noel, Special Projects Manager

K. Leatherman, General Manager

C. Weber, Office Manager

A. Finnerty, Authority Clerk

All present cited the Pledge of Allegiance.

At 7:33 p.m. Mr. Rybak opened the Hearing authorizing the Connection Fee for 2011/2012. Please refer to the Transcript for the details of the Hearing. The Connection Fee hearing ended at 7:40 p.m.

Chairman Toubin requested that the public be patient as the Commissioners needed to go into closed session to discuss personnel. Chairman Toubin asked for a motion. Commissioner Rosen moved, seconded by Chairman Toubin. All voted Aye. They adjourned and returned to the meeting approximately 7:52 p.m.

Chairman Toubin reopened the meeting by presenting Russell Corbett, Collections Superintendent, a WMUA employee for 35 years, with a plaque for his dedicated service to Western Monmouth Utilities Authority. Chairman Toubin spoke on behalf of the Authority stating that Russell is a much respected employee with an incredible amount of knowledge of our system and he will be sorely missed! Russell Corbett expressed his gratitude and thanked everybody for their cooperation over the years. Russell's crew attended this meeting and applauded his accomplishments!

Chairman Toubin asked if there was any public comment.

Nicholas B. Campanella of Sun Pacific Power Inc. addressed the Commissioners. He stated that he has been to the Authority numerous times with proposals offering access from his facility which is adjacent to the Authority's property to build a 2 megawatt solar farm at no cost. Unfortunately, Mr. Campanella was unaware of the RFP advertised by the Authority for a 1 megawatt system. He asked if there was still an opportunity available. Chairman Toubin answered by stating we have entered into a contract from the low bidder following the public notice of the bid process. Chairman Toubin also stated that perhaps in the future, we may expand our solar field and will advertise to do the same.

George Spodak, former Mayor of Manalapan addressed the Commissioners, expressly Stephan McEnery. Mr. Spodak stated that Stephan McEnery spoke at a meeting of the Monmouth County Freeholders and made statements that were provoking. Chairman Toubin asked Mr. Spodak to please address the Commissioners regarding any issues he had with the Authority specifically. Mr. Spodak stated that he has been in Manalapan since the inception of the Authority. He asked for the qualifications regarding the choosing of a Commissioner to serve on the Board of the Authority. Chairman Toubin answered by stating that the Township Committee makes the appointments and therefore Mr. Spodak should contact them regarding the criteria in choosing the Commissioners. He also stated that this is not a political forum. Mr. Spodak stated that the Commissioners receive \$4,000.00 yearly for their services and asked again about the qualifications. Again, Chairman Toubin advised Mr. Spodak that he must address the Township. Mr. Spodak stated that Commissioner McEnery is a public official representing the Authority. Commissioner Rosen also expressed that this is not a political forum. Commissioner Pernice addressed Mr. Spodak stating that he is a former Marlboro Council member and is familiar with appointments. He said once appointed Commissioner's work exclusively to address the best interests of the Authority. Mr. Pernice said he understands Mr. Spodak's frustration; however, he needs to again address the Township Committee. Chairman Toubin closed the public comment by expressing his respect for Mr. Spodak's past performance as Manalapan's Mayor and his knowledge of the inception of the Authority. He invited him to attend future meetings to provide any positive input he may have to benefit the Authority. He then thanked him for addressing the Board and proceeded with the Discussion items.

- The Discussion items on the Agenda were addressed;
 - Chairman Toubin asked if there were any comments on the minutes of July 14th, 2011. There were none.
 - Chairman Toubin addressed Edwards Drive. Rob Noel said that he has been meeting with Tim Gillen and trying to determine the best solution regarding the flow issue. Rob Noel said the issue is where the old pump station used to be. The problem has to do with the direction of flow and that it flows into a flat line. Chairman Toubin questioned if the same problem exists with Edwards Lane in Manalapan. Mr. Noel said that they have different issues. He said they need to accumulate more data and once they have all the information, he will meet with Tim Gillen and make the final decision. Chairman Toubin requested that this be done as expeditiously as possible.
 - Chairman Toubin asked about the Thioguard trial. Dane Martindell stated that Thioguard is a substitute for Bioxide. It is cheaper per gallon and you need to use less material. It uses a different chemical process and the end result is beneficial

for the treatment plant. It will provide a higher alkalinity which means we will utilize less lime in the plant. Keith Henderson stated they assisted a facility in changing to Thioguard with very good results. Mr. Martindell has called other Wastewater treatment facilities who utilize Thioguard and they have given us very positive feedback. Chairman Toubin confirmed with Mr. Martindell that we will put this out to bid.

- Chairman Toubin addressed the purchasing manual and commended everyone for a good job addressing all the necessary changes. Gerry Stankiewicz stated that the purchasing manual should be placed with the Re-organization Resolutions each year.
- Katherine Leatherman addressed the connection fee refund to Tyler Homes, Inc. The customer requested a refund because the actual connection is much more complicated and expensive than first anticipated therefore; they are not going to connect to the Authority's system and would like the connection fee amount refunded.
- Keith Henderson stated the Change Order is the final close out for Quad Construction contract. All the inspections have been completed and the final price was \$5.5 million dollars which is \$300.00 under budget.
- Rich Rybak addressed the Hawkins Road Pump Station upgrade bids. He stated that the first and second lowest bids had fatal defects. The other bids had irregularities, but they are immaterial defects. Tim Gillen stated that it is a \$120,000.00 differential. Chairman Toubin stated that the Commissioners would like to re-bid.

Chairman Toubin confirmed that Wood Avenue agreed to the terms set forth by the Authority. Rich Rybak confirmed that they did.

Chairman Toubin asked for a motion on the Resolutions. Chairman Toubin then asked for a motion on Resolutions 11-98 thru 11-108. Commissioner Pernice stated that he must abstain from Resolution 11-99 Approving the Minutes of July 14th, 2011 as he was not at the meeting. Commissioner Rosen then moved 11-99, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

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

11-99 Accepting Minutes of July 14th, 2011

Chairman Toubin asked for a motion on the Resolutions 11-98 and 11-100 thru 11-108. Commissioner Rosen moved, seconded by Commissioner Pernice. Upon roll call the vote was as follows:

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

- 11-98 Authorizing New Connection Fee
- 11-100 Authorizing General Manager to prepare plans and specifications and advertise and receive bids for a trial of Thioguard
- 11-101 Adopting the Purchasing Manual
- 11-102 Authorizing the Refund of Connection Fee to Tyler Homes, Inc.
- 11-103 Awarding Grit Building Renovation to C&T Associates
- 11-104 Memorializing Employment
- 11-105 Authorizing General Manager to Execute Developers Agreement for Wood Avenue Apartments #481
- 11-106 Authorizing General Manager to Execute Developers Agreement for SFC Enterprises Inc. #442
- 11-107 Rescinding Approval to Phase I CVS Pharmacy #477
- 11-108 Change Order 2008 Capital Improvement

Chairman Toubin asked if there were any questions on the Bill List. Chairman Toubin inquired about the work in the parking lot. Mr. Martindell stated that this was the first time we have redone the parking lot. Chairman Toubin asked about the Fall Conference and who was attending. Coleen Weber stated that Marilyn Seidenberg will be attending in the Atlantic City Sheridan. Chairman Toubin addressed the Route 79 Pump Station. Tim Gillen stated that CME Associates is just finalizing the cost estimates. He also asked about any records we have on file please be forwarded to his office. Mrs. Leatherman stated we do not have any records for the pump station regarding ownership. Chairman Toubin asked for a motion on the bill list. Commissioner Rosen moved, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

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

With all Discussion items being addressed, Chairman Toubin asked if there was any other Authority business.

At 8:30 pm Chairman Toubin asked for a motion to go into Closed Session to discuss:

1. Personnel, Litigation and Contracts

Resolution 11-109 Authorizing the Commissioners to go into Closed Session for the purpose of discussing Litigation, Personnel, and Contracts and they will not return to Public Session was moved by Commissioner Rosen and seconded by Commissioner Pernice. All present voted aye.

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