

WESTERN MONMOUTH UTILITIES AUTHORITY

WORKSHOP MEETING

October 6<sup>th</sup>, 2011

Chairman Toubin called the Western Monmouth Utilities Authority's Public meeting to order at 7:44PM. 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, Rosen, Pernice and Toubin
Absent:	None
Also in Attendance:	J. Wisniewski, Wisniewski & Associates K. Henderson, T&M, Engineer G. Stankiewicz, Auditor T. Gillen, CME Engineer D. Martindell, Facilities Manager R. Smith, Plant Superintendent G. Kasternakis, Maintenance Supervisor R. Noel, Collections Superintendent K. Leatherman, General Manager M. Seidenberg, Director of Finance A. Finnerty, Authority Clerk

All present cited the Pledge of Allegiance.

Chairman Toubin asked for a motion to go into Closed Session. Commissioner Rosen moved, seconded by Commissioner Pernice. All voted aye.

11-135 Authorizing the Commissioners to go into Closed Session for the purpose of Discussing Litigation and they will return to Public Session

At 7:45 PM the Commissioners adjourned and went into Closed Session. They returned for Public Session at approximately 7:52 PM.

Chairman Toubin opened the meeting and asked for any public comment, there was none.

- The Discussion items on the Agenda were addressed;
  - Chairman Toubin asked if there were any comments on the minutes of September 1<sup>st</sup>, 2011 and September 15<sup>th</sup>, 2011. Chairman Toubin

- requested some changes be made and forwarded to all the Commissioners once the minutes were revised.
- Chairman Toubin asked for a list of the service contracts that are due to expire. Katherine Leatherman stated that she will create a list that will provide the expiration information. Commissioner Pernice asked about the electrical contract. Mrs. Leatherman stated that language in contract states that the possibility exists that we may not use them and the contract is an 'on demand' contract.
  - Keith Henderson addressed the Hidden Pond Estates #407 Performance Bond Release. He stated that the project is complete. Chairman Toubin asked if \$1000.00 is enough to cover professional fees. Mrs. Leatherman stated that \$1000.00 is always withheld. John Wisniewski requested that the Maintenance Bond be forwarded to his office for review and approval and language be included in the Resolution.
  - Chairman Toubin addressed the petty cash fund. Robert Smith stated that Mr. Martindell requested that he take over the petty cash fund. Chairman Toubin asked if Marilyn Seidenberg reviews the receipts on the three petty cash funds; Mrs. Seidenberg responded that she reviews only the administrative fund. Gerry Stankiewicz stated that the petty cash fund is reviewed during the audit.
  - Chairman Toubin asked Mr. Stankiewicz if there would be any objection to the General Manager and or Director of Finance having a blanket resolution to return duplicate payments. Mr. Stankiewicz stated that this would be fine.
  - Chairman Toubin addressed the Hawkins Road Pump Station Upgrade Award to DeMaio Electrical Company. Mr. Toubin stated that any future bid packages must state that all bidders must acknowledge every piece of correspondence they receive and will qualify as an addendum. John Wisniewski stated that he will assist with the language for our future bid packets.
  - Marilyn Seidenberg addressed the computer updates. The updates are ongoing. We have an issue regarding the Mercury payments agreement (credit card payments). John Wisniewski explained that we have to advertise for an RFQ; Request for Qualifications. As per the Department of Community affairs, you can competitively contract for this as opposed to having a competitive bid, which means other factors, as well as price are considered in awarding the contract. We can only charge our customers the same service fee the credit card companies charge. Mr. Wisniewski said we should contact the bank we currently contract and inquire about their service fees. Mr. Wisniewski will review the contract. Mrs. Seidenberg also expressed her concern regarding the different credit card fees. Mrs. Leatherman suggested that we contact Manalapan Township for advice. As per Mrs. Seidenberg, the other computer issues are being taken care of. Chairman Toubin requested that the computer backups be a priority.
  - Chairman Toubin asked about the Budget updates. Mrs. Leatherman stated that most of the budget has been completed. Mrs. Seidenberg stated she is waiting for information from the state to complete other aspects of the budget. Chairman Toubin asked about projects that will be

carried over to the next year, i.e. Edwards Lane. Rob Noel addressed Edwards Lane. Mr. Noel said that the crew checks the location twice a week. Chairman Toubin asked Gerry Stankiewicz when the budget has to be adopted by. Mr. Stankiewicz stated that the budget must be introduced by the November 21<sup>st</sup>, 2011 meeting and be adopted by January 31<sup>st</sup>, 2012.

- Katherine Leatherman addressed the Emergency Generator Maintenance and Repair Contract, stating that we have had a contract with Power Equipment Co. before and they have good references.

Chairman Toubin asked if there were any other questions and asked for a motion on Resolutions #11-129 thru 11-134. Commissioner Rosen moved, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

- 11-129 Authorizing Release of Performance Bond and Cash Surety to Hidden Pond Estates #407
- 11-130 Designating Robert Smith as Custodian of Petty Cash
- 11-131 Authorizing the General Manager and Director of Finance to refund Overpayments to Customers
- 11-132 Awarding Hawkins Road Pump Station Upgrade to DeMaio Electrical Company
- 11-133 Awarding Emergency Generator Maintenance and Repair Service to Power Equipment Company

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

Chairman Toubin asked if there were any other Authority Business. Marilyn Seidenberg requested a payment agreement resolution be added to this meeting Agenda: Resolution #11-134 Authorizing Payment Plan for Account #06702. Chairman Toubin stated that we should have a standard Payment Plan Resolution to accommodate the public as needed. Chairman Toubin asked for a motion on the Payment Agreement, Resolution #11-134, Commissioner Rosen moved, seconded by Commissioner McEnergy, all voted aye.

- 11-134 Authorizing Customer Payment Plan, Account #06702

Chairman Toubin asked if there were any other Authority Business. John Wisniewski addressed the meeting regarding the Bayshore Agreement. Mr. Wisniewski stated that he has reached out to Bayshore and is waiting for a response. Chairman Toubin asked Mrs. Seidenberg to confirm the monthly charge for health care. He also inquired about the Magnesium Hydroxide bid. Mr. Noel said we had to add an addendum which changed the date of the bids. Chairman Toubin asked Mrs. Seidenberg about the electrical budget and the plant management salaries. He also inquired about line items on the budget, items that have been purchased as well as capital items. Mrs. Seidenberg answered all the questions. Keith Henderson addressed the solar installation. The contract language was questioned and resolved by our attorney. The equipment will be arriving after January 1<sup>st</sup>, 2012 and they will start soon after.

Chairman Toubin asked if there were any questions on the bill list. Commissioner Pernice asked about some of the expenses, Mrs. Leatherman explained that we contract a sign language interpreter for our deaf employee. Rob Noel answered Commissioner Pernice's next question regarding the purchase of a camera. Mr. Noel explained that the Authority had to purchase a camera for small diameter pipe laterals from the houses; the camera we had is outdated and could not be repaired. Commissioner Pernice then moved the Bill List, seconded by Commissioner Rosen. Upon roll call the vote was as follows:

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

At 8:26 pm Chairman Toubin asked for a motion to go into Closed Session to discuss:

1. Personnel & Litigation

Resolution 11-136 Authorizing the Commissioners to go into Closed Session for the purpose of discussing Litigation and Personnel, and they will not return to Public Session was moved by Commissioner Pernice and seconded by Commissioner Rosen. All present voted aye.

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