

WESTERN MONMOUTH UTILITIES AUTHORITY

PUBLIC MEETING

January 22<sup>nd</sup>, 2015

Chairman Rosen called the Western Monmouth Utilities Authority's Public meeting to order at 7:31pm. 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, Pernice and Rosen
Absent:	Commissioner Mendez
Also in Attendance:	I. Chou, Wisniewski & Associates B. Condiotti, Court Stenographer M. Dziubeck, CME Associates K. Henderson, T&M Associates G. Stankiewicz, Auditor B. Valentino, Executive Director D. Martindell, Facilities Manager M. Seidenberg, Director of Finance K. Leatherman, General Manager A. Finnerty, Authority Clerk

All present cited the Pledge of Allegiance.

The Public Hearing on the Authorization of the 2015 – 2016 Budget took place.

At 7:32PM, Isabel Chou of Wisniewski & Associates swore in Ann Finnerty, Authority Clerk, Gerard Stankiewicz of Samuel Klein & Co., and Marilyn Seidenberg, Director of Finance to give testimony in the Public Hearing on the Budget. Please refer to the Transcript.

Chairman Rosen proceeded directly to move Resolution 14-161, Adopting the 2015 – 2016 Budget. Commissioner Pernice moved, seconded by Commissioner McEnery. Upon roll call the vote was as follows:

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

At 7:37PM, Chairman Rosen closed the public hearing.

Chairman Rosen asked for comment regarding the Executive Director Report.

Brian Valentino stated he has a few items this evening. He stated that Mr. Martindell needed to discuss the Capacity Assurance Plan.

Dane Martindell stated that the Authority will have to submit a Capacity Assurance Plan to be in compliance with the permit. We are slightly over 80% of the 8.8 million gallons per day (MGD) of permitted flow. The reason this occurred is because we had to submit a plan but no time frame was given. Mr. Martindell stated he received a call from DEP enforcement who received a call all triggered by the Marlboro Hospital facility. The representative from the DEP stated that this process needed to be discussed because of that facility connecting into our system. Our permit states that once we have reached 80% of our maximum daily flow on a regularly daily basis, the Authority must submit a Capacity Assurance Plan to let them know that you are not overextending. Dane Martindell stated that last month's monthly average was 7.54 MGD. It has been up to 10 and 12 MGD. Mr. Martindell stated he sent DEP a letter about a year ago listing all of the improvements that the Authority has made to the plant. Mr. Martindell stated we should get information to DEP from the Authority Engineer as soon as possible. Keith Henderson stated that he does not feel that it has to do with the hospital and the problem predates all of the Commissioners. We need to do I&I (Infiltration and Inflow) reduction which was discussed in 2002. The state wants an I&I evaluation. The Authority does have an extraneous flow issue that needs to be addressed. Chairman Rosen asked what is the closest we have ever gotten to our capacity. Dane Martindell stated that we have gone over the capacity during storms. Mr. Martindell stated we need to present the DEP with a plan. Keith Henderson stated the county estimated the flow for 2025 was going to be 7.6 MGD, we are at 8 MGD right now and there hasn't been a lot of building. Keith Henderson stated he will have a more detailed presentation regarding the extraneous flow for the next meeting. Commissioner McEnery asked Dane to confirm our current flow as of today. Mr. Martindell stated that it is 7.54 MGD which is 80% of our capacity. Sometimes in the summer when the rainfall is less the flow falls as low as 7 MPG.

Brian Valentino placed a proposal regarding the AEA conference for the Commissioners to review. Chairman Rosen inquired what actually occurs at this conference. Mr. Valentino stated that this training conference. It is two full days of seminars, speakers from different utilities as well as a full day of discussion regarding security.

Brian Valentino stated that the AEA has notified the Authority about a Legislative bill that will cap any increases, i.e. rate increases that the Authority may consider up until 2%. Unfortunately, our capital expenses may exceed that in an emergency. Ms. Leatherman sat through the 90 minute conference call regarding this.

Chairman Rosen asked if there was any public comment.

Mitchell Jacobs from the Law Firm of Cleary, Giacobbe, Alfieri and Jacobs LLC representing Monarch Pointe, LLC addressed the Commissioners. Monarch Pointe has filed an application for a major subdivision on Texas Road; part of the subdivision requires the installation of a pump station. Mitchell Jacobs stated he would like to turn the meeting over to Syed Husain of DW Smith, Project Engineer of the project. Syed Husain stated that the development is an 18 lot subdivision. Unfortunately, they are located downstream from the gravity sewer but still within the service area in the Bayshore Regional Sewer area. A gravity sewer connection would require a change in the Wastewater Treatment Plan which could possibly take over two years to change. In order to connect to the sewer, a pump station is required which may ultimately service a total of 28 customers. The pump station would be very small and would require only two pumps. A Homeowners Association can be created to carry the cost of the pump station, but Mr. Husain stated that eventually the

homeowners will ask the Authority to take control. On January 9<sup>th</sup>, 2015 Monarch Pointe had a preconstruction meeting with our staff. The staff stated that the developers would have to speak to the Commissioners regarding the Authority taking over another pump station. The pump station would be in 100 % conformance with the Authority's regulations and spare parts will be provided. Chairman Rosen wanted to confirm that the number of residents using this pump station would preferably not be excessive. Chairman Rosen stated that we are trying to protect the Authority from maintenance of further pump stations and they will proceed with a plan to accept another pump station. Commissioner Pernice stated that we currently service 33 pump stations and it has not been cost effective for the Authority. The Authority does not want to turn away new home owners, but they want to formulate a beneficial plan for both the Authority and the new developer. Mr. Husain stated that will make sure this new sewer installation will be as updated as possible. Keith Henderson asked if there would be any reason other than the pump station to create a homeowners association. Mr. Husain stated an association is not needed, only if we have an issue with the pump station. The Commissioners thanked Mr. Husain for the presentation and will discuss this further.

Chairman Rosen proceeded with the meeting.

- Chairman Rosen asked for any comment regarding the Emergency Vacuum Tankers. Commissioner Pernice confirmed that the Resolution was corrected as it is reflected as a two year contract.
- Chairman Rosen asked for any comment regarding the Grit and Screenings Disposal. Ms. Leatherman confirmed that Freehold Cartage was the lowest bidder.
- Chairman Rosen asked for any comment regarding the Generator Maintenance and Repair Service. There were none.
- Chairman Rosen asked for any comment regarding the Uniform Service. Ms. Leatherman stated that the Uniform Service Contract is three years.
- Chairman Rosen asked for any comment regarding the Sanitary Sewer Excavation and Repair Service (scheduled). B&W is the lowest bidder and Mr. Martindell stated that they are very reputable.
- Chairman Rosen asked for any comment regarding the Emergency Sanitary Sewer Maintenance and Repair Service. There were none.
- Chairman Rosen asked for any comment regarding Monarch Pointe, Project #534. This was discussed in public comment.
- Chairman Rosen asked for any comment regarding the Purchase of the 2015 Ford Explorer, State Contract #A83013. Chairman Rosen said this is going to be tabled. Commissioner Pernice stated that this needs to have more discussion and Mr. Valentino stated he was not here when the budget was prepared.
- Chairman Rosen asked for any comment regarding the Capacity Assurance Plan. This was already discussed during the Executive Directors Report.

Brian Valentino asked Mr. Stankiewicz a question regarding certification of funds and why do we only certify funds for one year for a two year contract. Mr. Stankiewicz explained that we only have a one year adopted budget. Mr. Valentino wanted to know if we have to recertify the funds next year. Marilyn Seidenberg stated that the certification has language in the contract to cover the two year time period. Mr. Stankiewicz stated that the Authority is procedurally correct and the contracts are mostly utilized as needed.

Chairman Rosen asked if there were any other questions, there were none.

Chairman Rosen asked for a motion for Resolutions 14-162 through 14-174

- 14-162 Budget Transfers Year Ending January 31<sup>st</sup>, 2014
  - 14-163 Awarding Contract for Emergency Vacuum Tankers
  - 14-164 Awarding Contract for Grit and Screenings Disposal Service
  - 14-165 Awarding Contract for Generator Maintenance and Repair Service
  - 14-166 Awarding Uniform Contract
  - 14-167 Awarding Contract for Sanitary Sewer Excavation and Repair Service (scheduled)
  - 14-168 Awarding Emergency Sanitary Sewer Maintenance and Repair Service
  - 14-169 Memorializing Salary Increases for Management Personnel
  - 14-170 Authorizing Use of State Contracts
  - 14-171 Authorizing Release of the Escrow for Meadow Creek @ Manalapan, Project #372
  - 14-172 Authorizing Release of the Escrow for Meadow Creek @ Manalapan, Project #372A
  - 14-173 Authorizing Release of the Escrow for Lexington Estates, Project #244
  - 14-174 Authorizing Purchase of a 2015 Ford Explorer, State Contract #A83013
- TABLED

Commissioner Pernice moved Resolution 14-162 seconded by Commissioner McEnery. The vote was as follows:

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

Commissioner McEnery moved Resolution 14-163 seconded by Commissioner Pernice. The vote was as follows:

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

Commissioner McEnery moved Resolution 14-164 seconded by Commissioner Pernice. The vote was as follows:

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

Commissioner Pernice moved Resolution 14-165 seconded by Commissioner McEnery. The vote was as follows:

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

Commissioner Pernice moved Resolution 14-166 seconded by Commissioner McEnery.  
The vote was as follows:

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

Commissioner Pernice moved Resolution 14-167 seconded by Commissioner McEnery.  
The vote was as follows:

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

Commissioner Pernice moved Resolution 14-168 seconded by Commissioner McEnery.  
The vote was as follows:

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

Commissioner Pernice moved Resolution 14-169 seconded by Commissioner McEnery.  
The vote was as follows:

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

Commissioner Pernice moved Resolution 14-170 seconded by Commissioner McEnery.  
The vote was as follows:

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

Commissioner McEnery moved Resolution 14-171 seconded by Commissioner Pernice.  
The vote was as follows:

AYES: Messrs.' McEnery, Pernice and Rosen  
NAYS: None

ABSENT: None  
ABSTENTIONS: Commissioner Mendez

Commissioner McEnery moved Resolution 14-172 seconded by Commissioner Pernice. The vote was as follows:

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

Commissioner McEnery moved Resolution 14-173 seconded by Commissioner Pernice. The vote was as follows:

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

Resolution 14-174 was TABLED.

Chairman Rosen asked if there were any comments on the bill list. There was none. Chairman Rosen asked for a motion to move the bill list. Commissioner Pernice moved, seconded by Commissioner McEnery. All present voted aye.

Chairman Rosen asked if there was Authority Business.

Chairman Rosen asked Commissioner Pernice if they attended the Marlboro Planning Board meeting. Commissioner Pernice stated that they attended the meeting as a courtesy regarding the Pump Station Improvements. The questions that were asked were regarding the fencing and aesthetics. Commissioner Pernice stated that they reassured the public that they will look much better than they currently do.

At 8:16pm Chairman Rosen asked for a motion to go into Closed Session. Commissioner Pernice moved Resolution 14-175, Authorizing the Commissioners to go into Closed Session for the purpose of Discussing Litigation, Personnel and Professional Contracts and they will not return to Public Session. Commissioner McEnery seconded all present voted ayes.

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