

WESTERN MONMOUTH UTILITIES AUTHORITY

PUBLIC MEETING

October 18th, 2012

Chairman Pernice called the Western Monmouth Utilities Authority's Public meeting to order at 6:32PM. 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, Musich, Pernice and Rosen
Absent:	None
Also in Attendance:	J. Wisniewski, Wisniewski & Associates T. Gillen, CME Associates K. Henderson, T&M, Engineer G. Stankiewicz, Auditor D. Martindell, Facilities Manager G. Kasternakis, Maintenance Supervisor M. Seidenberg, Director of Finance K. Leatherman, General Manager A. Finnerty, Authority Clerk

All present cited the Pledge of Allegiance.

Chairman Pernice asked if there was any public comment.

Sal Alfieri, Attorney representing Edgewood Properties and Ron Aulenbach, Engineer for Edgewood Properties addressed the commissioners. Mr. Alfieri stated that Edgewood Properties purchased an existing project, a CVS located on Route 79 and Lloyd Road in Marlboro. Edgewood assumed that their purchase came with all the required approvals. Recently the Authority Engineers discovered that this project requires a TWA from the NJDEP. Edgewood Properties have agreed to get the TWA but is requesting to continue construction in order to maintain the timelines originally proposed. This request will be at the risk of Edgewood Properties. The plans have been changed as well and they are requesting that the engineer review them as soon as possible. Chairman Pernice asked Keith Henderson if T&M can review the plans. Mr. Henderson stated they will review the plans immediately. Commissioner Rosen asked if this is an unusual occurrence. Commissioner Musich asked if the DEP will allow this. Mrs. Leatherman stated that the developer who began the project has a DEP approval for the previous plan. John Wisniewski stated that there have been situations in the past that have moved forward due to construction schedules. They must provide bonds and can create a dry connection. All paperwork must state that conditions are subject to

Engineers approvals, and all agreements must be fully executed to the Authority's satisfaction. Mr. Wisniewski said resolutions can be added to tonight's agenda if the commissioners approve. The commissioners agreed to add the resolutions with the stated conditions. Mr. Alfieri thanked the commissioners. The public portion of the meeting was closed.

Chairman Pernice proceeded with the Discussion for the Public Meeting.

- The Discussion items on the Agenda were addressed;
 - Chairman Pernice addressed the meeting regarding the Authority Budget. Commissioner Rosen and Commissioner McEnergy met with management to discuss the budget. The Budget must be introduced at the next public meeting in November. Gerry Stankiewicz state that there must be 28 days between introduction of the budget and adoption of the budget. Chairman Pernice requested that the commissioners meet again with the Authority staff to make sure the budget is correct prior to November 15th.
 - Commissioner McEnergy addressed the meeting and requested if we could vote on all the Resolutions together as opposed to our current practice of voting on one Resolution at a time. Chairman Pernice asked Mr. Wisniewski if that was advisable. Mr. Wisniewski stated that some Resolutions can be grouped together and some should be voted on separately.

Chairman Pernice asked if there were any other questions and asked for a motion on Resolutions #12-105 thru 12-116. The vote was as follows:

- 12-105 Accepting Minutes of September 5th, 2012
- 12-106 Accepting Minutes of September 20th, 2012
- 12-107 Authorizing the General Manager to prepare plans and specifications advertise and received bids for various service contracts due to expire January 31st, 2013
- 12-108 Authorizing Budget Amendment
- 12-109 Authorizing Point & Pay Contract
- 12-110 Granting Approval to 352 Monmouth Road, Project #516
- 12-111 Authorizing Execution of TWA Application for 352 Monmouth Road, Project #516
- 12-112 Authorizing Release of Performance Bond and Cash Surety for Wood Avenue Apartments, Project #481
- 12-113 Awarding Emergency Generator Sets for Pump Stations to Electro Maintenance
- 12-114 Authorizing the General Manager to prepare plans and specifications advertise and receive bids for a Grinder Cartridge
- 12-115 Authorizing Execution of TWA Application for M&M Route 79, LLC, Project #508
- 12-116 Amending Approval to M&M Route 79, LLC #508 F/K/A Dallenbach Sand Company, Inc. #477 Phase 1 – CVS Pharmacy

Chairman Pernice asked for any comment on Resolution 12-105, there were no comments. Commissioner Musich moved 12-105, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolution 12-106, there were no comments. Commissioner McEnergy moved 12-106, seconded by Commissioner Rosen. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolution 12-107, there were no comments. Commissioner Rosen moved 12-107, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolution 12-108. Gerry Stankiewicz stated that this Resolution was created in order to complete Phase I of the design work of the NJEIT 5 pump station project. Phase II will commence on February 1st, 2013. Commissioner Musich moved 12-108, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolution 12-109. Marilyn Seidenberg stated that more money will be needed for this contract in order for our software program to interface with this Point and Pay program and the payments we receive. The additional cost will be \$3000.00 for the proprietary software. The commissioners agreed. Commissioner McEnergy moved 12-109, seconded by Commissioner Musich. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolution 12-110, there were no comments. Commissioner Rosen moved 12-110, seconded by Commissioner Musich. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolution 12-111, there were no comments. Commissioner McEnergy moved 12-111, seconded by Commissioner Rosen. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comments on Resolution 12-112 through 12-116. Dane Martindell commented on the Grinder Cartridge replacement. This is to replace the muffin monster cartridge at the Daum Road pump station. Commissioner Musich moved 12-112 thru 12-116, seconded by Commissioner Rosen. Upon roll call the vote was as follows:

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

With all Discussion items being addressed, Chairman Pernice asked if there were any other Authority business. John Wisniewski commented on the ordinance regarding grease traps for Manalapan and Marlboro Townships. Mr. Wisniewski stated under the administrative code, we can collect fees related to the service we provide. The rules and regulations need to be amended to reflect the charges needed to clean blockages due to grease trap issues. Mrs. Leatherman stated that Mr. Noel calculated the hourly rate of the men utilized to clean up the blockage. Commissioner Musich stated that the hourly rates should be time and a half to cover the cost of the equipment we use. Mrs. Leatherman stated that the staff was paid time and a half because they were called in. Chairman Pernice stated that the Authority should be able to charge an establishment for the clean-up of a blockage providing we ascertain that they did not maintain their grease traps properly. Commissioner Musich stated that we should send out letters explaining that we will be charging the establishments for additional blockages. John Wisniewski stated we do not need a public hearing to change the rules and regulations.

Commissioner Rosen thanked George Kasternakis for the extensive tour he was given.

Chairman Pernice requested Dane Martindell contact the managers and make sure they attend future Authority meetings.

At 7:13 pm Chairman Pernice asked for a motion to close the meeting.

12-117 Authorizing the Commissioner to go into Closed Session for the purpose of Discussing Litigation and Contract Negotiations and they will not return to public session. Commissioner Rosen moved, seconded by Commissioner Musich. All present voted aye. The meeting was adjourned.

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