

WESTERN MONMOUTH UTILITIES AUTHORITY

WORKSHOP/PUBLIC MEETING

November 15<sup>th</sup>, 2012

Chairman Pernice 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, Musich, Pernice and Rosen
Absent:	None
Also in Attendance:	J. Miller, Attorney, Wisniewski & Associates K. Henderson, T&M Associates T. Gillen, CME Associates G. Stankiewicz, Auditor D. Martindell, Facilities Manager R. Smith, Plant Superintendent R. Noel, Collections Superintendent J. Sawicki, Assistant Collections Superintendent 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. There was none. The public portion of the meeting was closed.

Chairman Pernice addressed the meeting regarding Hurricane Sandy. Mr. Pernice expressed his appreciation to the Authority Management and staff in the handling of the storm. He commended everybody for being proactive and prepared for the storm surge. Mr. Pernice was in the plant prior to the storm, during the storm and after the storm and said the staff was exceptional in taking care of the public and their needs. Commissioner Musich also expressed her thanks to the staff. Commissioner McEnery stated that he heard positive feedback through Manalapan Township regarding the Authority's employees handling of the Hurricane. Commissioner Rosen stated that Marlboro Township was also praising the Authority's staff in handling the storm surge. Chairman Pernice asked for comment regarding the sludge hauling during the storm. Dane Martindell stated that Passaic Valley Sewerage Commission (PVSC) was damaged very badly during the Hurricane. Mr. Martindell stated that he contacted the DEP during the storm and was informed that PVSC will not be running for a while. Northwest Bergen has offered to take our sludge but at a higher cost. He asked what we needed to do regarding

the hauling of our sludge as the current contract obligations cannot be fulfilled. Chairman Pernice consulted with the Authority's attorney, John Miller and he stated that we should be able to use the second vendor on the bidders list. The contract also states that hauling and dumping of sludge were stated in the same contract. Gerry Stankiewicz stated that due to the emergent condition we can create a resolution for a 30 to 60 day contract till PVSC can repair their facility. WE are currently using Spectraserve which has a transfer facility. Keith Henderson stated that PVSC may take up to 8 weeks to be up and running. We will have to declare a state of Emergency until PVSC is back on line. Mrs. Leatherman stated we will have to get quotes for sludge hauling and take the cheapest vendor at this point. Keith Henderson stated that FEMA will reimburse any additional charges the Authority incurs.

Chairman Pernice asked for any additional comment on the storm. Rob Noel stated that the collection system had no issues, just tree damage and some fence damage around the pump stations. Lexington Estates Pump Station had a pump fail but it was quickly repaired. Mr. Noel stated that the crew was fantastic and did everything they were supposed to do. He and John Sawicki stayed in constant touch with the townships. All the generators ran well. One tanker had to be brought in for Prince William and Manalapan Plaza Pump Stations. Tennent Estates pump station had to be taken out of service for a short period of time. Fortunately, there was not a lot of rain. We even lent a piece of equipment to Aberdeen. George Kasternakis's staff assisted the outside crew. Our crew even assisted Bayshore Regional. The tide came in about 4 or 5 feet and the staff there were trapped in a building. Phone calls were received here about 7:30 pm. Roy Anderson of Bayshore came here about 12am and we sent out some vehicles to assist at Bayshore. Bayshore is still in bad shape, but they are cleaning up as quickly as possible. Robby Smith said the plant ran very well and we only had some tree issues.

Chairman Pernice commented on the management meeting. He stated that the administration needs cell phones because the phone system was down. We also lost internet access and we should purchase a lap top computer for the administration building. This will also assist in our bimonthly meetings. Marilyn Seidenberg stated we were using the staff's personal phones to communicate with payroll and other staff. George Kasternakis also stated that the snow storm after the Hurricane hit the plant very hard. We also lent Manalapan Township a generator. Chairman Pernice stressed the importance of informing the staff of how appreciated they are and the excellent job they did.

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 for the year 2013-2014. Tonight we will introduce our budget and on January 17<sup>th</sup>, 2013 we will have a public hearing. No rate increase will occur. Our budget is down even though our revenues are down. Fortunately we are keeping our operating costs down. Chairman Pernice thanked everybody for their hard work in putting this budget together.
  - Chairman Pernice commented on the interest removal resolution regarding the extension of payments due to Hurricane Sandy. Governor Christie declared a state of emergency and just like other municipalities, they

extended receipt of taxes. The Authority has extended the payment deadline and extends the payment date until November 16<sup>th</sup>, 2012.

- Chairman Pernice asked for comment on the Connection Fee payment plan to Marlboro Equities, LLC #527. Rob Noel stated that the home has been vacant and the septic system has failed. Mr. Noel confirmed that the house has a clean out and can be connected. Marlboro Equities wants to rent the home immediately to out of state contractors and cannot afford to pay the entire connection fee. The Commissioners have agreed.
- Chairman Pernice asked for comment on the Change Order for the Grit building. This is just a formality whether a contract goes up or down. In this case the contract price has gone down.
- Chairman Pernice asked for comment on the approval for Pear Tree Plaza #469. Tim Gillen stated that this an extension of a sewer line across Route 33 to service existing facilities. The Authority has to take the line because the Department of Transportation (DOT) does not recognize anybody other than the Authority. This connects to the WAWA line and this line has been modified to provide this connection.
- Chairman Pernice asked for comment regarding approval for Camelot #525. Tim Gillen stated that the flow will go thru Greenwood Pump Station and then to Texas Road Pump Station. Greenwood Pump Station cannot currently support the additional flow. However, Greenwood Pump Station is one of the stations that will be rehabilitated through the NJEIT, therefore CME will be re-doing the design and Camelot will have to assume some of the cost sharing regarding the design. A developer's agreement will be in place for Camelot #525. CME Associates will assess the charges upon completion of the design. CME Associates have 3 stations that are going to be rehabilitated and will redesign the stations according to future potential flow considering that there are projects that are coming up. As per the engineers report a small kitchen will be built and currently no grease trap is required. Chairman Pernice requested that they install a grease trap right away to protect the Authority's lines.
- Chairman Pernice asked for comment on M&M at 483 Route 79, LLC #508. This is the CVS property. Chairman Pernice said that this line is privately owned and they will be putting in their own infrastructure and cannot tie in till the TWA's have been signed. This was confirmed by Keith Henderson of T&M Associates.
- Chairman Pernice asked for comment on Omni Environmental. Mrs. Leatherman stated that this a notification that they are being bought out by Kleinfelder Associates.

Chairman Pernice asked if there were any other questions and asked for a motion on Resolutions #12-118 thru 12-129. The vote was as follows:

- 12-118 Accepting Minutes of October 11<sup>th</sup>, 2012 and October 18<sup>th</sup>, 2012
- 12-119 Accepting Minutes of October 25<sup>th</sup>, 2012
- 12-120 Authorizing Pay to Play, Fair and Open Resolutions: Authority Professionals
- 12-121 Appointing Robert Smith, Robert Noel & 1 WMUA Commissioner as Representatives to the Township Offices of Emergency Management

- 12-122 Memorializing Equipment Loan to Manalapan Township for Hurricane Sandy
- 12-123 Granting Approval to Pear Tree Plaza #469
- 12-124 Granting Approval, Including Cost Sharing and Developers Agreement to Camelot #525
- 12-125 Granting Approval to M&M @ 483 Route 79, LLC #508
- 12-126 Introducing Authority Budget for Fiscal Year 2013-1014
- 12-127 Authorizing the Extension for the Removal of Interest through 11/16/2012
- 12-128 Granting Connection Fee Payment Plan to Marlboro Equities LLC #527
- 12-129 Granting Change Order #2 Grit Building Improvements C&T Associates

Commissioner Rosen moved 12-126 and 12-127, 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

Commissioner Musich moved 12-128, 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

Commissioner Rosen moved 12-129, 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

Commissioner Musich moved 12-122, 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

Commissioner Musich moved 12-123, 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

Commissioner Rosen moved 12-124, 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

Commissioner Rosen moved 12-125, 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 the consent Agenda; Resolutions 12-118 through 12-121, there were no comments. Commissioner McEnergy moved 12-118 through 12-121, 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

With all Discussion items being addressed, Chairman Pernice asked if there were any comments on the bill list. Chairman Pernice questioned the fuel bill. Rob Noel stated that we topped off all the fuel tanks to prepare for the storm. George Kasternakis stated that we filled up every piece of equipment before the storm including our 26 vehicles. Mr. Noel also informed the Commissioners that FEMA will be reimbursing for straight time during the storm surge. Chairman Pernice also requested that we contact cablevision to get reimbursement for the phone and internet outage during the storm. Chairman Pernice asked about the K.Hov settlement and the Archer and Greiner bill. Mrs. Leatherman stated that the settlement is done and they just didn't bill us right away. Chairman Pernice asked about the Pilot Electric bill charges. Rob Noel stated that the Daum Road Pump Station pump grinder came in. Commissioner McEnergy asked about the Wisniewski and Associates charges. Commissioner McEnergy asked about the WMUA versus Layne Christensen charges. This is still in litigation and

unfortunately has not been completed. Mrs. Leatherman stated this bill list encompasses 6 weeks of billing.

Chairman Pernice asked if there were any other comments on the bill list, there were none. Commissioner McEnery moved the bill list, seconded by Commissioner Musich. All present voted aye.

At 8:35 pm Chairman Pernice asked for a motion to close the meeting.

12-130 Authorizing the Commissioner to go into Closed Session for the purpose of Discussing Litigation and or Personnel and they will not return to public session. Commissioner McEnery moved, seconded by Commissioner Musich. All present voted aye. The meeting was adjourned.

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