

WESTERN MONMOUTH UTILITIES AUTHORITY

WORKSHOP MEETING

NOVEMBER 7TH, 2013

Chairman Pernice called the Western Monmouth Utilities Authority's Public meeting to order at 7:30 PM. 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 Star Ledger, 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 B. Nelson, Archer & Greiner T. Gillen, CME Associates K. Henderson, T&M, Engineer G. Stankiewicz, Auditor D. Martindell, Facilities Manager G. Kasternakis, Maintenance Supervisor J. Sawicki, Assistant Collections Superintendent G. White, Collections In-Charge 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 were none.

The Commissioners wanted to express their condolences to Robert Smith on the passing of his father. The Commissioners also wanted to congratulate MaryAnn Musich on being elected to the Manalapan Township Committee as well as our attorney, John Wisniewski on his election in his district.

Chairman Pernice proceeded with discussion.

- Chairman Pernice commented on the Authority Budget of 2014 – 2015. The budget will be introduced on November 21st, 2013. Chairman Pernice stated that based on our revenue it appears that there is a decrease however our operating costs have increased by about \$217,000.00. He feels that we should address the budget as a work in progress twice a year and not just address it every year. Ms. Leatherman stated that we have budgeted for the electric bill without any actual electric bills. The meter is broken and must

be replaced. Commissioner Rosen stated that the estimated bill may be inflated right now due to this problem. Commissioner McEnery stated that we should address this problem as soon as possible. George Kasternakis stated the electrical lines were just repaired last week which were damaged during Hurricane Sandy; this indicates they are still backed up from all the damage that occurred during the storm. Ms. Leatherman stated we have not been paying the bill because we have not been invoiced. Ms. Seidenberg stated that Coleen Weber has placed a call to Hudson Energy Services and they have generated a service ticket to investigate the problem. Ms. Leatherman stated we also took on four new pump stations which were budgeted for as well. Chairman Pernice requested that we pursue a new meter as soon as possible. Ms. Seidenberg read a response from JCP&L regarding the meter which stated; 'This is a courtesy follow up from last month, we are still missing the bill from your referenced account as we did not have the April 2013 charges from your third party energy supplier. We are again resending your supplier the meter data again so they can calculate the charges and inform us what they are so we can add them to your bill.' Commissioner Rosen suggested that our attorney follow up with a letter.

- Chairman Pernice asked for comment on the minutes of October 3rd, 2013 and October 24th, 2013. Commissioner McEnery will abstain from the minutes of October 3rd, 2013 because he did not attend the meeting.
- Chairman Pernice asked if there were any comments regarding the NJEIT financing. Mr. Stankiewicz stated the authority has to receive permission from the Local Finance Board. We are still waiting for Manalapan to approve the Resolution at their meeting which is scheduled for December 11th, 2013. Mr. Henderson stated that we need to file the application for the loan before January 1st, 2014.
- Chairman Pernice asked for comment regarding the Pay to Play Resolution. There was none.
- Chairman Pernice asked for comment on the groundwater investigation to the adjacent property from the Authority. John Wisniewski stated he will address this request and make sure the language is correct. Keith Henderson requested that a copy of the results be forwarded to his office.
- Chairman Pernice asked for comments regarding the release of escrow funds for Royal Pines #418, Triangle Valley #424 and Tennent Acres, projects #432 & 452. Tim Gillen stated that these are all Meiterman properties that are either abandoned or completed. Mr. Gillen stated only one project owes some professional fees. Chairman Pernice asked how many projects that are over 7 years old we are holding monies from. Ms. Leatherman stated that Ms. Seidenberg has a fairly good list of old developers that the Authority is trying to return money to. Chairman Pernice requested a report of all the developments over 7 years old that are inactive.

Chairman Pernice asked if there were any other questions and asked for a motion on Resolutions #13-142 thru 13-148.

- 13-142 Accepting Minutes of October 3rd, 2013
- 13-143 Accepting Minutes of October 24th, 2013
- 13-144 Authorizing Pay to Play, Fair and Open Resolutions: Authority Professionals
- 13-145 Authorizing the Release of Escrow Funds for Royal Pines at Marlboro (fka Marlboro Grande), #418
- 13-146 Authorizing the Release of Escrow Funds for Triangle Valley a/k/a Saratoga Estates, #424
- 13-147 Authorizing Release of Escrow Funds for Tennent Acres, LLC (fka Smith Properties), #432
- 13-148 Authorizing Release of Escrow Funds for Tennent Acres, LLC, #452

Chairman Pernice asked for any comment on Resolution 13-142, there were none. Commissioner Rosen moved, seconded by Commissioner Musich. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolutions 13-143, there were none. Commissioner Rosen moved, seconded by Chairman 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 13-144, there were none. Commissioner Musich moved, 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 13-145. The Resolution was amended adding that all Professional Fees must be addressed first prior to release of any funds. Commissioner Musich moved, 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 Resolutions 13-146 thru 13-148. The Resolutions were amended adding that all Professional Fees must be addressed first prior to release of any funds. Commissioner Rosen moved, 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 if there were any comments on the bill list. There were none. Commissioner McEnergy moved the bill list, seconded by Commissioner Rosen. All present voted aye.

Chairman Pernice asked for any comment regarding any other Authority Business.

Ms. Seidenberg stated that the Authority offers a flexible spending account for the employees. They have the option of deducting from their paychecks every week which is not subject to federal tax and can utilize this money to reimburse them for medical expenses that are not covered. New IRS regulations came out giving the employees the option of carrying over \$500.00 from one year to the next. Ms. Seidenberg would like to amend the current plan and add a Resolution to the next meeting allowing the employees to carry over this \$500.00 so they do not lose it. Mr. Stankiewicz stated that this should be done before December 31st, 2013.

Ms. Leatherman handed out the proposed meeting dates for next year for the Commissioners to look at.

At 7:59 p.m. Chairman Pernice asked for a motion to go into Closed Session. Resolution 13-141, Authorizing the Commissioners to go into Closed Session for the purpose of Discussing Personnel and potential litigation and they will not return to Public Session was moved by Commissioner McEnergy and seconded by Commissioner Musich. All present voted aye.

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