

WESTERN MONMOUTH UTILITIES AUTHORITY

PUBLIC MEETING

November 21st, 2013

Chairman Pernice called the Western Monmouth Utilities Authority's Public meeting to order at 7:34 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 I. Chou, 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, there were none.

Chairman Pernice proceeded with discussion.

- Chairman Pernice asked for comment on the Battleground Pump Station #2. Mr. Henderson stated that they requested a 90 day trial in June of 2013. They were asked to address some minor punch list items, before we wanted to begin the 90 day trial. The developer's attorney just sent the Authority another letter to request a 90 day trial. Chairman Pernice asked if they addressed the punch list items. Mr. Henderson stated that they have not addressed any requests. T&M Associates sent them a letter in 2010, 2011, 2012 and 2013. The most recent letter sent to the developer included all the letters previously sent to them. Ms. Leatherman stated that we have budgeted for all un-owned pump stations.
- Chairman Pernice asked for comment on the amendment to the Rules and Regulations. John Wisniewski stated the amendment needs to be addressed because of the issue with Shelly Rogers and the Costco connection. This amendment will be addressed to include the point of connection. Mr. Wisniewski told Mr. Rogers and Costco that we cannot be arbitrary between

the connections. The Rules and Regulations say we can extend to the adjoining property owner and it should be done in a way to make it easy for the next person to connect. The issue is the point of connection where the line is extended; it is not on a common property line. Chairman Pernice requested that Dane Martindell and John Sawicki examine the connection. Mr. Martindell stated he couldn't really ascertain the common point, like a manhole, John Sawicki stated that we can only allow one connection to a manhole. The second issue is about laterals and right of ways. Mr. Wisniewski stated that this was an attorneys attempt to deal with technical issues. Mr. Wisniewski stated we need more specificity in stating how we connect. Tim Gillen stated that a customer is supposed to extend a lateral to the property line. Mr. Wisniewski stated that he added language stating, the lateral should be extended to a common point or placed in a public right of way or be accessible by easement. T&M said that easement should be filed when the project is approved. Mr. Wisniewski said when T&M Associates or CME Associates examines a connection; the Rules and Regulations will support an easement agreement. Mr. Gillen stated we should remove the word common and state: "to a point accessible to the property owners." Mr. Gillen stated that some people only want to extend to a property line, but it should be extended across the entire property to make sure people can access the sewer. The change will be made to the language and a resolution will be added to the next meeting.

Chairman Pernice asked if there were and other questions and asked for a motion on Resolutions #13-149 thru 13-152.

- 13-149 Introducing Authority Budget for Fiscal Year 2014 -2015
- 13-150 Authorizing WMUA Application to the Local Finance Board
- 13-151 Authorizing Internal Revenue Code Section 125 Flexible Spending Account Plan
- 13-152 Authorizing Execution of Contract with Hudson Gain Corporation

Chairman Pernice asked for any comment on Resolution 13-149. Marilyn Seidenberg stated that T&M contacted her regarding the primary digester project which will not be completed until the next fiscal year which would make the Authority short for the next fiscal budget. It is not additional monies needed; it is just the time frame. Commissioner McEnery moved, seconded by Commissioner Musich. Upon roll call the vote was as follows:

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

Chairman Pernice asked for any comment on Resolutions 13-150. Mr. Stankiewicz stated that this has to do with the pump station repair project. The Authority will be appearing

before the Manalapan Township board on December 11th, 2013. 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 13-151. Ms. Seidenberg stated that this was reviewed at the last meeting. A new IRS regulation now allows a \$500 carry over so that monies are not lost. 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 if there were any comments on the bill list. Commissioner Rosen inquired about the radiator bill. Ms. Leatherman stated this was for the generator at the Daum Road Pump Station. Commissioner Rosen asked about the USA Blue Book bill. George Kasternakis stated that this is a state contract vendor that the Authority utilizes. Chairman Pernice asked about the \$15,000.000 invoice for Caruso's. Mr. Martindell stated this is our excavation contract. Chairman Pernice asked about the Marlboro township tax sale advertising fee. Ms. Seidenberg stated that this charge was for 2 years, they did not bill us for last year; however the customers were charged this fee. Commissioner McEnergy moved the bill list, seconded by Commissioner Musich. All present voted aye.

Chairman Pernice stated that we have to add a Resolution, 13-152, Authorizing Execution of a contract with Hudson Gain Corporation. This will be for an organizational Assessment. Chairman Pernice asked for any comment on Resolution 13-152, there was none. Commissioner Rosen 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 if there was other Authority business.

Chairman Pernice stated that the next meeting is December 5th, 2013. He would like to have the holiday party on that day. Ms. Leatherman stated we will change the time of the meeting to 11AM and have the party immediately following.

Dane Martindell stated that they met with T&M Associates regarding the FMB improvements so that they have a better idea of where the repairs are going.

Chairman Pernice asked about the Magnesium Hydroxide trial. Mr. Martindell stated that he has sent the data until October 2013. The DEP wants a report next month. Upon receipt of everything and when the report is put together, there will be a better idea of how the trial went. In December when the interim report is filed with DEP, the DEP will inform us as to whether or not we will continue with the trial.

Chairman Pernice stated we will change the time of the meeting on December 5th, 2013 and a notice will be filed in the paper.

George Kasternakis stated that they did the annual shutdown of the plant to check the ASCO testing regarding the switches in the plant. This is the first time did not utilize the Electrical Contract. Our plant staff was solely in charge of the shutdown.

At 8:05 p.m. Chairman Pernice asked for a motion to go into Closed Session. Resolution 13-153, Authorizing the Commissioners to go into Closed Session for the purpose of Discussing Personnel will not return to Public Session was moved by Commissioner Musich, and seconded by Commissioner McEney. All present voted aye.

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