

WESTERN MONMOUTH UTILITIES AUTHORITY

RE-ORGANIZATION MEETING

February 11th, 2014

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. Wisniewski, Attorney, Wisniewski & Associates I. Chou, Attorney, Wisniewski & Associates K. Henderson, T&M, Engineer T. Gillen, CME, Engineer G. Stankiewicz, Accountant J. Mainente, Hudson Gain Corp. M. Stevens, Hudson Gain Corp. D. Martindell, Facilities Manager R. Smith, Plant Superintendent G. Kasternakis Maintenance Supervisor J. Sawicki, Collections Superintendent G. White, Assistant Collections Superintendent K. Leatherman, General Manager M. Seidenberg, Director of Finance A. Finnerty, Authority Clerk

All present cited the Pledge of Allegiance.

Chairman Pernice opened the meeting. At 7:32pm, Chairman Pernice asked for a motion to go into closed session to discuss Contract Negotiations and Personnel.

14-36 Authorizing the Commissioners to go into Closed Session for the purpose of discussing Contract Negotiations and Personnel and they will return to Public Session was moved by Commissioner Rosen and seconded by Commissioner Musich. All voted aye.

The Commissioners returned to public Session at 8:21pm. Upon return to Public Session, Chairman Pernice proceeded to the Re-Organization Resolutions.

Chairman Pernice offered Resolution #14-01 Appointing Jeffrey Rosen as Chairman. Commissioner McEnery moved seconded by Chairman Pernice. All present voted as follows:

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

Chairman Rosen proceeded with the meeting. Chairman Rosen stated we will TABLE the following Resolutions;

- 14-03 Appointing Secretary
- 14-06 Appointing Assistant Treasurer
- 14-16 Appointing Attorney
- 14-23 Appointing Conflict Counsel
- 14-29 Accepting Revised Personnel Manual

Chairman Rosen asked for a motion for Resolutions 14-02 through 14-28 tabling the above Resolutions. Commissioner Musich moved, seconded by Commissioner Pernice, all present voted aye.

All present voted as follows:

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

- 14-02 Appointing Vice-Chairman, Joseph Pernice
- 14-03 Appointing Secretary, TABLED
- 14-04 Appointing Treasurer, Stephan McEnery
- 14-05 Appointing Assistant Secretary, Joseph Pernice
- 14-06 Appointing Assistant Treasurer, TABLED
- 14-07 Authorizing General Manager and/or Facilities Manager to Adopt Emergency Procedures
- 14-08 Naming Official Newspapers – The Asbury Park Press or The Star Ledger
- 14-09 Amending Cash Management Plan for the Year Ending January 31st, 2015 as prepared by the Director of Finance
- 14-10 Authorizing Purchases under the bid threshold
- 14-11 Authorizing the General Manager to Remove Interest on Customer Accounts
- 14-12 Appointing Signatories for Authority Bank Accounts
- 14-13 Establishing Tax Sale Threshold
- 14-14 Authorizing Non-Refundable Fee for the Purchase of Bid Specifications
- 14-15 Appointing Katherine Leatherman as Purchasing Agent
- 14-16 Appointing Attorney, TABLED
- 14-17 Appointing Auditor, Gerard Stankiewicz
- 14-18 Appointing Bond Counsel, Steve Rogut
- 14-19 Appointing Engineer, Keith Henderson of T&M Associates

- 14-20 Appointing Assistant Consulting Engineer, Tim Gillen of CME Associates
- 14-21 Appointing Financial Advisor, Gerard Stankiewicz
- 14-22 Appointing Labor and Regulatory Counsel, Brian Nelson of Archer & Greiner
- 14-23 Appointing Conflict Counsel, TABLED
- 14-24 Appointing Risk Management Consultant, Fairview Insurance Agency
- 14-25 Authorizing the Director of Finance and/or the General Manager to Grant Customer Payment Plans maximum 3 years/\$1000.00
- 14-26 Appointing the JIF Fund Commissioner
- 14-27 Authorizing Refunds of Customer Overpayments
- 14-28 Authorizing the General Manager to Sign TWA Applications
- 14-29 Accepting Revised Personnel Manual, TABLED

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

Chairman Rosen opened the Workshop Meeting.

Chairman Rosen asked if there was any public comment, there was none.

Chairman Rosen proceeded with discussion.

- o Chairman Rosen asked if there were any comments on the minutes of January 15th, 2014. There was none.
- o Chairman Rosen asked for any comment the Developers Agreement for FSP – Marlboro, LLC (Shelbourne Healthcare) #548. There was none.
- o Chairman Rosen asked for any comment regarding the Performance Bond Reduction for Chelsea Commons #404. Keith Henderson stated that there are some deficiencies but they are recommending reduction.
- o Chairman Rosen asked for any comment regarding the Friendship Circle Request. Mrs. Leatherman stated that she and John Sawicki met with the representatives of Friendship Circle. Land has been donated to this voluntary organization in Marlboro that spends time with special needs children. They want to tie in to the force main and Marlboro Township is helping them to attempt to amend the Wastewater Management Plan. They have met with the DEP already. They are surrounded by Township owned land on the left and a cemetery on the right. Friendship Circle called Jim Carr of T&M Associates and was requested to fill out an application and send in \$5,000.00 in escrow. Friendship Circle has requested that the Authority request that T&M Associates answer the request without paying an escrow fee. They will pay for the time that T&M puts in to the request but as a non-profit organization they cannot give and escrow amount of \$5,000.00. Tim Gillen stated that as per our Rules and Regulations, we cannot allow people to tie into a forcemain. John Sawicki stated they are still not sure if they can afford to proceed with the project. They want to see if it is possible at all to tie in to the Authority’s lines. T&M agreed to lower the

escrow amount to \$1,000.00. Keith Henderson stated that he needs to see the information from the DEP regarding the Wastewater Management Plan in order to proceed with the request. Tim Gillen stated that they are not in the service plan but they have a nominal amount of flow that will go into the forcemain. However it is not recommended to tie into the forcemain. The first step is for the township to rezone the property. T&M cannot process an amendment to the Wastewater Management Plan without Marlboro Township allowing a zone change. T&M stated that the land that was donated is swampland. If there check valve fails in their pump station, the Authority is responsible for the sewage that flows into the land. Tim Gillen stated that liability is the issue. Commissioner Pernice stated that we should put together a checklist and proceed from there. John Wisniewski stated that Friendship Circle should provide some type of financial guarantee in case of a sewage leak.

- Chairman Rosen asked for any comment regarding the Grande at Battleground Performance Bond Release. Keith Henderson confirmed the request. Also they are recommending the 90 day trial period of the Grande at Battleground Pump Station. John Sawicki stated that the pump station has new equipment and the Authority will check the pump station 3 to 4 times a week.
- Chairman Rosen asked for any comment regarding the release of the remaining escrow to LKLN LLC #419. Ms. Leatherman stated that this is a very old subdivision and it is just the remaining escrow being released.
- Chairman Rosen stated that he would like everybody to consider having one meeting per month. He requested Gerry Stankiewicz and Marilyn Seidenberg to see how we can pay the bills twice per month without additional meetings. Tim Gillen stated that several of CME's clients have switched their meetings to one day per month.

Chairman Rosen asked for any comment on Resolution 14-30 through 14-34, there were no comments. Chairman Rosen stated that he would like to table 14-33, Authorizing the purchase of the new management vehicle. Commissioner Musich moved, seconded by Commissioner Pernice, the vote was as follows:

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

- 14-30 Authorizing the General Manager to Prepare Plans and Specifications, Advertise and Receive Bids for the Purchase of a new Jet/Vacuum Truck
- 14-31 Authorizing the Use of State Contract #A85377 to Purchase Two (2) 2015 Ford F250 4WD Pick-Up Trucks, Flemington Ford (JS)
- 14-32 Authorizing the General Manager to Prepare Plans and Specifications, Advertise and Receive Bids for the Purchase of Two (2) New Grit Roll Offs
- 14-33 Authorizing the Use of State Contract #A85436 to Purchase 2014 Ford F150 4WD Pick-up Truck, Flemington Ford (DM) TABLED
- 14-34 Authorizing the General Manager to Prepare Plans and Specifications, Advertise and Receive Bids for the Purchase of New Forklift

14-35 Authorizing Developers Agreement for FSP – Marlboro, LLC (Shelbourne Healthcare) #548

Chairman Rosen asked if there were any questions on the bill list. There was none. Commissioner Musich moved the bill list, seconded by Commissioner McEnergy, all present voted aye.

Chairman Rosen asked if there was any other Authority Business. There were none.

At 8:49 pm Chairman Rosen asked for a motion to go into Closed Session. Resolution 14-37, Authorizing the Commissioner to go into Closed Session for the purpose of Discussing Litigation and they will not return to Public Session was moved by Commissioner McEnergy and seconded by Commissioner Pernice. All present voted aye.

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