

WESTERN MONMOUTH UTILITIES AUTHORITY

PUBLIC MEETING

March 13<sup>th</sup>, 2014

Chairman Rosen 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, Mendez, 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 R. Smith, Plant Superintendent K. Leatherman, General Manager L. Warshauer, Supervising Accountant A. Finnerty, Authority Clerk M. Musich, Manalapan Liaison

All present cited the Pledge of Allegiance.

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

Chairman Rosen proceeded with the meeting.

- Chairman Rosen asked for any comment regarding the Minutes of the Meetings for February 11<sup>th</sup>, 2014 and February 20<sup>th</sup>, 2014. Commissioner Mendez stated he will abstain from the minutes of February 11<sup>th</sup>, 2014. John Wisniewski wanted to confirm that the Resolutions regarding the minutes encompass the closed session minutes. Ms. Leatherman asked if we should revise the Minutes Resolutions. Chairman Rosen asked if the Closed Session Minutes are considered confidential. Mr. Wisniewski stated that they are available as per the Open Public Records Act, however if something discussed in Closed Session is "pending" then the minutes are closed and unavailable, until that item is resolved. The Commissioners confirmed that the Minutes Resolutions refer to all the minutes including the Closed Session minutes.

- Chairman Rosen asked for any comment regarding the Revised Personnel Manual. The Personnel manual has been reviewed by the Commissioners and will be approved.
- Chairman Rosen asked for any comment regarding the Reduction of the Performance Bond for the Grande at Battleground Pumping Station #2, (201PS2). Keith Henderson stated that we have begun the 90 day trial period and they are approved for the reduction.
- Chairman Rosen asked for any comment regarding the release of the Performance Bond Release for Pear Tree Plaza #469. Tim Gillen stated that the work is completed. Ms. Leatherman stated that they have a payment plan in place and would just like to move the balance towards the payment plan.
- Chairman Rosen asked for any comment regarding the OEM Designees. Chairman Rosen confirmed that Commissioner McEnergy has no objection to be the representative, which he did.
- Chairman Rosen asked for any comment regarding the request from Priority Search Services for a Connection Fee Payment Plan. Ms. Leatherman stated that a representative did a sewer search in our lobby and did not see an account. The home was then closed with the assumption that it was septic. Upon further investigation we discovered that this home was sewerred by the authority and was not disclosed at closing. The title company is now responsible for paying the connection fee and has requested a payment plan. Chairman Rosen stated that this is a fair payment plan and the Commissioners all agreed.
- Chairman Rosen asked for any comment regarding the Administration and FMB building Renovation's. Dane Martindell stated that our current HVAC contractor is going to assess the repairs needed. Chairman Rosen asked how soon we can move forward. Robert Smith stated that it will be less than two weeks for the assessment. Commissioner Pernice asked if we are going to replace the boilers. Keith Henderson stated that there are two issues regarding the FMB. The prices include improvements to the digester. Chairman Rosen asked if we can separate the projects. Mr. Henderson stated that the boiler project is on hold pending a decision on the HVAC. Commissioner Pernice asked if we will save money doing both projects together. Mr. Henderson stated we need to do the furnaces first. The Project will take about six months. Dane Martindell stated, historically the boilers were originally sized to heat the digester and heat all the buildings on site. This was cut off in the other buildings and they each received their own heating systems. The boilers load was made smaller. Mr. Henderson stated that we can be out to bid in sixty days just for the furnaces. Mr. Martindell stated that the piping is old and corroded. Mr. Henderson stated that his concern is doing things separately because of the HVAC. Mr. Martindell stated that the electric runs underground through a conduit and is in bad shape. The original estimate will be now reduced.
- Chairman Rosen asked for any comment regarding the Reed Beds. Dane Martindell stated that the reed beds are still frozen and we have to wait to take samples. Rosemary Fillimon has a laboratory lined up to do the analytical work.

Chairman Rosen asked if there were any other questions and asked for a motion on Resolutions #14-49, and 14-56 thru 14-61. The vote was as follows:

- 14-49            Accepting Revised Personnel Manual
- 14-56            Accepting Minutes of February 11<sup>th</sup>, 2014
- 14-57            Accepting Minutes of February 20<sup>th</sup>, 2014
- 14-58            Authorizing the Reduction of Performance Bond for Battleground Pumping Station #2, (201PS2)
- 14-59            Authorizing the Release of the Performance Bond for Pear Tree Plaza, #469
- 14-60            Appointing Designees as Representatives to the Offices of Emergency Management
- 14-61            Authorizing Connection Fee Payment Plan

Chairman Rosen asked for any comment on Resolution 14-49, there were no comments. Commissioner McEney moved, seconded by Commissioner Mendez. Upon roll call the vote was as follows:

- AYES:            Messrs.' McEney, Mendez, Pernice and Rosen
- NAYS:            None
- ABSENT:        None
- ABSTENTIONS: None

Chairman Rosen asked for any comment on Resolutions 14-56, there were no comments. Commissioner Pernice moved, seconded by Commissioner McEney. Upon roll call the vote was as follows:

- AYES:            Messrs.' McEney, Pernice and Rosen
- NAYS:            None
- ABSENT:        None
- ABSTENTIONS: Commissioner Mendez

Chairman Rosen asked for any comment Resolution 14-57, there were no comments. Commissioner Mendez moved, seconded by Chairman Pernice. Upon roll call the vote was as follows:

- AYES:            Messrs.' McEney, Mendez, Pernice and Rosen
- NAYS:            None
- ABSENT:        None
- ABSTENTIONS: None

Chairman Rosen asked for any comment on Resolution 14-58, there were no comments. Commissioner Mendez moved, seconded by Commissioner McEney. Upon roll call the vote was as follows:

- AYES:            Messrs.' McEney, Mendez, Pernice and Rosen
- NAYS:            None
- ABSENT:        None

ABSTENTIONS: None

Chairman Rosen asked for any comment on Resolution 14-59, there were no comments. Commissioner Pernice moved, seconded by Commissioner Mendez. Upon roll call the vote was as follows:

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

Chairman Rosen asked for any comment on Resolution 14-60, there were no comments. Commissioner Mendez moved, seconded by Commissioner McEnergy. Upon roll call the vote was as follows:

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

Chairman Rosen asked for any comment on Resolution 14-61, there were no comments. Commissioner Mendez moved, seconded by Commissioner Pernice. Upon roll call the vote was as follows:

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

Chairman Rosen asked if there were any comments on the bill list, there no comments. Commissioner Pernice moved the bill list, seconded by Commissioner Mendez. All present voted aye.

Chairman Rosen asked if there was other Authority business.

Tim Gillen stated that Marlboro Township passed a Resolution, changing the zone around the Harbor Road water treatment plant from a LC zone (Land Conservation) to a Municipal zone so that they may be incorporated into the Wastewater Management Plan for sanitary sewer service. Marlboro Township is requesting that the Authority consider adding that piece of property into the Wastewater Management plan so that can get sewer service for their plant expansion. Subsequently in a review of the documentation for the EIT loans, the DEP stated that the town had requested that all LC zones be excluded from the Wastewater Management Plans. They did not realize that the water treatment plant site was in an LC zone. Keith Henderson stated the process now that they need to speak to the county to place a minor amendment in place to property in the Wastewater Management Plan. The decision that the Authority has to make is just to prepare documents to submit to the

County and the State. The treatment plant would post an escrow and we would process the application.

Chairman Rosen requested that the overtime hours be assessed. Dane Martindell stated that the bad weather affects the overtime hours.

Ms. Leatherman stated that Frank Chilelli owner of La Cashina Restaurant which currently has seating for 100 requested that his EDCU's be reviewed and reduced. Keith Henderson stated that the project was assessed as per the Rules and Regulations of the Authority.

Commissioner McEnery asked when the next meeting will be held. He requested that we try to resolve the issue regarding two meetings a month and have the Authority meetings once a month. Chairman Rosen stated that we have reduced the amount of meetings. Mr. Stankiewicz stated that we can develop a procedure and come up with a plan to reduce meetings to once a month. Commissioner Pernice stated that we assessed certain months need to have two meetings a month. Commissioner McEnery stated that the work flow does not necessitate two meetings a month. Mr. Stankiewicz stated he will work with the management team to try and facilitate one meeting a month.

Tim Gillen stated that CME has secured the TWA permits for the pump stations. CME is contesting the wetland buffer with the DEP around one of the streams and anticipate resolving that in the next two weeks. Then they can advertise the five pump stations. Because of the wetland issue they will not be able to be to secure 2014 funding. They will be able to secure advance funding for 2015. Bond Council stated that the Authority is eligible for 2015.

At 8:16 pm Chairman Rosen asked for a motion to close the meeting.

14-62 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 Mendez moved, seconded by Commissioner McEnery. All present voted aye. The meeting was adjourned.

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