

WESTERN MONMOUTH UTILITIES AUTHORITY
103 PENSION ROAD
MANALAPAN, NEW JERSEY 07726
TUESDAY, FEBRUARY 23, 2021
Commencing 7:01 p.m.

RE: Public hearing on connection fee; Resolution
21-39, Authorizing the new connection fee for
fiscal year ending January 31, 2022; and
Resolutions 21-40 through 21-48

TRANSCRIPT OF PROCEEDINGS HELD VIA VIDEOCONFERENCE

B E F O R E:

GLEN MENDEZ, Chairman
JOSEPH PERNICE, Secretary
MARY ANN MUSICH, Treasurer
BRIAN J. VALENTINO, Executive Director and CEO
KATHY LEATHERMAN, Chief Administrative Officer
SCOTT DiBENEDETTO, Chief Financial Officer
JAMES CARR, Chief Operating Officer
STEPHEN BAGADINSKI, P.E., Engineering Director
GERARD STANKIEWICZ, CPA, Authority Auditor
FRANK J. BORIN, ESQ., Authority Counsel

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1 CHAIRMAN MENDEZ: I hereby announce that
2 pursuant to the Open Public Meeting Act and N.J.S.A.
3 10:4-6 et seq. that adequate notice of this meeting
4 has been sent to the Asbury Park Press and Clerks of
5 Manalapan and Marlboro Township and is posted in the
6 lobby of the Western Monmouth Utilities Authority.

7 Let us all rise for our pledge to the
8 flag.

9 (Whereupon the Pledge of Allegiance was
10 recited.)

11 CHAIRMAN MENDEZ: Okay. Kathy, would you
12 just go see if anybody wants to comment from the
13 public?

14 MS. LEATHERMAN: Let me check the parking
15 lot.

16 MR. VALENTINO: While Kathy is doing
17 that, I would ask everybody who doesn't need to talk,
18 please mute yourself until you need to talk. That
19 will help cut down on the background noise. I will
20 remember to do that too because there's a Boy Scout
21 meeting happening five feet away from me.

22 MS. LEATHERMAN: There are no cars in the
23 parking lot and no one near the lobby.

24 CHAIRMAN MENDEZ: Okay. Let's go into
25 then the public hearing for the connection fee. Who

1 wants to take this?

2 MR. BORIN: That would be me, Mr.
3 Chairman.

4 Okay, this is the February 23, 2021
5 connection fee public hearing for fiscal year ending
6 January 31, 2022. The public hearing scheduled for
7 tonight is required by the Municipal and County
8 Utilities Law, and more specifically, N.J.S.A.
9 40:14B-23 to establish a connection fee for the
10 Western Monmouth Utilities Authority for the fiscal
11 year ending January 31, 2022 or until otherwise
12 revised.

13 My name is Frank Borin. I am General
14 Counsel to the Authority and I will be presiding over
15 this hearing. At this time I would like to swear in
16 the witnesses that will be testifying tonight. They
17 are Scott DiBenedetto, Gerard Stankiewicz and James
18 Carr.

19 Mr. DiBenedetto, Mr. Stankiewicz and Mr.
20 Carr, can you each please raise your right hand and
21 repeat after me? Or answer the question, rather. Do
22 you swear to tell the whole truth so help you God?

23 MR. CARR: Yes.

24 J A M E S C A R R, sworn.

25 MR. STANKIEWICZ: Yes.

1 G E R A R D S T A N K I E W I C Z, C P A, sworn.

2 MR. DiBENEDETTO: Yes.

3 S C O T T D i B E N E D E T T O, sworn.

4 MR. BORIN: Thank you. I should point
5 out this hearing is being transcribed by a court
6 reporter. In order for her to do her job
7 effectively, it's important that we don't speak over
8 one another. She can only take one down person's
9 testimony at a time. Please let me finish each
10 question before answering, and I will let you finish
11 your answer before proceeding to the next question.
12 Also, all testimony given must be verbal in nature.
13 Our court reporter can't transcribe non-verbal
14 gestures or expressions.

15 With that, we will begin. I would like
16 to call Mr. Scott DiBenedetto.

17 MR. DiBENEDETTO: Yes.

18 S C O T T D i B E N E D E T T O, having been
19 previously sworn, testified under his oath
20 as follows:

21 DIRECT EXAMINATION BY MR. BORIN:

22 Q. Mr. DiBenedetto, can you please state
23 your full name and spell your last name for the
24 record?

25 A. Sure. It's Scott DiBenedetto. Last name is

1 spelled D-i-B-e-n-e-d-e-t-t-o.

2 Q. Can you please describe for us your
3 educational background and your professional
4 credentials?

5 A. Sure. I have my bachelor's degree in
6 accounting from NJCU. Before my current position I
7 had eight years of audit and accounting experience,
8 having worked primarily with governments, nonprofits
9 and school boards.

10 Q. Okay. And what's your position with the
11 WMUA?

12 A. Chief Financial Officer.

13 Q. And how long have you served in that
14 role?

15 A. I've been with the Authority for almost seven
16 months, since August 3, 2020.

17 Q. Okay. I'd like to show you a document
18 that I'm marking for Identification as Exhibit A,
19 which is entitled Western Monmouth Utilities
20 Authority Connection Fee Calculation Fiscal Year
21 Ended January 31, 2021.

22 Do you recognize this document and can you
23 please tell me what it is?

24 A. I do. It is a -- it's a calculation of the
25 Authority's connection fees for the fiscal year

1 ending 1/31/21 or until changed.

2 Q. And did you prepare that document?

3 A. Yes, I did.

4 Q. And are you familiar with the
5 calculations in that document?

6 A. Yes, I am.

7 Q. Can you please tell me rates that you
8 arrived at based on your calculations as set forth in
9 Exhibit A?

10 A. Yes. The basic connection fee applicable to
11 the Authority customers treated at the Authority's
12 Pine Brook Sewer Treatment facility came out to
13 \$4,361 per EDCU. The connection fee applicable to
14 the Authority customers treated at Bayshore Regional
15 Sewerage Authority came out to be \$2,115 per EDCU.

16 Q. And are there reduced connection fees for
17 affordable housing projects?

18 A. Yes. Affordable housing units are entitled to
19 a 50 percent reduction in the basic connection fee.

20 Q. And what are those reduced connection
21 fees?

22 A. Those connection fees are \$2,180.50 per EDCU
23 for Authority customers treated at the Authority's
24 Pine Brook Sewer Treatment facility and \$1,057.50
25 per EDCU for Authority customers treated at Bayshore

1 Regional Sewerage Authority.

2 Q. And how do the Authority's connection
3 fees for fiscal year ending January 31, 2021 compare
4 with the connection fees for the prior fiscal year?

5 A. The connection fees have gone up only very
6 slightly, less than one percent.

7 MR. BORIN: Okay. Thank you, Mr.
8 DiBenedetto. Nothing further at this time.

9 I would now like to call Mr. Gerard
10 Stankiewicz.

11 G E R A R D S T A N K I E W I C Z, C P A, having
12 been previously sworn, testified under his oath
13 as follows:

14 DIRECT EXAMINATION BY MR. BORIN:

15 Q. Mr. Stankiewicz, can you please state
16 your full name and spell your last name for the
17 record?

18 A. Okay. Gerard, last name Stankiewicz,
19 S-t-a-n-k-i-e-w-i-c-z.

20 Q. Mr. Stankiewicz, can you please describe
21 for us your educational background and your
22 professional credentials?

23 A. Yes. I have a bachelor's degree in accounting
24 from Monmouth at the time College, now University.
25 And I have I guess 41 years of public accounting

Direct - G. Stankiewicz, CPA - Borin

1 experience. I'm a Certified Public Accountant and a
2 Registered Municipal Accountant.

3 Q. And what is your position with the WMUA?

4 A. I am the independent auditor as well as
5 accounting advisor.

6 Q. And how long have you served in that
7 role?

8 A. Primarily since 2003.

9 Q. Okay. Mr. Stankiewicz, I'd like to refer
10 to your correspondence dated November 17, 2020
11 addressed to the Commissioners of the WMUA. Can you
12 please just tell me what that document is?

13 A. Essentially, it is a letter of verification
14 that I verified the calculations made by the Chief
15 Financial Officer.

16 Q. Okay. And who prepared the attachment
17 entitled Western Monmouth Utilities Authority
18 Connection Fee Calculation Fiscal Year Ending
19 1/31/21?

20 A. Scott DiBenedetto prepared that, the
21 Authority's CFO.

22 Q. Okay. And are you familiar with the
23 calculations contained in Mr. DiBenedetto's fee
24 calculation?

25 A. Yes, I am.

Direct - G. Stankiewicz, CPA - Borin

1 Q. Have you had an opportunity to review
2 those calculations?

3 A. Yes, I have.

4 Q. For what fiscal year ending was the
5 connection fee calculation prepared?

6 A. It was prepared for the year ended January 31,
7 2021 or until changed.

8 Q. Okay. Do you agree with the conclusions
9 that calculation produces?

10 A. Yes, I do.

11 Q. Mr. Stankiewicz, can you please explain
12 the WMUA's cumulative debt service as set forth in
13 Exhibit A?

14 A. Okay. Since the inception of the Authority, it
15 has issued debt, meaning bonds and/or loans. The
16 Authority's cumulative debt service is an
17 accumulation of all that debt service, which
18 includes principal and interest, that has been paid
19 by the Authority since the beginning of the
20 Authority's existence, and is one of the factors in
21 the calculation.

22 Q. And is that debt service related to the
23 capital costs of developing the system as of the end
24 of the immediately preceding fiscal year?

25 A. Yes, it is.

Direct - G. Stankiewicz, CPA - Borin

1 Q. Can you please explain the Authority's
2 cumulative capital expenditures not funded by bonds
3 as set forth in Exhibit A?

4 A. They are capital expenditures that were not
5 funded by bonds and/or loans but had been paid for
6 through the Authority's budgetary process on an
7 annual basis. In other words, the Authority pays
8 cash for capital assets that it could otherwise bond
9 or loan for.

10 Q. And are those capital expenditures
11 entirely related to the capital costs of developing
12 the system as of the end of the immediately preceding
13 fiscal year?

14 A. Yes, they are.

15 Q. Are there any gifts, contributions or
16 subsidies that the Authority received from any
17 federal, state, county, municipal or private entity
18 under a service agreement or a service contract that
19 were included in that calculation?

20 A. There are none.

21 MR. BORIN: Okay, thank you, Mr.
22 Stankiewicz. I have a couple of brief questions for
23 Mr. Carr and then I'll proceed with your testimony.

24 J A M E S C A R R, having been previously
25 sworn, testified under his oath as follows:

Direct - J. Carr - Borin

1 DIRECT EXAMINATION BY MR. BORIN:

2 Q. Mr. Carr, can you please state your full
3 name and spell your last name for the record?

4 A. Yes. James Carr, C-a-r-r.

5 Q. Can you please describe for us your
6 educational background and your professional
7 credentials?

8 A. Yeah. I have a Bachelor's of Science in
9 Industrial Engineering and approximately 17 years of
10 experience in the design, construction, operation
11 and maintenance of sanitary sewer facilities.

12 Q. And what is your position with the WMUA?

13 A. Chief Operating Officer.

14 Q. And how long have you served in that
15 role?

16 A. I've been Chief Operating Officer for about
17 three years, and an employee of the WMUA for about
18 six years.

19 Q. Can you please describe -- define -- can
20 you please define for us what an Equivalent Domestic
21 Consumer Unit, or EDCU, is?

22 A. Yes. An Equivalent Domestic Consumer Unit is
23 an estimated measure of the sewer usage for a
24 structure serviced by the Authority, with one EDCU
25 being the equivalent of 300 gallons per day.

Direct - J. Carr - Borin

1 Q. And one EDCU is essentially the
2 equivalent of a single-family dwelling, is that
3 correct?

4 A. Yes.

5 Q. And by comparison, a hospital or a car
6 wash would have a larger number of EDCUs. Is that
7 correct?

8 A. Yes.

9 Q. Does the Authority have an EDCU schedule
10 that lists the different categories of structures
11 along with the corresponding EDCU calculation?

12 A. Yes, it's in our Rules and Regulations.

13 Q. Mr. Carr, how many EDCUs does the
14 Authority currently serve?

15 A. 31,342 EDCUs.

16 MR. BORIN: Okay. Thank you, Mr. Carr.
17 I have nothing further at this time. At this time
18 I'd like to recall Mr. Stankiewicz.

19 G E R A R D S T A N K I E W I C Z, C P A, having
20 been previously sworn, is recalled and
21 testified under his oath as follows:

22 CONTINUED DIRECT EXAMINATION BY MR. BORIN:

23 Q. Mr. Stankiewicz, can you please explain
24 the purpose of a connection fee?

25 A. The purpose of a connection fee is to put new

Direct - G. Stankiewicz, CPA - Borin

1 customers on an equal basis with the existing
2 customers with respect to the capital investment in
3 the Authority's sewer system.

4 Q. And can you please explain how the
5 Authority's connection fee as set forth in Exhibit A
6 was arrived at?

7 A. The connection fee calculation is a simple
8 mathematical equation established by the MUA law at
9 N.J.S.A. 40:14B-22.

10 The numerator is comprised of the Authority's
11 total allowable expenditures, which includes all the
12 cumulative debt service from day one of the
13 Authority, added to all the capital outlays from day
14 one of the Authority. That number is
15 \$136,674,922.09.

16 The denominator is comprised of the total
17 number of service units served by the Authority at
18 the end of the immediately preceding fiscal year.
19 In other words, the total number of EDCUs that the
20 Authority bills which is supported and on record
21 with the Authority as of January 31, 2020. The
22 number, as Mr. Carr testified earlier, is 31,342.

23 When you divide the numerator,
24 \$136,674,922.09, by the denominator of 31,342, you
25 get the basic connection fee of \$4,361 per EDCU.

Direct - G. Stankiewicz, CPA - Borin

1 Q. So based on those calculations, the
2 connection fee necessary for the Authority pursuant
3 to N.J.S.A. 40:14B-22 is \$4,351 per EDCU, correct?

4 A. That should be \$4,361.

5 Q. Four thousand -- let's make that
6 connection. \$4,361 per EDCU. Is that correct?

7 A. Yes. That is correct, 4,361.

8 Q. Does that connection fee differ from the
9 prior year?

10 A. Yes, it does. The numbers differ because every
11 year the Authority's paying down more debt service,
12 is financing more projects via cash as opposed to
13 issuing debt, and every year new customers are added
14 to the EDCU count. The formula remains the same but
15 the numerator and the denominator change annually.

16 Q. Mr. Stankiewicz, can you please explain
17 why there's a different connection fee for customers
18 whose sewage is treated by the Authority at the Pine
19 Brook Sewage Treatment Plant and those customers
20 whose sewage is treated by the Bayshore Regional
21 Sewerage Authority?

22 A. The difference in fees was established by a
23 court-ordered settlement involving a developer whose
24 plan was to build the Morganville section -- was to
25 build in the Morganville section of Marlboro

Direct - G. Stankiewicz, CPA - Borin

1 Township, which is part of the WMUA service area,
2 but where the sewerage generated by the development
3 would be treated by the Bayshore Regional Sewerage
4 Authority as opposed to the Authority's Pine Brook
5 Sewerage Treatment Plant.

6 In other words, the Authority would be
7 conveying the sewerage but not treating it. The
8 judge ordered that only a percentage of the
9 Authority's basic connection fee should be paid by
10 those customers to the Authority.

11 Q. And what was the percentage breakdown
12 arrived at by that settlement?

13 A. Properties located in the Morganville section
14 of Marlboro Township who are within the Authority's
15 service area who have their sewerage treated at the
16 BRSA would pay the Authority connection -- the
17 Authority a connection fee which is 48-and-a-half
18 percent of the basic connection fee that is
19 applicable to the Authority's customers who have
20 their sewerage treated at the Authority's Pine Brook
21 Sewerage Treatment Plant.

22 Q. So what is the connection fee for those
23 customers that have their sewage treated at Bayshore
24 Regional?

25 A. 48-and-a-half percent of \$4,361, which is

Direct - G. Stankiewicz, CPA - Borin

1 \$2,115 per EDCU.

2 Q. Okay. And this reflects a required
3 adjustment to remove debt service and capital costs
4 for the Authority's Pine Brook Sewage Treatment
5 Plant, correct? I'm sorry, I didn't hear you.

6 A. That is correct. I'm sorry.

7 Q. Okay. Do the customers who have their
8 sewerage treated at the Bayshore Regional Sewerage
9 Authority pay a separate connection fee to BRSA?

10 A. Yes, they do.

11 Q. Mr. Stankiewicz, is there a different
12 connection fee applicable to affordable housing
13 projects?

14 A. Yes. The MUA law, N.J.S.A. 40:14B-22.3,
15 stipulates that the Authority charge 50 percent of
16 its basic connection fee for affordable housing
17 units. I should point out that the 50 percent
18 connection fee reduction for affordable housing
19 units applies whether the project is being developed
20 by a housing authority or a not-for-profit
21 organization or by a private developer as an
22 inclusionary project.

23 Q. And what is the connection fee applicable
24 to such affordable housing projects?

25 A. It is 50 percent of the Authority's basic

Direct - G. Stankiewicz, CPA - Borin

1 connection fee, which comes out to \$2,180.50 per
2 EDCU. For those projects treated by the BRSA, the
3 connection fee is 48-and-a-half percent of that
4 reduced fee, which comes out to \$1,057.50 per EDCU.

5 Q. And is there a different connection fee
6 applicable to a redevelopment project versus a new
7 development project?

8 A. There could be. Under the MUA law, certain
9 redevelopment projects are entitled to a full or
10 partial credit on their new connection fee based on
11 connection fees that were previously paid to the
12 Authority. In other words, the redevelopment
13 project will, at most, pay only the incremental
14 costs of a connection fee.

15 Credit eligibility and calculation of the
16 applicable connection fee are based on a number of
17 factors, including the length of time that the
18 redevelopment property was connected to the system,
19 whether it is still connected, connection fees and
20 service charges previously paid, and the existence
21 of new or increased service connections or demand.

22 Q. Okay. Mr. Stankiewicz, in your opinion,
23 are the connection fees being charged by the
24 Authority necessary and reasonable?

25 A. Yes, they are.

Direct - G. Stankiewicz, CPA - Borin

1 Q. Did you send your November 17, 2020
2 verification letter to all the Authority
3 Commissioners?

4 A. Yes, I did.

5 MR. BORIN: Okay, and I would, therefore,
6 now like to enter into the record as Exhibit B the
7 verification letter written by Mr. Stankiewicz to the
8 Authority Commissioners dated November 17, 2020,
9 along with the attachment entitled Western Monmouth
10 Utilities Authority Connection Fee Calculation Fiscal
11 Year Ended January 31, 2021.

12 Mr. Stankiewicz, thank you very much. I
13 have nothing further.

14 Are there any questions from the
15 Commissioners at this time?

16 If there are no questions from the
17 Commissioners, are there any members of the public
18 that have any questions regarding the connection fees
19 established through this hearing?

20 Hearing none, thank you. This concludes
21 the connection fee hearing required by N.J.S.A.
22 40:14B-23. A copy of the transcript of this hearing
23 will be available from the WMUA Clerk. We can now
24 take a vote to close this public hearing, Mr.
25 Chairman.

1 CHAIRMAN MENDEZ: Do I get a motion to
2 close the public hearing?

3 COMMISSIONER PERNICE: So moved.

4 CHAIRMAN MENDEZ: Do I get a second?

5 COMMISSIONER MUSICH: Second.

6 CHAIRMAN MENDEZ: Kathy, can we have a
7 roll call, please?

8 MS. LEATHERMAN: Sure. Ms. Musich?

9 COMMISSIONER MUSICH: Yes.

10 MS. LEATHERMAN: Mr. Pernice?

11 COMMISSIONER PERNICE: Yes.

12 MS. LEATHERMAN: Mr. Mendez?

13 CHAIRMAN MENDEZ: Yes.

14 MR. BORIN: That concludes the public
15 hearing. Thank you.

16 MS. LEATHERMAN: We have to vote on the
17 Resolution.

18 CHAIRMAN MENDEZ: Okay, there we go. Do
19 I get a motion on Resolution 21-39, Authorizing the
20 new connection fee for fiscal year ending January 31,
21 2022, unless otherwise changed during the course of
22 the year?

23 COMMISSIONER PERNICE: Yes, I make a
24 motion.

25 COMMISSIONER MUSICH: I'll second.

1 CHAIRMAN MENDEZ: Kathy, roll call?

2 MS. LEATHERMAN: Ms. Musich?

3 COMMISSIONER MUSICH: Yes.

4 MS. LEATHERMAN: Mr. Pernice?

5 COMMISSIONER PERNICE: Yes.

6 MS. LEATHERMAN: Mr. Mendez?

7 CHAIRMAN MENDEZ: Yes.

8 MR. BORIN: So, Betsy, Mr. Chairman, I'm
9 not sure we need to have the remainder of the meeting
10 transcribed. Brian, it's up to you I guess.

11 MR. VALENTINO: We get Betsy for the
12 whole time, and she's actually doing the minutes
13 tonight. So we're going to let her just keep --

14 MR. BORIN: Betsy, you're doing the
15 minutes tonight.

16 CHAIRMAN MENDEZ: Betsy, welcome to the
17 WMUA.

18 Okay, we're going to move on to the
19 Executive Director's report, so Mr. Chief Executive
20 Officer, Executive Director, the man with a thousand
21 titles, ladies and gentlemen, Mr. Brian Valentino.

22 MR. VALENTINO: Thank you, to the man who
23 is only known as the Chairman.

24 CHAIRMAN MENDEZ: Thank you.

25 MR. VALENTINO: Frank, do we want to

1 consider the public comment period as having been
2 satisfied or do we need to do that separate and
3 distinct? Because we didn't open and close that
4 before.

5 MR. BORIN: We should -- we didn't do
6 that before the public hearing. Yes.

7 MR. VALENTINO: All we did was
8 acknowledge that there wasn't anybody there.

9 MR. BORIN: Yeah, no, we should, you're
10 right. We should open and -- move to open and move
11 to close, you're correct.

12 CHAIRMAN MENDEZ: Okay. We can do that.
13 I'd like a motion to move into open session for the
14 public, for the public portion of the meeting. Do I
15 have a motion?

16 COMMISSIONER MUSICH: So moved.

17 CHAIRMAN MENDEZ: Second?

18 COMMISSIONER PERNICE: Second.

19 CHAIRMAN MENDEZ: I'd like to close the
20 public portion of the meeting. May I have a motion?

21 MR. BORIN: There are still no members of
22 the public, correct?

23 MS. LEATHERMAN: No.

24 CHAIRMAN MENDEZ: No one's here.

25 MR. BORIN: Okay.

1 CHAIRMAN MENDEZ: Do I have a motion on
2 that?

3 COMMISSIONER MUSICH: Yes.

4 COMMISSIONER PERNICE: So moved.

5 CHAIRMAN MENDEZ: Do I have a second?

6 COMMISSIONER PERNICE: I second.

7 CHAIRMAN MENDEZ: Roll call, Kathy,
8 please?

9 MS. LEATHERMAN: Ms. Musich?

10 COMMISSIONER MUSICH: Yes.

11 MS. LEATHERMAN: Mr. Pernice?

12 COMMISSIONER PERNICE: Yes.

13 MS. LEATHERMAN: Mr. Mendez?

14 CHAIRMAN MENDEZ: Yes.

15 MS. LEATHERMAN: Thank you.

16 MR. VALENTINO: Thank you, folks. I have
17 nine items for you tonight, most of which are short.
18 I just want to call to your attention to Resolution
19 21-41, which is amending the Budget Resolution. We
20 were notified by the state that while they received
21 our audit and it was complete on time, it was not
22 reviewed when you adopted the last Resolution so
23 they're making us readopt it as a formality. So
24 that's why you see that on your agenda.

25 CHAIRMAN MENDEZ: Okay.

1 MR. VALENTINO: Number two is you have a
2 Resolution 21-42, certifying that you've read the
3 audit report. I know you have because I've received
4 questions from I think almost all of you about it.

5 Mr. Stankiewicz, would you like to speak
6 on that for a moment?

7 MR. STANKIEWICZ: Sure. We are -- and
8 this is my third night in a row doing this. We are
9 hired by the Board of Commissioners to audit the
10 records of the Authority. The audit is for the
11 period ended January 31, 2020. Okay?

12 It expresses what is known as an
13 unmodified opinion, meaning the financial statements
14 as presented present fairly and accurately in accord
15 -- the financial position of the WMUA as of
16 January 31st of 2020. I should slow down, Betsy.

17 Our audit work was done between let's say
18 August and about the middle of December for various
19 reasons, primarily COVID, and we got good results
20 from our tests.

21 I think it's important to know that,
22 number one, for expenditures, all expenditures were
23 properly documented; all expenditures were properly
24 coded with respect to line items; they were properly
25 coded with respect to fiscal year; and we had no

1 violations of the Public Contracts Law.

2 With regards to the most important thing,
3 which is cash, the cash reconciliation is tied to the
4 general ledger on a monthly basis. Okay? We're very
5 comfortable with the data that was presented by Mr.
6 DiBenedetto. We performed our tests; we verified our
7 numbers; we did our inquiries.

8 And at the end of the day, we ended up
9 with an audit report that has an unmodified opinion
10 and no adverse comments that require the Board to
11 adopt a plan of action.

12 I do want to express thanks to all the
13 staff that helped us with this audit, to get through
14 it. I do want to point out that we just need to make
15 sure that we are properly staffed and that there be
16 cross-training and training to just ensure that we
17 keep the finances of the Authority moving.

18 They are in the right direction; they've
19 always been in the right direction. We just want to
20 make sure that there's adequate resources to make
21 sure we don't have a blip along the way.

22 So in the end, we have a real good report
23 and the records, again, were presented properly by
24 Mr. DiBenedetto.

25 Now, the audit report contains a lot of

1 information; about our debt, about how we operate,
2 about the required accounting procedures. There's
3 also information in here that is relative to PERS
4 obligations beyond when someone retires, as well as
5 health benefit obligations. The numbers are very
6 large. They are not immediate numbers, immediate
7 liabilities of the Authority. They are long range,
8 actuary determined calculations which are forced on
9 us to be done by the Governmental Accounting
10 Standards Board.

11 So they are designed to present the
12 Authority including all liabilities, including the
13 liabilities for people who are working here now who
14 will be collecting pensions over the next 30 years.
15 So that's incorporated in there. They are not
16 immediate liabilities. But, again, we have to play
17 by the accounting rules, actuarially determined -- we
18 have several different schedules in here that sort of
19 explain that.

20 We also, because of the capital projects
21 going on, we had to do what was called a single
22 audit, which really just requires us to do a lot more
23 work in the area of the expenditures, verifying that
24 the expenditures were properly documented and for the
25 most part that prevailing wage certifications were on

1 file.

2 So that was another aspect of the audit
3 that some years we have it, some years we don't. So
4 that was an additional report that's included in the
5 basic report of this statement here.

6 I want to -- I don't know how you
7 Commissioners have it, if you have it online or if
8 you have hard copies or not. We ended the year with
9 some fund balance. And that's on sheet 81. A lot of
10 it is spoken for pretty much.

11 We have \$4 million in a reserve for
12 capital improvements, which was for the recently
13 completed projects to make sure we had enough money.
14 We have 1,750,000 capital reserve, \$397,000 of a debt
15 service reserve, and the balance is around 23
16 million, of which amounts are being utilized in the
17 2020/'21 budget amounting to about \$3.1 million.

18 So although it says a higher number,
19 where we stand today, it's actually in theory a lower
20 number. So, it's a number. Our job is not to say
21 that the Authority is in great shape or poor shape.
22 Our job is really to verify the statement of
23 financial position of the Authority and that all the
24 records that are presented to us are accurate. And
25 we have that.

1 And we want to congratulate and thank the
2 staff for their help and cooperation under what was
3 pretty difficult circumstances based on the pandemic.

4 So in the end, unmodified, in the old
5 days known as a clean opinion, and we have no audit
6 recommendations.

7 So, any questions, I'm here. And
8 obviously any questions, you know where to find me,
9 or channel them through Brian or Scottie.

10 CHAIRMAN MENDEZ: Gerry, that was so
11 moving, you have us in stunned silence.

12 Joe, Commissioner Pernice, you are the
13 king of audits and the financial stuff. Do you have
14 any questions or comments for Mr. Stankiewicz?
15 You're on mute.

16 MR. STANKIEWICZ: Can't hear.

17 COMMISSIONER PERNICE: Sorry. Can you
18 hear me now?

19 CHAIRMAN MENDEZ: Now we can hear you.

20 COMMISSIONER PERNICE: I had some
21 questions earlier that I actually reached out to both
22 Scott and Gerry and they answered them. No, I think
23 considering, as Gerry mentioned, related to, you
24 know, the pandemic, you know, we did an exceptional
25 job; they did an exceptional job. And the audit

1 clearly identifies that.

2 I do -- did say, I mentioned to Brian and
3 also Gerry and Scott, that I know we did a conversion
4 of our system, right, our accounting system, and we
5 might have had some flaws, but just to -- flaws that
6 we picked up, just to ensure that we monitor that
7 going forward. That's all.

8 MR. STANKIEWICZ: We got it. Thank you.
9 Yeah, and that's normal in any conversion, especially
10 a long-time conversion. It's been a long-time system
11 in there to a new, more let's say canned type of
12 setup. So we have to make sure it converts smoothly.
13 It might take two years to, you know, get a good
14 handle. But so far it looks pretty good.

15 COMMISSIONER PERNICE: Thank you.

16 MR. VALENTINO: Anybody else? All right.
17 Thank you, Gerry.

18 CHAIRMAN MENDEZ: Mr. Valentino?

19 MR. VALENTINO: Number three on my list
20 is drawing your attention to Resolution 21-43,
21 approving the personnel manual. I said at the last
22 meeting this is usually done at the reorg meeting
23 every year. It's been two reorgs that we haven't had
24 it ready because that was done at the request of the
25 JIF, who put out a new boilerplate manual that we had

1 to incorporate and make sure it worked with the rest
2 of our manual.

3 So that's been done; it's been reviewed
4 by the attorneys at the JIF and by our labor counsel,
5 and that's ready for your adoption. We will move
6 swiftly to do the required training on that shortly
7 after your adoption.

8 Number four, as you know, we've had a
9 series of snowstorms this winter. They have proven
10 to be problematic for all of us, not the least of
11 which because of the pandemic that we're trying to
12 staff through. Through all of that, we continue to
13 provide an interlocal service agreement to Marlboro
14 Township as a part of their snow removal team. And
15 as of this past storm, we've billed them in excess of
16 \$55,000 for that service, which is about \$57,000 less
17 than it would cost them to put the same number of
18 people in the field using a private contractor.

19 So I always like to talk about this as
20 it's a win-win-win. You know, our staff gets paid
21 overtime that they normally wouldn't be getting; we
22 get some money for the coffers of the bill payers;
23 and Marlboro gets the cheapest snowplowing around.

24 Number five, also regarding Marlboro,
25 Resolution 21-45 is the service agreement between the

1 WMUA and Marlboro for their new water treatment
2 plant. So we're very happy to be moving that along
3 for them.

4 I will now go to Kathy. Is there
5 anything in the administration division you want to
6 talk about?

7 MS. LEATHERMAN: No. We had a tremendous
8 volume of phone calls because we sent out bills and
9 it's been a year.

10 MR. VALENTINO: Scott is going to talk
11 about that in a second.

12 MS. LEATHERMAN: Okay. So outside of
13 that, we're all good.

14 MR. VALENTINO: Thank you. Scott, you
15 want to start with the billing situation and then
16 cover anything else you might have?

17 MR. DiBENEDETTO: Yeah. So as Kathy
18 said, the first round of bills went out for February.
19 The second cycle will go out in March, and the third
20 in April.

21 What we've seen a lot along the way is a
22 large number of customers who've received this annual
23 bill last February and March and April did not really
24 know that it was an annual bill or kind of for
25 whatever reason didn't completely read the bill,

1 treated it as a quarterly bill, threw it away, and
2 then I guess, you know, it went to, you know, to the
3 back burner and then they, you know, didn't realize
4 that they had to make another payment.

5 So what we did, in order to get out ahead
6 of this well before any -- you know, anything would
7 become eligible for a tax sale or anything like that,
8 is we got together and we sent out delinquent notices
9 to any customers who have a \$250 balance or more left
10 over from 2020, and what that would represent is two
11 quarters of principal along with some interest.

12 So we're kind of, you know, giving a
13 heads-up to any of these customers that they may have
14 been falling behind and I think, you know, it will
15 definitely help us get out ahead of things for the
16 rest of the year.

17 And we've been dealing with these calls
18 on a case-by-case basis and, you know, if a customer
19 has a clean payment history, we've been able to work
20 out some things with them as necessary.

21 So I think the delinquent notices have
22 been a good touch and I think we'll probably do
23 something again like that in the not too distant
24 future in regards to delinquent notices.

25 MR. VALENTINO: We'll be doing delinquent

1 notices again before the tax sale, which is something
2 we have not done in the past. The towns have been
3 requesting it from us, and now that we have switched
4 and Scott's on board, we know we can and we know how
5 to do that.

6 About 10 percent of all our customers had
7 a balance of \$250 or more from last year. So it's a
8 pretty big, significant -- it's a pretty significant
9 number. So that's -- you know, as far as I could
10 tell, it's a learning curve. Many of these callers
11 -- customers are calling in saying that they never
12 got the bill. But, as Scott said, they paid one of
13 the quarters, so they clearly got the bill because
14 they paid one-fourth of it, but then didn't pay it
15 again.

16 Now, we did letters to all the ratepayers
17 separate from the bills to let them know this change
18 was coming. I get it; people don't read their mail.
19 I don't either. There was notices placed in with the
20 bills. We did social media blasts. We put it on our
21 website. So, you know, we did our due diligence in
22 trying to bring this to people's attention. But you
23 can't force people to do stuff that you're not there
24 for. So we're paying the price for that now.

25 But, as Scott said, this was already

1 getting results. We got a lot of phone calls in
2 today from people who are trying to make things
3 right, and we're waiving about \$20 in interest at the
4 most for anybody who calls in and requests it.

5 CHAIRMAN MENDEZ: Brian, let me also
6 commend you for putting out that video on the social
7 media platforms and on our website. I thought that
8 was just spectacularly well done. You spoke slowly;
9 you spoke clearly, and you really walked the public
10 through what they need to do. So thank you. I think
11 that was very well done.

12 MR. VALENTINO: You're welcome. Now, I
13 have to note Mr. Pernice just texted me, he just lost
14 his connection so we do not currently have a quorum.

15 CHAIRMAN MENDEZ: Could we have his face
16 any closer to the camera? Do you think that's
17 possible? Maybe he can get his nose right on there?

18 MR. VALENTINO: Frank, do you think we
19 should take a recess until we can get him back in?

20 CHAIRMAN MENDEZ: Brian, we don't need a
21 quorum until we have Resolutions, so why don't you
22 get through your points.

23 MR. VALENTINO: Frank, you were muted,
24 Frank.

25 MR. BORIN: Yeah, we should. We should

1 get him back on.

2 MR. VALENTINO: So I told him to reboot
3 and that we would wait for him to tell us when he's
4 up.

5 CHAIRMAN MENDEZ: And ask him to get
6 closer to the camera, too. Would you text that to
7 him? Give him the old thumbs up? Get it? Texting.

8 MS. LEATHERMAN: Maybe you should call
9 him.

10 COMMISSIONER PERNICE: I'm back.

11 MR. VALENTINO: There he is.

12 COMMISSIONER PERNICE: I'm sorry, I lost
13 connection. What did I miss?

14 CHAIRMAN MENDEZ: You missed us laughing
15 at you because your face is so damn close to the
16 camera. You could back up.

17 COMMISSIONER PERNICE: I did have one
18 comment, if I may, when you're talking about the
19 billing.

20 MR. VALENTINO: Yeah, go ahead.

21 COMMISSIONER PERNICE: I do know -- no,
22 because we did get some calls in Marlboro and one of
23 the things was, and I'm assuming it's the same thing
24 for Manalapan and Marlboro, is that yes, we've been
25 sending out obviously one-time coupon payments for

1 needing to pay one shot or quarterly and obviously
2 we're not mailing out our quarterly little cards
3 anymore.

4 What that creates is, and I spoke to
5 Brian last year about that and seeing potentially,
6 and Scott, looking at some type of alert message,
7 something that we can do to remind the residents that
8 a payment is up and coming, because obviously
9 everybody's used to receiving that once quarterly
10 card and paying it and now they don't see that
11 quarterly card and they see it being sent once a
12 year. And, you know, that's the problem we have.

13 So I know, Brian, we talked about it and,
14 Scott, how we can do something, some type of a learn
15 -- some type of, you know, website, whatever we can
16 do.

17 CHAIRMAN MENDEZ: Why don't we do this,
18 Joe. Why don't we just send out a postcard. Right
19 now it's a half year -- the half fiscal year period,
20 which I guess would be July, and remind everyone that
21 there's only one annual bill, and do that this year
22 and next year.

23 COMMISSIONER PERNICE: Yeah, the whole
24 thing behind the postcard, right, obviously
25 eliminated that, was to save money, right?

1 CHAIRMAN MENDEZ: Right.

2 COMMISSIONER PERNICE: Instead of sending
3 out a quarterly mailing, only do it once. So I think
4 it's, you know, later on when we have a strategic
5 meeting, something to think about, how could we do
6 this, how could we alert the ratepayers that, you
7 know, it's time for them to make a payment.

8 MR. VALENTINO: Joe, we do provide them
9 with the option of getting an e-mail when their bill
10 is due. And many of our customers do take advantage
11 of that. But that's the extent of it.

12 COMMISSIONER PERNICE: You know what,
13 maybe when we send that out we put -- and they send
14 it back to us, that coupon, maybe on the bottom we
15 ask them to put their e-mail address on it. Well,
16 some of them may not have e-mail, who knows. But
17 whatever we need to do. We just need to look at
18 that.

19 MR. VALENTINO: Yup. Will do.

20 COMMISSIONER MUSICH: I also think the
21 delinquent notices are important. They need to get
22 that, until they get used to, you know, having to pay
23 it quarterly.

24 MR. VALENTINO: Yeah. I agree. Scott,
25 do you have anything else under finance you want to

1 talk about?

2 MR. DiBENEDETTO: No. That's basically
3 it.

4 MR. VALENTINO: Okay. So next is Jim
5 Carr with the operating section of the report.

6 MR. CARR: I'll make the report fairly
7 quick, and if we have time I do have a presentation.
8 On the agenda, this is a pretty big milestone. This
9 is the -- we have a Resolution closing out the Route
10 79 pump station project.

11 So this is the last of the three big
12 projects we've been working on the past five years,
13 so this is good and we have a lot more on the burners
14 that we want to keep moving forward with.

15 So with that, Chairman Mendez, at the
16 last meeting you requested a little presentation at
17 each meeting with pictures and videos highlighting
18 either treatment plant or collection system. So
19 Steve and I put together the first presentation,
20 which we'd like to show you tonight if we have time.
21 It's a highlight of the Route 79 pump station
22 project.

23 CHAIRMAN MENDEZ: Jim, I think that would
24 be fantastic. It would probably only take a few
25 minutes. That will be fine.

1 MR. CARR: Yup. It's just over two
2 minutes, but it's pretty entertaining, I think. So
3 with that, I'm going to share.

4 CHAIRMAN MENDEZ: Betsy, "entertaining"
5 is a relative term, just so you know.

6 MR. CARR: If everybody would put
7 themselves on mute so that there's no echo. Steve,
8 I'm going to ask to take yourself off of mute. If
9 for some reason you can't see the video or you can't
10 hear it, let me know.

11 (Whereupon a video is played.)

12 MR. CARR: And that's all I have to
13 report.

14 CHAIRMAN MENDEZ: Very nice.

15 COMMISSIONER PERNICE: Very nice.

16 CHAIRMAN MENDEZ: Very well done, Jim.
17 Although the audio was a little spotty at times, but
18 just spectacular work, excellent work. Good job.

19 MR. VALENTINO: It sounds better in
20 person.

21 CHAIRMAN MENDEZ: Excellent job. Thank
22 you for that. That's exactly what I was referring
23 to. It helps us really grab the depth and scope.
24 And it's amazing because our customers, our
25 ratepayers will only see the little house and little

1 yellow -- the yellow crane and all that sort of
2 stuff, not knowing all the work that goes on
3 underground that we do. Excellent work. Excellent
4 work.

5 MR. CARR: Mr. Chairman, there was a lot
6 of effort that went into that many hours. With that,
7 I would like to request to do this presentation once
8 a month instead of at every meeting, if that's okay
9 with you.

10 CHAIRMAN MENDEZ: That's perfectly fine.

11 MR. CARR: Thank you.

12 CHAIRMAN MENDEZ: Thank you. No worries
13 there whatsoever. Just the fact that you got that
14 done was excellent, and once a month would be great.

15 MR. CARR: All right.

16 MR. VALENTINO: Our burgeoning TV studio
17 team learned very quickly how much effort it takes to
18 put together a short video.

19 CHAIRMAN MENDEZ: That was a great job.

20 COMMISSIONER PERNICE: Why don't we ask
21 Manalapan and Marlboro to put it on their cable.
22 That's a good idea.

23 CHAIRMAN MENDEZ: You know what, that's a
24 really good idea, Joe.

25 COMMISSIONER PERNICE: Yeah. We should

1 get some time, you know.

2 CHAIRMAN MENDEZ: We'll send Jimmy and
3 Stevie bag-o-donuts out to do autographs. It's going
4 to be a whole thing.

5 MR. VALENTINO: The thump you heard was
6 Steve Bagadinski passing out at home.

7 Thank you, Jim and Steve, for that
8 excellent presentation.

9 The last thing on my list today is just
10 to draw your attention to the final Resolution on
11 your sheet, which is the Executive Session
12 Resolution. Open Public Meetings Act is New Jersey
13 Statute Chapter 10, Section 4, sub 6. We are going
14 into executive for at least one purpose, is under the
15 exclusion protecting public security, and I want the
16 minutes to reflect that change, because normally we
17 say litigation and personnel because that's all we
18 normally deal with.

19 But in this case it's the public security
20 clause, and it is not related to the water quality or
21 anything involving the environment, but it's a -- it
22 relates to security issues that were raised as
23 questions at a previous meeting that we just want to
24 address to the Commissioners.

25 And unless there's any questions, that's

1 the balance of my report for this month.

2 CHAIRMAN MENDEZ: Thank you, Mr. Chief
3 Executive Officer. And let us now move through the
4 Resolution portion of the meeting.

5 So starting with Resolution 21-40, do I
6 have a motion on 21-40?

7 COMMISSIONER PERNICE: So moved.

8 CHAIRMAN MENDEZ: Second?

9 COMMISSIONER MUSICH: Second.

10 CHAIRMAN MENDEZ: Any discussion? Other
11 than just happiness that that pump station project is
12 finally over? So roll call, Kathy, please?

13 MS. LEATHERMAN: Ms. Musich?

14 COMMISSIONER MUSICH: Yes.

15 MS. LEATHERMAN: Mr. Pernice?

16 COMMISSIONER PERNICE: Yes.

17 MS. LEATHERMAN: Mr. Mendez?

18 CHAIRMAN MENDEZ: Yes, ma'am. All right,
19 Resolution 21-41 amending the adoption of the Budget
20 Resolution as we had discussed earlier. Do I have a
21 motion? Take your time.

22 COMMISSIONER PERNICE: So moved.

23 CHAIRMAN MENDEZ: There we go. Second?
24 Sorry. Okay, all right, everybody calm down. You're
25 killing me. Okay, roll call -- any discussion on

1 this?

2 COMMISSIONER PERNICE: Wait, I have a
3 question.

4 CHAIRMAN MENDEZ: Go ahead. Part of the
5 discussion.

6 COMMISSIONER PERNICE: Okay, this is an
7 amendment to a budget that we actually did on
8 January 26th. What's the change here? And, B, did
9 we -- what's the change? Is it a material change?

10 MR. STANKIEWICZ: No. No, it's really
11 not an amendment. What it is, you're readopting
12 this. You're memorializing action previously taken.

13 MS. LEATHERMAN: The change is the date
14 says February 23rd now instead of January.

15 COMMISSIONER MUSICH: May I ask a
16 question of Frank? Should I vote on this since I
17 wasn't on the original budget?

18 MR. BORIN: You can, Commissioner, that's
19 fine.

20 COMMISSIONER MUSICH: Okay. Just want to
21 be sure.

22 CHAIRMAN MENDEZ: Okay, roll call, Kathy,
23 then. That's it on the discussion?

24 MS. LEATHERMAN: Ms. Musich?

25 COMMISSIONER MUSICH: Yes.

1 MS. LEATHERMAN: Mr. Pernice?

2 COMMISSIONER PERNICE: Yes.

3 MS. LEATHERMAN: Mr. Mendez?

4 CHAIRMAN MENDEZ: Can I get back to you?

5 MS. LEATHERMAN: Sure.

6 CHAIRMAN MENDEZ: Yes, that would be
7 fine. Brian is just shaking his head.

8 MR. VALENTINO: Because I know the
9 question is why do the meetings take so long.

10 CHAIRMAN MENDEZ: Stop it. Okay, consent
11 agenda 21-42 through 21-47. Do I have a motion?

12 COMMISSIONER PERNICE: So moved.

13 CHAIRMAN MENDEZ: Do I have a second?

14 COMMISSIONER MUSICH: Second.

15 CHAIRMAN MENDEZ: Any comments or
16 discussion?

17 COMMISSIONER MUSICH: No.

18 CHAIRMAN MENDEZ: None? Roll call,
19 please?

20 MS. LEATHERMAN: Ms. Musich?

21 COMMISSIONER MUSICH: Yes.

22 MS. LEATHERMAN: Mr. Pernice?

23 COMMISSIONER PERNICE: Yes.

24 MS. LEATHERMAN: Mr. Mendez?

25 CHAIRMAN MENDEZ: Yes. And next we'd

1 like to move on to the bill list. Do we have any --
2 well, first a motion on the bill list?

3 COMMISSIONER PERNICE: I make a motion to
4 move the bill list.

5 CHAIRMAN MENDEZ: Second?

6 COMMISSIONER MUSICH: Second.

7 CHAIRMAN MENDEZ: Do we have any
8 questions or comments on the bill list, guys?

9 COMMISSIONER MUSICH: No.

10 CHAIRMAN MENDEZ: All right, roll call,
11 Kathy, please?

12 MS. LEATHERMAN: Ms. Musich?

13 COMMISSIONER MUSICH: Yes.

14 MS. LEATHERMAN: Mr. Pernice?

15 COMMISSIONER PERNICE: Yes.

16 MS. LEATHERMAN: Mr. Mendez?

17 CHAIRMAN MENDEZ: Yes, that would be --
18 that's just fine.

19 All right, any other Authority business?
20 Does anyone have anything to bring before the
21 Authority as we prepare to move into closed session?

22 COMMISSIONER MUSICH: No.

23 CHAIRMAN MENDEZ: Okay. So the
24 Commissioners are going to move into closed session,
25 so we're going to move on 21-48. Do I have a motion

1 on 21-48 to move into --

2 COMMISSIONER PERNICE: Are we coming back
3 into the public or no?

4 MR. VALENTINO: No. I don't need any
5 action. I don't know if Frank needs anything.
6 Frank?

7 MR. BORIN: No. No, I don't need any
8 action.

9 CHAIRMAN MENDEZ: Okay. We will not come
10 back.

11 MR. VALENTINO: So, Mr. Chairman, then,
12 if I may. Rather than us leaving the room then, why
13 don't we have everybody who doesn't need to be in
14 that leave. I'll be able to confirm whether we're
15 alone, and then we can just stay here for executive.

16 CHAIRMAN MENDEZ: That's fine. Let me
17 just do it the right way though. A motion to move
18 into Executive Session concerning security? Do I
19 have a motion?

20 COMMISSIONER MUSICH: So moved.

21 CHAIRMAN MENDEZ: Second? Joe?

22 COMMISSIONER PERNICE: Yes, second.

23 CHAIRMAN MENDEZ: Okay, and we will not
24 be returning to public. So thank you everyone that
25 was here and we are -- this concludes our meeting

1 with you guys for today.

2 (Whereupon the proceedings were concluded
at 8:01 p.m.)

CERTIFICATE OF OFFICER

I, BETSY CONDIOTTI, a Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that the foregoing is a true and correct transcript of the proceedings as taken stenographically by and before me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative, nor employee, nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative, nor employee of such attorney or counsel, and that I am not financially interested in the action.

BETSY CONDIOTTI, CCR
NJ CCR License No. XI01642

N O T E S

Dashed lines for note-taking.

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