WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

MINUTES May 21, 2014

Chairman Chamberlain called the regular meeting of the Warren County (Pequest River) Municipal Utilities Authority to order at 7:30 p.m. The meeting was held at the Authority's Administration building located at 199 Foul Rift Road, Belvidere, New Jersey.

Roll Call:

Chad Chamberlain, Chairman Morris Scott, Jr., Vice Chairman Laurel Napolitani, Secretary Robert Piazza, Treasurer Sidney Deutsch Donald Niece Everdina O'Connor Philip Rosenberg Drew Kiszonak Absent

Also, in attendance were:

Brian Tipton, Esq., Authority Legal Counsel; Stephen Donati, P.E., Authority Engineer; Billy J. Wauhop, Authority Consultant; and Patricia Kaspereen, Administrative Assistant.

Chairman Chamberlain led everyone in the Pledge of Allegiance and then read the Introductory Statement.

MINUTES

Mr. Scott moved and Ms. O'Connor seconded to approve the minutes of the April 16, 2014 regular meeting, as presented. The motion passed. Roll call was as follows:

Mr. Deutsch	Yes	Mr. Piazza	Yes
Mr. Kiszonak	Absent	Mr. Rosenberg	Yes
Ms. Napolitani	Abstain	Mr. Scott	Yes
Mr. Niece	Yes	Chairman Chamberlain	Yes
Ms. O'Connor	Yes		

PRESENTATION

Mr. Rosenberg, Chairman of the Insurance Committee, contacted Sharon Cooper, from Public Entity Advocates (PEA). Ms. Cooper distributed handouts that highlighted the company's risk

management services, and gave a brief overview of how and why the company was formed. PEA specializes in public entities and related organizations. They are a local company and their primary focus is Warren and Hunterdon counties. She believes these factors translate to a better level of customer service. The company is not "married" to any insurance company or JIF. PEA is very knowledgeable in JIFs and promotes them, but can also provide coverage through the commercial market. Ms. Cooper explained the company's Minimum Service Standard, which is in addition to other requested services. PEA, as risk management consultant, would perform a complete coverage and cost analysis.

Chairman Chamberlain thanked Ms. Cooper, who in turn thanked the Board and left the meeting.

CORRESPONDENCE

Ms. Napolitani recapped the correspondence listed below, most of which pertain to the upgrade.

- 1. A letter dated March 15, 2014, from Mackevich, Burke & Stanicki to the Authority requesting records.
- 2. A Notice dated April 17, 2014, from NACM to the Authority requesting bond information regarding Tomar Construction Services for Contract #12-01: Oxford WWTF Upgrade.
- 3. A letter dated April 21, 2014, from Mr. Mikulka, C.P.M., Senior Project Manager, to Ms. Martin, NJDEP, Municipal Finance & Construction Element enclosing Payment Requisition Package #I-3 for the Oxford WWTF Upgrade.
- 4. A letter dated April 23, 2014, from Ms. Lyons, Director, Office of Equal Opportunity & Public Contract Assistance, NJDEP, to Mr. Donati, P.E., CP Engineers, LLC, approving Tomar Construction Services SED Utilization Plan for Contract #12-01: Oxford WWTP Upgrade.
- 5. A letter dated April 25, 2014, from Mr. Wauhop, Authority Consultant, to Ms. DeMont, Municipal Clerk, Town of Belvidere, regarding their offer to sell the Authority their van.
- 6. A letter dated April 25, 2014, from Ms. Kaspereen, Administrative Assistant, to Ms. Price, Affirmative Action Specialist, Office of Equal Opportunity & Public Contract Assistance, NJDEP, enclosing reports in relation to Tomar Construction Services SED Utilization Plan for Contract #12-01: Oxford WWTP Upgrade.
- 7. A letter dated May 1, 2014, from Ms. Kaspereen to the State of New Jersey, Department of Community Affairs, Division of Local Government Services, enclosing the FY2013 Summary of Audit & Publication and the FY2013 Audit Affidavit & Resolution.
- 8. Local Finance Notice 2014-7, dated May 2, 2014 providing filing information for 2014 Financial Disclosure Statements.

- 9. A letter dated May 5, 2014, from Mr. Chebra, P.E., Assistant Director, Municipal Finance & Construction Element, Division of Water Quality, NJDEP, to Mr. Wasser granting approval for Payment Requisition No. I-3 for the Oxford WWTF Upgrade.
- 10. A letter dated May 5, 2014, from Mr. Zimmer, Executive Director, NJEIT, to TD Wealth Management regarding the loan disbursement for Payment Requisition No. I-3.
- 11. A letter dated May 5, 2014, from Mr. Wauhop to Mr. Hulit, QC Laboratories requesting credit for half the fine issued by the NJDEP.
- 12. A Funds Transfer Notice dated May 6, 2014 from Valley National Bank to the Authority regarding Requisition No. I-3.
- 13. A letter dated May 7, 2014, from Mr. Donati, P.E., V.P., CPE to Mr. Wauhop, Authority Consultant enclosing a copy of Progress Payment Application No. 4 submitted by Tomar Construction Services for Contract No. 12-01: Oxford WWTF Upgrade.
- 14. A letter dated May 9, 2014, from Mr. Marvin, Warren County Administrator, to Ms. Kaspereen enclosing Financial Disclosure Statement instructions for distribution to the commissioners. (Ms. Kaspereen followed through on this directive.)

CFO'S REPORT

Mr. Houck was away at a conference. His monthly financial report, as well as other financial information was included in the agenda packets.

GENERAL COUNSEL'S REPORT

Mr. Tipton stated he had one item he would like to discuss in Executive Session regarding a contractual matter.

He informed the Board that the position of Risk Management Consultant was considered a Professional Service, and could be hired using RFPs or the Non-Fair and Open process.

Regarding correspondence #1, Mr. Tipton and Ms. Kaspereen dealt with matter and they have heard nothing further.

ENGINEER'S REPORT

Oxford WWTP Upgrade: Construction is proceeding. Mr. Wauhop displayed pictures of the construction thus far. Payment Request #4, from Tomar Construction, was included in the Bills List. Mr. Donati's approval for payment was based on actual progress to be paid. The numbers are valid and have been reviewed, he said. He explained this in more detail.

The SED Plan mentioned in correspondence is a requirement of the Trust Fund.

Mr. Donati said the big issue was the schedule. He and Mr. Wauhop were very worried about the lack of progress at the site. Mr. Donati sent a letter to that affect to Tomar, who disagreed with that analysis. Mr. Donati displayed a chart that plots where the contractor should be and where he is currently. In the beginning, they were not far off their schedule, but by May things changed and not for the better. Mr. Donati will give Tomar a copy of this chart. Every two weeks there are meetings with the contractor, where they are reminded of the Final Completion Date and the consequences should they not meet that date. There was further discussion regarding this issue.

Last Wednesday, Mr. Wauhop offered to shut down one-half of the Oxford plant, in order to give Tomar the opportunity to do the work they need to do in the existing anoxic zones now. As a reminder, Mr. Donati will follow up with this offer in a letter.

Mr. Tipton recommended reserving discussion of legal options to executive session.

Upgrade Financing: The final loan closing was today. Everything went fine.

Axford Avenue Pump Station: A progress meeting was held with the contractor, everything was smooth so far. They have a bypass plan set up. This project entails mostly equipment, so the contractor inquired about the possibility of payment for materials stored. A decision did not have to be made that evening. This may become a non-issue.

AUTHORITY CONSULTANT

Mr. Wauhop distributed his report prior to the meeting.

Belvidere STP: All the process pumps were greased and work was performed on both FSTs. The oil in the trash pump was changed and fluid levels were checked in all the generators.

Oxford STP: The cement risers at Warren Haven #1 and #2 pump stations were coated. All metal surfaces at the pumps stations were painted. Work was performed on the Ford pickup.

General Business: At the Belvidere plant, there were two plant tours on May 6. One was by a class given by Bruce Barbour, County Agricultural Agent, and the second was a local Brownie Troop. Ms. Napolitani joined the tour with the Brownies.

QC Labs has given us a \$500.00 credit. In addition, they sent Mr. Wauhop a list of the permit limits that they think we have on both plants. Within the next couple of days, Mr. Wauhop will confirm that these lists are correct, so, that in the future, QC can email permit exceedance alerts to Mr. Wauhop and Ms. Kaspereen. QC also sent us labels for our bottles in order to prevent future mix-ups.

Mr. Wauhop will be meeting with Nature's Choice tomorrow morning.

Regarding sludge thickening, last Friday a great deal of time was spent in the vault looking at

where the piping comes up from the FSTs toward the storage tank. Our staff is evaluating our opportunities to renovate the two (2) existing FSTs for additional sludge thickening. This process would reduce our future costs for sludge hauling.

The Authority received an award from the JIF for going 11 years Lost Time – Accident Free.

Mr. Wauhop requested permission to hire Andrew Palmer as a summer helper, at \$13.50 per hour for a 40-hour week.

Mr. Scott moved and Ms. Napolitani seconded to hire Andrew Palmer as a summer help at \$13.50 per hour. The motion carried. Roll call was as follows:

Mr. Deutsch	Yes	Mr. Piazza	Yes
Mr. Kiszonak	Absent	Mr. Rosenberg	Yes
Ms. Napolitani	Yes	Mr. Scott	Yes
Mr. Niece	No	Chairman Chamberlain	Yes
Ms. O'Connor	Yes		

FINANCE (TREASURER)

After reviewing the financial reports, Mr. Piazza announced that we are on schedule for this time of year.

Mr. Piazza moved to table action on the bills until after discussing a contractual matter in executive session. Mr. Scott seconded. All in favor, motion carried.

UNFINISHED BUSINESS

At Mr. Rosenberg's request, SASCO insurance contacted Ms. Kaspereen for insurance information.

Chairman Chamberlain said the decision to advertise is up to the Insurance Committee. He also instructed the committee to make sure any potential risk manager has been approved by the JIF. Mr. Rosenberg will make sure of this before anyone is recommended to the Board.

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public present.

EXECUTIVE SESSION

At approximately 8:45 p.m., Mr. Piazza moved to adopt Resolution #14-24 to enter into executive session to discuss a contractual matter. Mr. Scott seconded. All in favor, motion carried.

At approximated 9:05 p.m., Mr. Scott moved and Mr. Rosenberg seconded to return to open session. All in favor, motion carried.

BILLS

Mr. Piazza moved that Resolution #14-25 (Certificate No. 334: \$70,227.38) be approved to pay all bills from the Operating Fund. Ms. O'Connor seconded. The motion passed unanimously on a roll call vote.

Mr. Piazza moved to pay all bills from the Capital Improvements Fund, with the exception of Tomar Construction Services. Mr. Niece seconded. The motion did not pass. Roll call was as follows:

Mr. Deutsch	No	Mr. Piazza	Yes
Mr. Kiszonak	Absent	Mr. Rosenberg	No
Ms. Napolitani	No	Mr. Scott	No
Mr. Niece	Yes	Chairman Chamberlain	No
Ms. O'Connor	No		

Mr. Scott moved that Resolution #14-26 (Certificate No. 342: \$206,558.02) be approved to pay all the bills from the Capital Improvements Fund. Ms. Napolitani seconded. The motion passed. Roll call was as follows:

Mr. Deutsch	Yes	Mr. Piazza	No
Mr. Kiszonak	Absent	Mr. Rosenberg	Yes
Ms. Napolitani	Yes	Mr. Scott	Yes
Mr. Niece	No	Chairman Chamberlain	Yes
Ms. O'Connor	Yes		

Ms. Napolitani will not be attending next month's regular meeting; she will be attending a graduation.

As there was no more business to come before the Authority, Ms. O'Connor moved and Mr. Scott seconded that the meeting be adjourned. All in favor, motion carried. The meeting was adjourned at 9:09 p.m.

Patricia Kaspereen Administrative Assistant

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Warren County (Pequest River) Municipal Utilities Authority of the Township of White, County of Warren and State of New Jersey, as follows:

- 1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
- 2. The General nature of the subject matter to be discussed is as follows:

Contractual

3. It is anticipated at this time that the above subject matter will be made public when appropriate.

4. This Resolution shall take effect immediately.

WARREN ¢OUNTY (PEQUEST RIVER) MUNICIPAL UMILITIES AUTHORITY

Chad Chamberlain, Chairperson

Laurel Napolitarii.

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DATED: May 21, 2014

RESOLUTION RE:

EXPENDITURES FROM THE OPERATING FUND DURING THE MONTH OF MAY 2014.

I HEREBY CERTIFY, that the bills listed on the attached Resolution of May 21,

2014, regarding payment of bills from the Operating Fund were for the operating expenses and

were in accordance with the Authority's 2014 budget.

Chad Chamberlain, Chairman

ane Laurel Napolitani, Se

Certificate No. OF 334

Dated: May 21, 2014

Moved by: <u>Mr. Piazza</u>

Seconded by: <u>Ms. 0'Connor</u>

Yes <u>8</u>

No 0_____

Abstain 0

Absent 1

APPROVAL OF BILLS TO BE PAID FROM THE OPERATING FUND

Meeting: May 21, 2014

BE IT RESOLVED, that the following bills are approved by the Authority for payment

from the Operating Fund in accordance with the Authority's Bond Resolution:

Vendor Invoices:

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Date:

Check # 16118-16130

4/25-5/7/14\$18,063.31Due 5/21/1452,164.07Total\$70,227.38

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PENTAMATION DATE: 04/25/2014 TIME: 11:45:01

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RESOLUTION RE:

EXPENDITURES FROM THE CAPITAL IMPROVEMENTS FUND FOR THE MONTH OF MAY 2014.

I HEREBY CERTIFY that the bills listed for CAPITAL IMPROVEMENTS are in

accordance with the Authority's May budget.

Chad Chamberlain, Chairman

solitarie Laurel Napolitani, Secr

Certificate No. CI 342

Dated: May 21, 2014

Moved by: <u>Mr. Scott</u>

Seconded by: <u>Ms. Napolitani</u>

Yes <u>6</u>

No <u>2</u>

Abstain 0_

Absent 1

CAPITAL IMPROVEMENT BILLS LIST May 21, 2014

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1.	Certified Testing Laboratories, Inc. Concrete Testing Oxford WWTP Upgrade		\$1,502.00
2.	CP Engineers, LLC Period: April 2014 Engineering Services Axford Avenue Pump Station Rehab		\$2,396.00
3.	CP Engineers, LLC Period: April 2014 Engineering Services Construction Services Oxford WWTP Upgrade		\$48,551.82
4.	Florio Perrucci Steinhardt & Fader Period: April 2014 Legal Services Oxford WWTP Upgrade		3,629.20
5.	Tomar Construction Services, Inc. Payment No. 4 Contract No. 12-01 Oxford WWTP Upgrade		<u>150,479.00</u>
		Total	\$206,558.02