WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

MINUTES September 16, 2015

Sidney Deutsch

Absent

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 Drew Kiszonak **Donald Niece** Everdina O'Connor Philip Rosenberg

Also, in attendance were:

Brian Tipton, Esq., Authority Legal Counsel; Daniel Olshefski, Authority Chief Financial Officer; 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. Niece moved and Ms. O'Connor seconded to approve the minutes of the August 26, 2015 regular meeting, as presented. The motion passed. Roll call was as follows:

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

Ms. O'Connor Yes

Mr. Piazza moved and Ms. Napolitani seconded to approve the minutes of the August 26, 2015 executive session, as presented. The motion passed. Roll call was as follows:

WCMUA minutes 1 September 16, 2015

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

Ms. O'Connor Yes

CORRESPONDENCE

Ms. Napolitani recapped the correspondence listed below:

- 1. A letter dated August 10, 2015, from Mr. Iannitelli, Principal Engineering Aide, Office of the County Engineer, County of Warren, to Mr. Goffredo, President, Nu Cor Management, Inc., about a highway access and construction permit for the Trinacria (LaTorre Plaza) project.
- 2. A letter dated August 31, 2015, from Mr. Tipton, Esq., Florio Perrucci Steinhardt & Fader, to Ms. Thomas, President, Tomar Construction Services regarding payment #19.
- 3. A letter dated August 31, 2015, from Mr. Paull, Chief, Northern Bureau of Water Compliance & Enforcement, NJDEP to Chairman Chamberlain regarding the Administrative Consent Order (ACO) and Stipulated Penalty Liability for the Oxford Area WWTF.
- 4. A letter dated September 1, 2015, from Mr. Chebra, Assistant Director, Municipal Finance & Construction Element, Division of Water Quality, NJDEP, to Mr. Wasser, Licensed Operator, notifying him that payment request #15 (WCMUA's #16) has been recommended for approval.
- 5. A letter dated September 4, 2015, from Mr. Donati, P.E., VP, CP Engineers to Mr. Goffredo, President, Nu Cor Management, Inc., submitting the connection fee calculation for the LaTorre Plaza project.
- 6. A letter dated September 8, 2015, from Ms. Potter, Environmental Specialist 4, NJDEP to Laboratory Managers regarding the use of sufficiently sensitive test methods.
- 7. A letter dated September 8, 2015, from Mr. Paull, Chief, Northern Bureau of Water Compliance & Enforcement, NJDEP to Mr. Wauhop, Authority Consultant regarding a Make-up Sampling for the Belvidere Area WWTF.
- 8. A letter dated September 9, 2015, from Mr. Donati, P.E., V.P., CPE, to Mr. Wauhop, Authority Consultant enclosing a copy of Progress Payment Application No. 20, submitted by Tomar Construction Services for Contract No. 12-01: Oxford WWTF Upgrade.

WCMUA minutes 2 September 16, 2015

9. A letter dated September 10, 2015, from Mr. Goffredo, President, Nu Cor Management, Inc., to Mr. Donati in response to correspondence #5.

PUBLIC COMMENT

Chairman Chamberlain noted there was a guest present who wished to address the Board, if there were no objections. Hearing none, he introduced John Goffredo, from Nu Cor Management, who was present to discuss the connection fee calculation for the LaTorre Plaza currently under construction on Route 519 in White Township. Mr. Goffredo, who is the construction manager for the plaza, was present on behalf of the owner, to ask the Board to consider a reduction in the connection fee as calculated by Mr. Donati in his letter dated September 4, 2015.

Mr. Goffredo explained how he came up with his calculation of 3.5 EDUs versus Mr. Donati's calculation of 12.5 EDUs. Mr. Donati explained how these differences were derived. Per the Authority's Service Rules, DEP criteria are used to project flows. However, DEP flows are over projected (about twice as much as true flow) because they are design-based numbers and are not an indication of true flow; whereas, most of Nu Cor's calculations are based on existing flow from existing commercial establishments.

In answer to last month's question regarding change in use and connection fees, Mr. Tipton stated the Authority has a provision in its Service Rules to increase a connection fee based on a change in use. He also read aloud the statute concerning connection fees in general. He said the EDU analysis process is up to the Authority as long as it is fair to all users. Mr. Tipton stated that other than just relying on the code there are other ways to come up with a consistent system with an educated analysis. The EDU assigned per use is something the Authority has the power to change.

There was ongoing discussion about establishing a realistic EDU formula that the Authority can apply to all applicants. Several options were discussed. One suggestion was to take the classical calculation, multiply it by a certain percentage, and make that the actual flow number. Various percentages between 40% - 50% were discussed.

Mr. Scott moved and Ms. Napolitani seconded to use 50% of the State's recommended numbers. The motion passed, roll call as follows:

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

Mr. Goffredo thanked the Board for its time and left the meeting.

WCMUA minutes 3 September 16, 2015

EXECUTIVE SESSION

At approximately 8:05 p.m., Mr. Scott moved and Ms. O'Connor seconded to adopt Resolution #15-43, to enter into an executive session to discuss a contract matter and personnel. All in favor, motion carried.

At 8:33 p.m., Mr. Rosenberg moved and Mr. Niece seconded to return to open session. All in favor, motion carried.

CFO'S REPORT

Mr. Olshefski commented on the monthly financial report. Again, we are in line with what was anticipated regarding this year's budget. The Authority's cash balance is growing.

Mr. Olshefski and Mr. Wauhop met throughout the month to discuss the FY2016 budget. They met with the Finance Committee yesterday to review the proposed numbers. The proposed budget is basically flat. For Revenue, Mr. Olshefski suggested phasing in, over the next six years, a total of \$1,300,000 from the Rate Stabilization Fund, starting with \$400,000 in 2016. On the Appropriations side, there are modest projected increases on a few line items. Other line items remain flat. Mr. Wauhop recommended hiring one additional operator, so \$65,000 has been included in the budget for salary and benefits, in the event the Board agrees with his recommendation. Debt Service will increase by \$732,000. Mr. Wauhop provided a projected five-year capital plan. The largest capital project for next year is the upgrade of the Warren Haven pump stations for \$600,000. Mr. Olshefski also included the annual Debt Service schedule going forward. Debt Service is 40% of our budget.

Lastly, he suggested having our own internal restricted fund balances, which he described in more detail. The upgrade costs are less than what was anticipated and the Board has been fiscally prudent. The Authority is in a good financial position and he felt the Authority should return some funds back to the users by lowering their sewer bills. In 2016, the Authority will only collect \$2.5 million dollars from the ratepayers; the remaining \$400,000 needed for the \$2.9 million dollar budget will come from the Rate Stabilization Fund. Mr. Wauhop predicts there will be funds remaining at the end of the budget year.

Regarding sewer treatment charges, for the past five years we have been using flow data from 2007-2010. At previous meetings, there was discussion about using the most current four years of flow data. This evening, discussion ensued about using the current three years of flow data and applying an appropriate I&I factor (TBD) for 2016 billing. This will be discussed in more detail in November.

Mr. Scott made a motion to authorize Mr. Olshefski to prepare the formal budget documents for introduction at the October meeting, as presented. Mr. Kiszonak seconded. The motion passed unanimously on a roll call vote.

WCMUA minutes 4 September 16, 2015

Mr. Scott expressed his appreciation to Mr. Olshefski for the good job he and his office are doing. Other commissioners agreed.

Mr. Olshefski said the commissioners were the ones who are doing a good job and left the meeting.

GENERAL COUNSEL'S REPORT

Mr. Scott made a motion to authorize Mr. Tipton, Mr. Donati and Mr. Wauhop to proceed with an attempt to terminate the ACO. Mr. Niece seconded. All in favor, motion carried.

ENGINEER'S REPORT

Mr. Donati's report was included in the agenda packets.

As previously discussed, the Board decided to use 50% of the DEP criteria to calculate connection fees.

LaTorre Plaza: Based on the above decision, Mr. Donati will prepare a revised connection fee calculation for the plaza.

Oxford Upgrade: Tomar is moving along at a slow pace. Payment request #20 has been submitted for \$165,027.10. Mr. Donati reviewed a change order that is a combination of six different credits and additions, resulting in an additional combined total of \$8,437.49. The contractor has not signed off on it yet, and has refused to sign off on the prior change order for the additional 9 days.

AUTHORITY CONSULTANT

Mr. Wauhop distributed his report prior to the meeting.

Belvidere plant: He recapped maintenance items performed during the month. In the blower room, the new Kaeser Blower has been installed and is running. All of the work needed to be done in order to be able to automatically waste has been completed.

A new impeller was installed on the #2 pump at the Water Street pump station.

Last week, Kustom Controls installed phase two of the Process Pump Controls on the pumps that service the process pit. Last year, the Board approved this phase of the job.

Oxford plant: Mr. Wauhop recapped maintenance items performed during the month. The #2 clarifier was taken off line so Tomar can proceed with their work.

WCMUA minutes 5 September 16, 2015

To save on sludge hauling, the operators came back each night to check on the wasting. In the past month, sludge hauling from the Oxford plant has been reduced from two truckloads a week to one. This is part of the cost savings measures taken for the stipends for the guys.

Under general business, work continues on sludge thickening at the Belvidere plant.

The outdoor light poles will be auctioned off the week of October 3rd.

Mr. Wauhop requested authorization to give \$7,700 (which is 1/3 of the saving that he anticipates from sludge hauling for 2015, over what was spent in the last two years) in stipends to the operators in December 2015. The money will be split amongst the operators as seen fit by Mr. Wauhop.

Mr. Piazza moved and Mr. Scott seconded to give a total of \$7,700 in stipends to the operators in December. All in favor, motion carried.

Mr. Wauhop is obtaining a quote to have all the buildings' locks rekeyed at both plants. Mr. Rosenberg suggested Mr. Wauhop research the costs of keypad locks. Once Mr. Wauhop gets the first quote, he will check out other options.

Mr. Wauhop asked Mr. Olshefski for a copy of the County's cell phone policy.

FINANCE (TREASURER)

Mr. Piazza moved that Resolution #15-44 (Certificate No. 350: \$59,625.83) be approved to pay all bills from the Operating Fund as presented. Mr. Niece seconded. The motion passed unanimously on a roll call vote.

Regarding the capital bills, Mr. Piazza recommended reducing the amount paid to Tomar by \$46,500 in liquidated damages (31 days x \$1,500 a day). Therefore, in lieu of their requested amount of \$165,027.10, the payment to Tomar should be \$118,527.10. Mr. Piazza moved that Resolution #15-45 (Certificate No. 358: \$178,703.79) be approved to pay all bills from the Capital Improvements Fund as presented, with the exception of the Tomar bill that will be paid as stated above. Mr. Scott seconded. The motion passed unanimously on roll call vote.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

As there was no more business to come before the Authority, Mr. Scott moved and Mr. Niece seconded that the meeting be adjourned. All in favor, motion carried. The meeting was adjourned at 9:25 p.m.

Patricia Kaspereen Administrative Assistant

WCMUA minutes 7 September 16, 2015

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:

A Contract Matter and Personnel Matter

- 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 COUNTY (PEQUEST RIVER)
MUNICIPAL UTILITIES AUTHORITY

Chad Chamberlain, Chairman

Laurel Napolitani, Secretary

DATED: September 16, 2015

RESOLUTION RE:

EXPENDITURES FROM THE OPERATING FUND DURING THE MONTH OF SEPTEMBER 2015.

I HEREBY CERTIFY, that the bills listed on the attached Resolution of September 16, 2015, regarding payment of bills from the Operating Fund were for the operating expenses and were in accordance with the Authority's 2015 budget.

Chad Chamberlain, Chairman

Laurel Napolitani, Secretary

Certificate No. OF 350

Dated: September 16, 2015

Moved by: Mr. Piazza

Seconded by: Mr. Niece

Yes <u>8</u>

No __0_

Abstain 0

Absent __1

APPROVAL OF BILLS TO BE PAID FROM THE OPERATING FUND

Meeting: September 16, 2015

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:

Date:

Check #16833 - #16835

9/2/15

\$471.71

Due 9/16/15

59,154.12

Total

\$59,625.83

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TOTAL REPORT

59,154.12

RESOLUTION RE:

EXPENDITURES FROM THE CAPITAL IMPROVEMENTS FUND FOR THE MONTH OF SEPTEMBER 2015.

Chad Chamberlain, Chairman

I HEREBY CERTIFY that the bills listed for CAPITAL IMPROVEMENTS are in accordance with the Authority's budget.

Certificate No. CI 358

Dated: September 16, 2015

Moved by: Mr. Piazza

Seconded by: Mr. Scott

Yes 8

No 0

Abstain 0

Absent 1

CAPITAL IMPROVEMENT BILLS LIST September 16, 2015

August 31, 2015

1.	Treasurer, State of New Jersey NJDEP, Division of Water Quality TWA Application Review Fee Warren Haven PS #1 and #2 Replacement		\$7,480.00
	September 1	6, 2015	
2.	CP Engineers, LLC Period: August 2015 Engineering Services Warren Haven Pump Stations Rehab		3,153.00
3.	CP Engineers, LLC Period: August 2015 Engineering Services Construction Services Oxford WWTP Upgrade		44,237.38*
4.	Certified Testing Laboratories, Inc. Concrete Testing Oxford WWTP Upgrade		2,206.60*
5.	Florio Perrucci Steinhardt & Fader, LLC Period: August 2015 Legal Services Oxford WWTP Upgrade		3,099.71*
6.	Tomar Construction Services, Inc. Payment Application #20 Contract No. 12-01 Oxford WWTP Upgrade Less Liquidated Damages held in Reserve Amount paid to Tomar		165,027.10*(46,500.00)** \$118,527.10
		Total	\$178,703.79**

^{*} Bills to be submitted by CPE to request reimbursement from the NJEIT Financing Program