

**MINUTES OF THE REGULAR SESSION OF THE  
JERSEY CITY MUNICIPAL UTILITIES AUTHORITY  
HELD APRIL 28, 2011**

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**PRESENT:** Commissioner, Donald Brown  
Commissioner, William Chopek  
Commissioner, William Macchi  
Commissioner, Lewis Matthias  
First Alternate Commissioner, Nicholas Economou

**ABSENT:** Chairwoman, Eileen Gaughan

**ALSO PRESENT:** Daniel Becht, Esquire, Executive Director  
Matthew Donohue, CPA, Donohue, Gironda and Doria  
Judy Rybka, Recording Secretary  
Drake C. Stinson, PE, LEED, AP, Mayo Lynch and Associates  
John Folk, CPA, Director of Finance  
Joni N. Noble, Esquire, Trent, DePasquale et al  
Richard Haytas, Senior Engineer/Infrastructure Maintenance  
Supervisor  
Kevin Carr, Purchasing Agent  
Gerry Remsen, P.E., Senior Engineer  
Edward DeHope, Esquire, Riker, Danzig et al  
Seamus Cunningham, P.E., Mayo, Lynch & Associates  
John Hroncich, P.E., United Water  
John Leonbruno, Project Manager, 311-315 M.I.K., LLC

In compliance with the Sunshine Laws, Chairwoman Gaughan ordered and directed that a Public Notice of a Public Meeting of the Jersey City Municipal Utilities Authority be posted in the main lobby of the Jersey City Municipal Utilities Authority Administration Building and that a copy of the notice be sent to The Jersey Journal, The Star Ledger and the City Clerk.

In Chairwoman Gaughan's absence, Vice Chairman Brown convened the meeting at 5:01 p.m. and opened with the Pledge of Allegiance.

Mr. Becht advised that a member of the public is present at this evening's meeting with a request of the Board.

Mr. John Leonbruno, Project Manager, 311-315 MLK, LLC, introduced himself and explained that he is requesting an additional extension for payment of certain fees.

Mr. Becht recalled 311-315 MLK came before the Board some months ago and was granted a six (6) month extension. He added, "There is nothing on tonight's agenda to specifically deal with this."

Commissioner Brown recalled when the extension was granted certain fees were to be paid and asked if the MUA has documentation that those fees were in fact paid.

Mr. Becht explained that the application fee(s) were paid and the extension was granted for payment of connection fees which have not been paid. A note was prepared by the Authority's attorney outlining conditions of the original extension, and 311-315 MLK is now requesting an additional extension.

Ms. Noble advised the outstanding fees in connection with the original extension amount to approximately \$20,000 - \$25,000.

Mr. Leonbruno reported the fees were never paid due to delays and negotiations with the City that have just recently been resolved. He advised that bank financing has come through and they will be in a position to pay the fees but need an additional six (6) month extension.

Commissioner Brown asked why a further extension is needed if the financing has become available.

Mr. Leonbruno replied, "In case there are further delays with the paperwork."

Mr. Becht explained their application has been on record for approximately one (1) year. "Several months ago they asked for a six (6) month extension and it was granted. We never received anything formal, just a phone call from Councilwoman Richardson looking for an extension."

Mr. Becht asked the Board's position on this matter.

Commissioner Macchi explained if the paperwork regarding availability of funds is complete and the MUA can obtain a copy of it and it can be verified that funding has come through an extension could be considered. "We want to see the paperwork verifying funds will be available before granting another extension."

Mr. Becht suggested the Board could approve an extension subject to receipt of documents verifying availability of funds by Commissioner Brown, the Director of Finance and the Executive Director. A one (1) month extension could be granted for submission of this documentation followed by a formal, written request for an additional six (6) month extension to pay in full the outstanding fees.

Commissioner Brown added, "We also want to see the original extension agreement at the next meeting (Commissioners). He advised Mr. Leonbruno, "You have until next month."

The Board of Commissioners agreed to grant a one (1) month extension for submission of documentation of availability of funds.

Mr. Leonbruno thanked the Board and left the meeting.

There was a motion to grant a one (1) month extension per the above terms by Commissioner Macchi. The motion was seconded by Commissioner Matthias and unanimously approved by all remaining Commissioners present.

**Resolution 4/11/1** authorizing transfer of funds for sewer operations  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/2** authorizing payments of audited claims  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/3** authorizing transfer of funds and payments of audited claims for water operations  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/4** authorizing cash disbursements  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/5** authorizing payments from the capital improvement, project, construction and note funds  
Motioned to approve by Commissioner Economou  
Seconded by Commissioner Brown  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/6** granting 100% sewerage abatement  
Motioned to approve by Commissioner Brown  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/7** authorizing execution of a second amendment to the tolling agreement with the United States Environmental Protection Agency  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Brown  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/8** authorizing emergency repair contract to J. Fletcher Creamer for the repair of aqueduct leak in Lyndhurst  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Macchi  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/9** authorizing change orders number 2 through 14 for the Jersey City Water Treatment Plant Improvements, JCMUA project number WTPI-2009-25; New Jersey Environmental Infrastructure Trust number 0906001-001-0-0  
Motioned to approve by Commissioner Brown  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/10** accepting bid for repair services and parts for various motor vehicles up to 16,000 GWV, contract number MVR-2010-15  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/11** declaring a sewer emergency condition on Princeton Avenue between Pearsall and Lembeck Avenues

Commissioner Macchi asked, "Have we done emergency work there before?"

Mr. Haytas replied, "Yes, many times. We're doing it in segments between manholes and looking to replace the entire sewer system on Princeton Avenue, Brown Place and Linden Avenue."

Mr. Remsen added, "There was a major collapse and blockage and sink hole. Many sewers are just too old and past their functional lives."

Mr. Carr explained this will be part of capital improvements.

Ms. Noble advised there is a typo in the sixth (6<sup>th</sup>) "Whereas" paragraph in Resolution 4/11/11. The correct date is 4/12/2011 (not April 8, 2011).

Per Mr. Folk, "This will be paid this month and appear on next month's claims list."

Motioned to approve by Commissioner Economou  
Seconded by Commissioner Matthias  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/12** authorizing contract for providing emergency and non-emergency plumbing repair services for the Jersey City Municipal Utilities Authority

Commissioner Brown asked for additional information on the non-emergency repairs.

Mr. Carr explained much of this is EPA related work consisting of small plumbing repairs, not street repairs. There are approximately 10 to 15 separate plumbing items.

Mr. Becht added the Authority spent approximately \$1 million on Culver/Princeton Avenues recently. "We'll look at a way to do this with an RFP or RFQ and specific dollars for a specific amount of pipe. It'll be Time and Material."

Commissioner Macchi reported that he's "heard" that some PVSC assessments are being decreased and asked if anyone could verify that.

Commissioner Brown explained that decreases are being requested by some municipalities but have not yet been granted.

Mr. Becht added that assessments are based on meters. "We anticipate our rate should continue to come down and we may get a reduction."

Motioned to approve by Commissioner Brown  
Seconded by Commissioner Matthias  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/13** authorizing water emergency expenditure for the cleaning and lining of 6 inch water main line on Greenville and Clinton Avenues

Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Brown  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/14** supplemental resolution authorizing the issuance of not to exceed \$3,500,000 project notes (Series 2011) of the Jersey City Municipal Utilities Authority

Mr. Folk explained this went to bid last week - \$1.5 million at 3%.

Mr. Becht continued that the Authority did not need the full \$3.5 million. "Prices came in at \$1.5 to \$1.6."

Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Economou  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/15** authorizing the issuance of water project notes of the Jersey City  
Municipal Utilities Authority  
Motioned to approve by Commissioner Economou  
Seconded by Commissioner Matthias  
Unanimously approved by all remaining Commissioners present.

**Resolution 4/11/16** authorizing postponement of payment of connection fees for 198 Van  
Vorst Street, Block 31, Lot 91, 93, 95A, and 95B, Jersey City, New Jersey

Resolution 4/11/16 was deleted from the agenda.

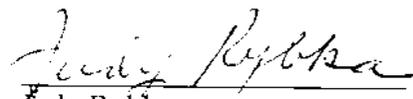
**Approval of Minutes**

Approval of Minutes of the March 24, 2011 Commissioners meeting  
Motioned to approve by Commissioner Matthias  
Seconded by Commissioner Chopck  
Unanimously approved by all remaining Commissioners present.

**Adjournment**

The meeting adjourned at 5:23 p.m.  
Motioned by Commissioner Matthias  
Seconded by Commissioner Chopck  
Unanimously approved by all remaining Commissioners present.

Respectfully submitted,

  
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Judy Rybka  
Recording Secretary