

**MINUTES OF THE REGULAR SESSION OF THE
JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
HELD MAY 26, 2011**

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

ABSENT: Chairwoman, Eileen Gaughan
Commissioner, William Macchi

ALSO PRESENT: Daniel Becht, Esquire, Executive Director
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
Barbara Gordon, Director of Administration
Edward Fowlkes, 311-315 MLK, 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, Commissioner Brown convened the meeting at 5:04 p.m. and opened with the Pledge of Allegiance.

Resolution 5/11/1 authorizing transfer of funds for sewer operations

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 5/11/2 authorizing payments of audited claims for sewer operations

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 5/11/3 authorizing transfer of funds and payments of audited claims for water operations

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 5/11/4 authorizing cash disbursements

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 5/11/5 authorizing payments from the capital improvement, project, construction and note funds

Motioned to approve by Commissioner Brown

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 5/11/6 authorizing amendment to agreement authorizing postponement of payment of connection fees and related fees for 311-315 Martin Luther King, Jr. Drive, Jersey City

Commissioner Brown advised the JCMUA is in receipt of a written request for an additional extension from Mr. Fowlkes, 311-315 MLK LLC. (This request is attached to/part of these minutes.)

Mr. Becht recalled the previous 30 day extension that was granted Mr. Fowlkes and explained Resolution 5/11/6 will allow for an additional three (3) month extension.

Commissioner Chopek asked, "How long is the project?"

Mr. Fowlkes reported no work has been done in the last 18 months. "The loan closing will be in the next few weeks and then we'll be able to pay the fees."

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

Resolution 5/11/7 declaring a water emergency on Garfield and Linden Avenues

Mr. Becht reported J. Fletcher Creamer advised it might be possible to have the work done by Saturday but the realistic street opening date would be Tuesday, May 31.

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

Resolution 5/11/8 declaring a sewer emergency condition on Culver Avenue between College Street and J.F. Kennedy Boulevard

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

Resolution 5/11/9 declaring a sewer emergency condition on Linden Avenue between Albert Place and Garfield Avenue

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

Resolution 5/11/10 awarding contract for professional engineering services to assist the JCMUA with investigating telemetry systems

Mr. Carr distributed the proposal to the Commissioners (attached to/part of these minutes). Ms. Noble advised amended Resolution 5/11/10 (distributed to Commissioners at meeting) contains corrected numbers. The original cost of the Malcolm study was \$25,600 (approximately). Malcolm Pirnie is now being retained to put together telemetry equipment and conduct a pilot study. The amended contract amount is \$80,300. Per Mr. Carr, this is exempt from the public bidding process.

Per Mr. Becht, the \$80,300 includes sub contractor cost of approximately \$57,000 +.

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

Resolution 5/11/11 to extend contract with Diamond Auto Body to provide vehicle collision repairs pursuant to contract number VCR-2009-15

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

Resolution 5/11/12 approving settlement

Commissioner Matthias expressed his concerns about how the MUA “got into this position” (\$250,000 in debt). Per Commissioner Matthias, Mr. Folk advised him that “we are doing some things and this will not happen again.”

Mr. Becht continued explaining this has been an ongoing law suit during the past two (2) years. “We tried to settle, it went back and forth and they reneged and we got to that point.”

Commissioner Chopek asked, “How many monthly installments?”

Mr. Folk replied, “Ten months and they made the first installment.”

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

Resolution 5/11/13 authorizing adoption of the 2011 sewer budget

Mr. Folk explained the State approved the water and sewer budgets on May 19 and added, “They’re 100 percent the same as introduced in December (2010).”

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

Resolution 5/11/14 authorizing adoption of the 2011 water budget

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

Resolution 5/11/15 authorizing late submission of the 2011 water and sewer budgets

Mr. Folk advised Resolution 5/11/15 is needed because the budgets were introduced late. The Resolution advises the Board of Commissioners that the budgets were to be introduced in October/November 2010 but were instead introduced in December.

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

Approval of Minutes

Approval of minutes of the April 28, 2011 Commissioners meeting

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Chopek

Unanimously approved by all remaining Commissioners present.

Adjournment

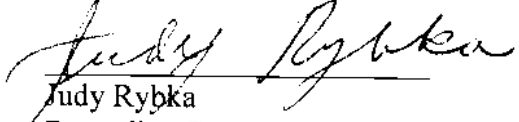
The meeting adjourned at 5:20 p.m.

Motioned by Commissioner Matthias

Seconded by Commissioner Brown

Unanimously approved by all remaining Commissioners present.

Respectfully submitted,


Judy Rybka
Recording Secretary



Alliance

Construction Group, LLC • General Contractors

April 29, 2011

Board of Commissioners
Municipal Utilities Authority
555 Route 440
3rd Floor
Jersey City, NJ 07306

Dear Board of Commissioners:

The 311-315 MLK, LCC respectfully requests an extension on our contract with the Municipal Utilities Authority with regard to our project located 311-315 Martin Luther King Drive.

We were unable to close our bank loan until some of the delay costs were negotiated with the City of Jersey City. Now that the negotiations have been resolved we are able to close with the bank and now will be in a position to pay the MUA fees in a timely manner.

Your consideration is greatly appreciated.

Sincerely,

Edward Fowlkes
Presiding Partner

April 26, 2011

Gerard T. Remsen III, P.E., C.M.E
Senior Engineer
Jersey City Municipal Utilities Authority
555 Route 440
Jersey City, New Jersey 07305

Re: Jersey City Municipal Utilities Authority
Combined Sewer Overflow (CSO) Telemetry Study

Dear Mr. Remsen:

Malcolm Pirnie is pleased to provide this proposal to the Jersey City Municipal Utilities Authority (JCMUA) for continued assistance in implementing recommendations contained in our *Combined Sewer Overflow (CSO) Telemetry Report* related to the JCMUA's combined sewer system.

BACKGROUND

Jersey City Municipal Utilities Authority (JCMUA) owns, operates and maintains an extensive combined sewer system that collects system-wide flows and discharges the collected wastewater via pump stations to the PVSC regional treatment plant in Newark, New Jersey. The JCMUA requested an evaluation of options to monitor problematic sites within its collection system to better understand the operation of the system in both dry and wet weather scenarios and assist in early detection of any potential Dry Weather Overflows (DWOs). For this purpose, a "*Combined Sewer Overflow (CSO) Telemetry Report*" was prepared and issued in September 2010. The Report recommended implementation of a pilot program to test sensing and data collection technologies for 8-10 sites throughout the JCMUA collection system. Proposals were solicited from three qualified vendors to conduct the program. The proposals were reviewed and discussed with JCMUA personnel. A selection has been made to utilize the services of EmNet, LLC for pilot program implementation. The JCMUA has now decided to proceed with implementation of the program. This technical proposal encompasses our scope to oversee implementation of the pilot program, review data collected and present the information to the JCMUA. Our proposed scope of services is detailed below.

SCOPE OF SERVICES

Task 1: Kick-Off Meeting

We assume two Pirnie personnel will attend the kick-off meeting. The kickoff meeting date will be subject to the schedule of the selected firm. Once that meeting is held, it is expected that lead times for equipment and devices will be stipulated and a schedule for pilot materials installation and subsequent implementation can be established. We have allocated 20 hours for this effort.

Task 2: Pilot Supervision

Coordination of vendor on-site installation work and inspection of work will be undertaken to confirm adherence to pilot protocol outlined in Section 7.2 of the telemetry report. This Task assumes an average of 8 hours per site, for a total of 80 hours.

Task 3: Data Collection and Presentation

At approximately one month into the pilot program duration, Pirnie will ask the vendor to collect the data and prepare an initial report for us to review with the JCMUA staff and discuss preliminary results. The purpose of this review is to ascertain that methods of data collection and data are being collected properly, not to analyze the data in any way. Pirnie will review this data during a meeting and provide feedback to the JCMUA and the vendor if refinements on how data is collected and presented are needed or if there any issues with pilot program implementation.

An addition review will be held at the mid-way point of the pilot program. The review will be held by Pirnie with the JCMUA to log in, view data and manipulate information as desired. The vendor's input is expected at this meeting and throughout the pilot program duration.

At the conclusion of the program, the data captured will be prepared by the vendor for viewing and the results of the pilot program will be presented to the JCMUA. Pirnie will work with the vendor to ensure the data can be easily accessed and viewed by the JCMUA.

PROJECT COSTS

Malcolm Pirnie proposes to provide our services on a time and material basis, in accordance with our existing Summary of Standard Charges with the JCMUA. Exhibit A contains the detailed costs to complete each phase as stated above with total engineering costs of \$80,300 including EmNet subcontracted cost of \$57,300.

We appreciate this opportunity to continue providing services to the JCMUA on this project to improve monitoring of the JCMUA combined sewer collection system. If you have any questions, regarding this proposal or if you require any additional information, please do not hesitate to contact us.

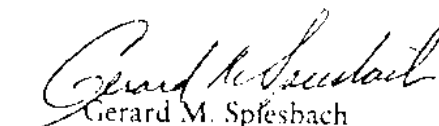
Very truly yours,

MALCOLM PIRNIE, INC.



Mark P. Del Bove, P.E.
Vice President

Board Certified Environmental Engineer



Gerard M. Spiesbach
Senior Associate

EXHIBIT A:
Jersey City Municipal Utilities Authority
INSTRUMENTATION PROGRAM PILOT STUDY PROGRAM

| Task | Description | Officer | Associate | Sr. Project Engineer/Scientist | Tech and Admin | Total Hours | Labor Costs | Subs and Other Direct Costs | Total |
|------|-----------------------------------|-----------|-----------|--------------------------------|----------------|-------------|-----------------|-----------------------------|-----------------|
| | Hourly Rate> | \$249 | \$195 | \$195 | \$114 | | | | |
| I | Kickoff meeting | 8 | 8 | 8 | | 24 | \$5,000 | \$0 | \$5,000 |
| II | Pilot Supervision and Inspections | | 8 | 48 | | 56 | \$11,000 | \$57,300 | \$68,300 |
| III | Data Collection and Presentation | 8 | 8 | 12 | 8 | 36 | \$7,000 | \$0 | \$7,000 |
| | TOTAL | 16 | 24 | 68 | 8 | 116 | \$23,000 | \$57,300 | \$80,300 |