

**MINUTES OF THE REGULAR SESSION OF THE  
JERSEY CITY MUNICIPAL UTILITIES AUTHORITY  
HELD SEPTEMBER 22, 2011**

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**PRESENT:** Chairwoman, Eileen Gaughan  
Commissioner, Donald Brown  
Commissioner, William Chopek  
Commissioner, Lewis Matthias  
First Alternate Commissioner, Nicholas Economou

**ABSENT:** Commissioner, William Macchi

**ALSO PRESENT:** Daniel Becht, Esquire, Executive Director  
Matthew Donohue, CPA, Donohue, Gironda and Doria  
Judy Rybka, Recording Secretary  
Drake C. Stinson, P.E., LEED, AP, Mayo Lynch and Associates  
Joni N. McDonnell, Esquire, Trent, DePasquale et al  
Elnardo Webster, II, Esquire, Trent, DePasquale et al  
Kevin Carr, Purchasing Agent  
Gerry Remsen, P.E., Senior Engineer  
Richard Haytas, P.E., Senior Engineer/Infrastructure Maintenance  
Supervisor  
Seamus Cunningham, P.E., Mayo, Lynch & Associates  
Barbara Gordon, Director of Administration  
John Folk, CPA, Director of Finance

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.

Chairwoman Gaughan convened the meeting at 5:01 p.m. and opened with the Pledge of Allegiance.

**Resolution 9/11/1** authorizing transfer of funds for sewer operations

Motioned to approve by Commissioner Brown

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

**Resolution 9/11/2** authorizing payments of audited claims for sewer operations

Motioned to approve by Commissioner Brown

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

**Resolution 9/11/3** authorizing transfer of funds and payments of audited claims for water operations

Motioned to approve by Commissioner Brown

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

**Resolution 9/11/4** authorizing cash disbursements

Motioned to approve by Commissioner Brown

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

**Resolution 9/11/5** 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 9/11/6** awarding contract for underwriting services for refinancing of old debt and issuance of new bonds

Mr. Becht referenced a letter received from the NJ Infrastructure Trust (NJIT), and advised approximately \$800,000 will be saved. Three proposals were received and it is recommended to the Board that NW Capital Markets, Inc. be awarded the contract. "The range is \$181,000 to \$236,000" (approximately).

Mr. Folk agreed with the NW Capital recommendation explaining that their cost is lower and they have more experience in Hudson County. He reported that approximately two weeks ago he appeared before Local Finance Board with Resolution 9/11/14 through Resolution 9/11/20. That Board's findings were positive and the MUA was given approval to proceed with financing.

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

**Resolution 9/11/7** authorizing the Purchasing Agent to solicit quotations and award of a contract for the transport and disposal of street excavated materials

Chairwoman Gaughan advised that she and Mr. Haytas recently attended a Riverview Block Association meeting. Residents requested a letter to Jersey City Incinerator Authority (JCIA) from JCMUA Board of Commissioners regarding street cleaning and its affect on catch basins. Residents explained that when streets are cleaned debris goes into the catch basins. Chairwoman Gaughan recommended working with the JCIA and explained the MUA asked that the JCIA “please make sure a truck follows sweepers.”

Mr. Becht advised that a letter has been sent to the JCIA and a reply with photos of catch basins was received. He further advised that a meeting will be scheduled with representatives from the JCIA, himself and Mr. Haytas.

Chairwoman Gaughan advised a letter was sent to Dr. Epps, Superintendent of Jersey City Schools, discussing a catch basin cleaning program to involve students and the community.

Mr. Haytas added that catch basins become dirty in a few days and “could be cleaned daily.”

Chairwoman Gaughan suggested a community effort and educational programs through City schools to inform, educate and engage residents of the City.

Mr. Haytas explained that businesses/stores are an issue as well and recommended that business owners be encouraged to clean sidewalks in front of their stores in an effort to reduce the amount of debris getting into catch basins.

Chairwoman Gaughan said she believes there is a City ordinance addressing this. She suggested a letter be sent to NID’s asking business owners to be mindful of this problem and help out. Meetings, information and suggestions should be constructive with “no finger pointing.”

Mr. Haytas added, “Four out of nine residents did the inspection.” The JCMUA will follow up with other residents.

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

**Resolution 9/11/8** authorizing final contract closeout, Change Order No. 12, west side pump station and grit chamber improvements for Contract No. WPS-2007-23-NB

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

**Resolution 9/11/9** authorizing MMREF expenditure for water main rerouting and repair at York Street and Grove Street

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

**Resolution 9/11/10** authorizing MMREF expenditure for installation of backflow preventers on process equipment at Jersey City Water Treatment Plant

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

**Resolution 9/11/11** granting 100% sewerage abatement

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

**Resolution 9/11/12** granting 100% sewerage abatement

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

**Resolution 9/11/13** concerning review of findings and recommendations of the Local Finance Board made at a meeting of said Board on September 14, 2011 in accordance with N.J.S.A.40A:5A-6 and N.J.S.A.58:11B-9(a)

Mr. Folk advised that the findings of the Local Finance Board were received yesterday. He explained Commissioners will be asked to sign a group affidavit, the same as done in past, attesting that these findings have been reviewed by the Board. The affidavit will be held one week to allow Commissioners time to review the findings/ask questions.

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

**Resolution 9/11/14** supplemental bond resolution authorizing the issuance of not to exceed \$10,000,000 water revenue bonds, Series 2011 of the Jersey City Municipal Utilities Authority

Per Mr. Folk, the bonds are for financing water projects, including \$5.5 million in improvements at Split Rock Dam and will include cost of issue and the debt service reserve fund.

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

**Resolution 9/11/15** supplemental resolution authorizing the issuance of not to exceed \$1,500,000 project notes, Series 2011 of the Jersey City Municipal Utilities Authority

Mr. Folk explained in the event the notes per Resolution 9/11/14 cannot be issued before October 31, 2011, Resolution 9/11/15 will take affect and notes will be issued until bonds can be sold in November 2011.

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

**Resolution 9/11/16** supplemental bond resolution authorizing the issuance of not to exceed \$22,200,000 sewer revenue bonds, Series 2011 of the Jersey City Municipal Utilities Authority and amending the Authority's general bond resolution

Per Mr. Folk, this will include \$7 million (approximately) for sewer separation and EPA work.

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

**Resolution 9/11/17** resolution authorizing the issuance of not to exceed \$9,100,000 project notes, Series 2011 of the Jersey City Municipal Utilities Authority

Mr. Folk advised if the MUA is not able comply with Resolution 9/11/16 by October 31, 2011, Resolution 9/11/17 will take effect and notes will be issued for one month until bonds can be sold.

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

**Resolution 9/11/18** supplemental bond resolution authorizing the issuance of not to exceed \$7,240,000 sewer revenue refunding bonds, Series 2011 of the Jersey City Municipal Utilities Authority

Mr. Folk explained interest rates are lower and projected savings will be approximately \$680,000 if refinanced at a lower interest rate. This is in addition the savings mentioned earlier in the meeting by Mr. Becht (Resolution 9/11/6).

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

**Resolution 9/11/19** supplemental bond resolution authorizing the issuance of not to exceed \$2,400,000 sewer revenue bonds, Series 2011 of the Jersey City Municipal Utilities Authority

Mr. Folk explained that PCB's were found in the soil during cleaning of the northeast interceptor. The cost to remediate is approximately \$2.4 million. This financing will be done through New Jersey Infrastructure Trust, and \$2.4 million will be received in May 2012.

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

**Resolution 9/11/20** supplemental resolution authorizing the issuance of not to exceed \$2,400,000 project notes, Series 2011 of the Jersey City Municipal Utilities Authority

Mr. Folk explained Resolution 9/11/20 is the same as Resolution 9/11/19 but funds will be received in one month and will be used to pay notes in Resolution 9/11/20.

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

**Entered Closed Session at 5:20 p.m.**

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

**Closed Session Ended/Regular Session Reopened at 6:05 p.m.**

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

**Closed Session Report**

Per Mr. Webster, personnel matters and litigation were discussed during closed session.