

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
DECEMBER 30, 2013**

CALL TO ORDER - 5:03 PM

In compliance with the Sunshine Laws, Chairwoman Tauro 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.

ROLL CALL OF MEMBERS PRESENT:

Chairwoman, Marie Tauro
Commissioner, Debbie Harris
Commissioner, Lewis W. Matthias
First Alternate Commissioner, Nicholas Economou

ABSENT:

Commissioner Gerard M. Balmir, Jr.
Commissioner, William Macchi
Second Alternate Commissioner, Thomas Gibbons

ALSO PRESENT:

Daniel Becht, Esquire, Executive Director
John Folk, CPA, Director of Finance
Kevin Conti, Esquire, DeCotiis, FitzPatrick & Cole, LLP
Judy Rybka, Recording Secretary
Richard Haytas, P.E., Senior Engineer/Infrastructure Maintenance Supervisor
Krystyna Pawlowska, Administrative Assistant
Kevin Carr, Purchasing Agent
John Hroncich, PE, United Water
Jerry Conte, Permit/Connection Fees Administrator
Seamus Cunningham, P.E., Mayo, Lynch and Associates
Janice Douglas, 136 South Street, Jersey City, NJ

FLAG SALUTE

PUBLIC COMMENT

Ms. Janice Douglas addressed the Board of Commissioners and recalled she'd also attended the November 2013 Commissioners' meeting to explain the issues she'd been experiencing with water in her basement for the past year or so. Ms. Douglas once again explained the problem and the various steps taken to alleviate it. Most recently Guarini Plumbing performed a repair and Ms. Douglas advised the cost for this repair was \$7,500 (approximately). She reported the total cost of correcting the problems was approximately \$25,000 and she was requesting her money back "for taxes and sewer."

Mr. Becht recalled the Board of Commissioners agreed to look into the matter and they continue to do so. The Mayor's office and corporation council have also been involved. He advised Ms. Douglas the Board will vote tonight to secure the services of an outside engineering firm to conduct a study/review. If it is determined the JCMUA is at fault, it will take the necessary steps to remedy the situation and pay the cost of same. "If we are responsible, we will take care of it and reimburse you."

Mr. Haytas added that on Tuesday, December 24 Guarini Plumbing ran a new sewer line. There was a broken lateral and a new line was installed and "all the problems went away."

Mr. Becht once again explained that a new consulting engineering firm will conduct an independent investigation. If they determine the JCMUA is culpable, we will "make it right." If need be, the Authority will reimburse Ms. Douglas based on the findings of the independent engineer. "Rest assured this agency and it's Board are here to serve the citizens. You pay our salaries and we have an obligation to make certain City funds are spent appropriately."

Ms. Douglas thanked Mr. Becht and the Board of Commissioners and left the meeting.

Mr. Seamus Cunningham, Mayo, Lynch and Associates, addressed the Board next. He thanked Commissioners and the JCMUA for giving Mayo, Lynch the opportunity to serve them. He extended any cooperation, information, etc. that might be helpful as the Authority moves forward into the new year with new engineering firm(s).

ENTERED EXECUTIVE/CLOSED SESSION AT 5:30 PM to discuss potential litigation and contracts.

Motioned by Commissioner Harris; seconded by Commissioner Economou

Roll call vote:	Commissioner Harris	Yay
	Commissioner Economou	Yay
	Commissioner Matthias	Yay
	Chairwoman Tauro	Yay

EXECUTIVE/CLOSED SESSION ENDED AT 5:31 PM

Motioned by Commissioner Matthias; seconded by Commissioner Harris

Roll call vote: Commissioner Harris Yay
Commissioner Economou Yay
Commissioner Matthias Yay
Chairwoman Tauro Yay

EXECUTIVE/CLOSED SESSION REPORT – Per Mr. Conti, potential litigation and contracts were discussed during closed session.

APPROVAL OF MINUTES

Motional to approve by Commissioner Economou
Seconded by Commissioner Matthias

Roll call vote: Commissioner Harris Yay
Commissioner Economou Yay
Commissioner Matthias Yay
Chairwoman Tauro Yay

CONSENT AGENDA

- Resolution 12/13/1** authorizing transfer of funds for sewer operations
- Resolution 12/13/2** authorizing payments of audited claims for sewer operations
- Resolution 12/13/3** authorizing transfer of funds and payments of audited claims for water operations
- Resolution 12/13/4** authorizing cash disbursements
- Resolution 12/13/5** authorizing payments from the capital improvement, project, construction and note funds
- Resolution 12/13/6** authorizing the appointment of a Public Agency Compliance Officer
- Resolution 12/13/7** authorizing the rejection of all bids, revision of bid specifications and re-bidding for the provision of emergency and non-emergency rental, delivery, set up, maintenance and return of various pumps, generators and various equipment
- Resolution 12/13/8** authorizing the rejection of all bids, revision of bid specifications and re-bidding for services for the disposal of street excavation materials
- Resolution 12/13/9** authorizing engineering services contract with Malcolm Pirnie, Inc.

to prepare a quarterly report containing the CSO discharge volumes and frequency for each 2014 storm

Resolution 12/13/10 authorizing employee benefits for health, dental, life and prescription insurance

Resolution 12/13/11 awarding contact to Hatch Mott MacDonald to provide engineering services for window replacement of Operations Building

Resolution 12/13/12 authorizing the award of a contract for consulting engineering services

Resolution 12/13/13 authorizing the award of a contract for auditing services

Resolution 12/13/14 authorizing an amendment to professional engineering services contract with Hatch Mott MacDonald for structural assessment of buildings and JCMUA structures affected by Superstorm Sandy

Resolution 12/13/15 authorizing professional engineering services contract with Remington, Vernick & Arango for professional consulting services for Green Acres pre-application for diversion of Essex Street pump station

Resolution 12/13/16 authorizing the award of a contract for insurance services

Resolution 12/13/17 authorizing the award of a contract for accounting services

Resolution 12/13/18 authorizing change order number 3 for aqueduct rehabilitation -- Phase II, JCMUA project number AQR-2010-27-W

Resolution 12/13/19 authorizing change order number 1 for rehabilitation of the two 48 inch lower level drain lines and valves at the Boonton Dam Project

Resolution 12/13/20 authorizing change order number 1 for cleaning and lining of water main in Ogden Avenue (deleted from consent agenda)

Resolution 12/13/21 authorizing award of contract for professional engineering services to Hatch Mott MacDonald for design, bid and construction phase services for relocation of water mains in Jersey City water system

Resolution 12/13/22 authorizing Hatch Mott MacDonald to provide professional engineering services in connection with SFY15 New Jersey Environmental Infrastructure Financing Program

Resolution 12/13/23 approving property, casualty, auto, excess liability, public officials liability for the JCMUA for January 2014 to January 2015

Motioned to approve Resolutions 12/13/1 through Resolutions 12/12/19 and Resolutions 12/13/21 through Resolutions 12/13/23 (Resolution 12/13/20 pulled from consent agenda) by Commissioner Matthias; seconded by Commissioner Harris

Roll call vote: Commissioner Harris Yay
 Commissioner Economou Yay
 Commissioner Matthias Yay
 Chairwoman Tauro Yay

Walk On Resolution 12/13/24 authorizing Donohue, Doria and Gironde to continue providing services to the JCMUA to assist in transition of the new accounting/auditing firm

Motioned to approve by Commissioner Matthias; seconded by Commissioner Harris

Roll call vote: Commissioner Harris Yay
 Commissioner Economou Yay
 Commissioner Matthias Yay
 Chairwoman Tauro Yay

Per Mr. Conti, Resolution 12/13/24 will be prepared reflecting the action taken this evening by the Board of Commissioners.

COMMUNICATIONS – none

EXECUTIVE DIRECTOR’S REPORT - Mr. Becht reported the fourth pump has been installed at the foot of Essex Street and should help alleviate flooding in the area by allowing more water to enter the Hudson River and increasing capacity in pipes.

COMMITTEE REPORTS - none

GENERAL COUNSEL REPORT – Per Mr. Conti, the General Counsel’s report is contained in the meeting package previously distributed to Board members.

UNFINISHED BUSINESS – none

NEW BUSINESS - none

GENERAL DISCUSSION – Mr. Becht led a general discussion regarding payments to the firm of Riker, Danzig et al in connection with a contract between the JCMUA and Rockaway Valley Sewerage Commission. He recalled that the Authority unsuccessfully tried to negotiate withdrawal from contract by offering \$30 million. Mr. Becht reported on the current law suit in the Morris County courts and said it is hoped the case will be decided by the end of 2014. “We will save a minimum of \$500,000 per year.”


Mr. Conti questioned invoices from Riker, Danzig and pointed out that one dates back to April 2013. Mr. Folk confirmed there was a typo and the invoice is actually from August

Chairwoman Tauro and Mr. Becht discussed Committees. The Authority does not have an engineering committee since, unlike other committees, there is no one qualified to be on an engineering committee. Chairwoman Tauro questioned the formation of a “Green Committee” and Mr. Becht suggested it be called an Environmental Committee. Chairwoman Tauro then discussed the new by laws and how they differ from previous by laws with regard to health care and other benefits.

ADJOURNMENT

The meeting adjourned at 5:53 p.m.
Motedion by Commissioner Harris
Seconded by Commissioner Matthias
Unanimously approved by all remaining Commissioners present.

Respectfully submitted,



Judy Rybka
Recording Secretary