

**MINUTES OF THE REGULAR SESSION OF THE
JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
JULY 25, 2013**

PRESENT: Commissioner, Donald Brown
Commissioner, Debbie Harris
Commissioner, Commissioner William Macchi
Commissioner, Lewis W. Matthias
First Alternate Commissioner, Nicholas Economou

ABSENT: Chairwoman, Eileen Gaughan
Second Alternate Commissioner, Dominick Pandolfo

ALSO PRESENT: Daniel Becht, Esquire, Executive Director
John Folk, CPA, Director of Finance
Judy Rybka, Recording Secretary
Barbara Gordon, Director of Administration
Richard Haytas, P.E., Senior Engineer/Infrastructure Maintenance
Supervisor
Elnardo Webster, II, Esquire, Genova, Burns, Giantomasi
Seamus Cunningham, Mayo, Lynch & Associates
Matthew Donohue, CPA, Donohue, Girona and Doria
Kevin Carr, Purchasing Agent
Althea Bernheim, 33 Henry Street, Jersey City, NJ
Michael Leahy, United Water

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 5:00 p.m. and opened with the Pledge of Allegiance.

Resolution 7/13/1 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 7/13/2 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 7/13/3 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 7/13/4 authorizing cash disbursements
Motioned to approve by Commissioner Brown
Seconded by Commissioner Matthias
Unanimously approved by all remaining Commissioners present.

Resolution 7/13/5 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 7/13/6 authorizing change orders #29 and #30 for Jersey City Water Treatment Plant improvements: JCMUA contract number WTPI-2009-25; New Jersey Environmental Infrastructure Trust project number 0906001-001-0-0
Motioned to approve by Commissioner Economou
Seconded by Commissioner Brown
Unanimously approved by all remaining Commissioners present.

Resolution 7/13/7 authorizing award of contract to Sander Power Equipment for providing pumps as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.4 and 20.5
Motioned to approve by Commissioner Matthias
Seconded by Commissioner Economou
Unanimously approved by all remaining Commissioners present.

Resolution 7/13/8 awarding contract for professional engineering services to Remington, Vernick and Arango in connection with design of pipe supports for East Side Pump Station pump replacement project due to Superstorm Sandy

Motioned to approve by Commissioner Brown

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 7/13/9 accepting bid for providing spare parts for material handling systems grit collector for East and West Side Plants

Commissioner Macchi questioned the bid which was received without a bid bond. Specifically, he asked if this could possibly put the bidder at an advantage.

Mr. Webster explained that under State statute failure to submit a bid bond is considered a fatal flaw; a bond must be submitted with every bid. There is no advantage to submitting a bid without a bond. It is actually a disadvantage because by law the bid cannot be considered if a bond is not included. This has been the law since 1994.

Motioned to approve by Commissioner Brown

Seconded by Commissioner Economou

Unanimously approved by all remaining Commissioners present.

Resolution 7/13/10 accepting bid for one (1) 2013 or newer model propane powered 15,500 lb. forklift with rotating fork assembly; contract number PRF-2013-25

Commissioner Harris asked, "Is this the best price?"

Mr. Carr replied, "Yes. Two bids were received. The low bid didn't have a bid bond and we went with the second bid."

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 7/13/11 certifying to the Local Finance Board compliance regarding the annual audit report for the fiscal year ended December 31, 2012 pursuant to N.J.S.A. 40A:5A-17

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Resolution 7/13/12 authorizing expenditure for security camera and other related appurtenances at the water treatment plant and Boonton Dam to be reimbursed by Department of Homeland Security

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

Resolution 7/13/13 authorizing professional engineering services contract to Hatch Mott McDonald (HMM) for New Jersey Department of Transportation (NJDOT) Route 139 viaduct project

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

Resolution 7/13/14 approving a fully insured workers' compensation insurance policy

Commissioner Macchi asked, "Is this under control now" (workers' compensation claims).

Mr. Becht explained that in the last two years or so the Authority has made progress/improvements with regard to hiring practices and enforcement of employee requirements/responsibilities and rules/regulations. All potential new hires must successfully complete a 120 work day probationary period (extended from 90 work days). Performance is monitored during this time and at the completion of this period, supervisors are required to signoff on new hires and verify the employee is capable of performing the job he/she was hired to do as well as adhering to JCMUA rules/regulations/employee code of conduct, etc. Prospective employees also undergo a pre-employment physical as well a drug/alcohol testing. Every effort is being made to hire and retain a competent, capable workforce that works within the applicable rules/regulations/laws. "We're paying close attention. Insurance premiums were up over the last number of years. We want a workforce that is competent and capable. This is our focus."

Commissioner Macchi asked if potential new hires were given a test.

Mr. Becht explained they are given a physical exam and must meet certain criteria, including having a CDL, but there is no written test.

Commissioner Brown briefly discussed individuals with ADHD and certain exams that cannot be given.

Ms. Gordon added that in the past a minimum basic skills test was administered but that is no longer done.

Mr. Becht restated that in addition to the pre-employment physical, drug and alcohol testing is done. "The Authority has a zero tolerance policy."

Commissioner Macchi asked if the union is in agreement with testing, probationary period, etc.

Mr. Webster replied, "Yes. The extended period gives us a better idea of what people are about."

Commissioner Harris asked why the 90 work day probationary period was extended to 120 work days and expressed her opinion that 120 days is too long.

Mr. Becht explained that in the past the Authority had been "fooled" by new hires and 90 days did not prove to be an adequate amount of time to thoroughly assess a potential employee. "Our employees work for the Authority for a very long time and we cannot afford to pay benefits, salary, etc. if they don't work out. This works better for the MUA and the employees both and allows us to hire from a large pool of prospective employees. The union signed off on this and this is major. It gives us the flexibility to keep who we want or not keep who we don't want."

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

Entered Closed Session at 5:22 p.m.

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

Closed Session Ended/Regular Session Reopened 5:33 p.m.

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

Closed Session Report – Per Mr. Webster, personnel matters were discussed during closed session.

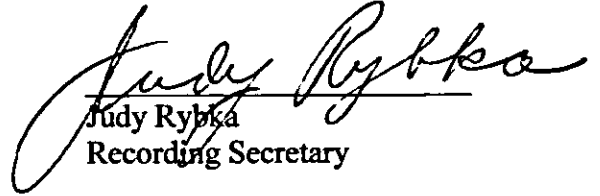
Approval of Minutes

Approval of minutes of the June 27, 2013 Commissioners meeting
Motioned to approve by Commissioner Matthias
Seconded by Commissioner Brown
Unanimously approved by all remaining Commissioners present.

Adjournment

The meeting adjourned at 5:34 p.m.
Motioned by Commissioner Brown
Seconded by Commissioner Matthias
Unanimously approved by all remaining Commissioners present.

Respectfully submitted,



Judy Rybka
Recording Secretary