

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
MAY 22, 2014**

CALL TO ORDER - 5:00 PM

In compliance with the Sunshine Laws, Chairman Balmir 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:

Chairman, Gerard M. Balmir, Jr.
Commissioner, Lewis W. Matthias
Commissioner, Marie Tauro
Commissioner, John H. Thieroff (arrived 5:04 p.m.)
First Alternate Commissioner, Nicholas I. Economou
Second Alternate Commissioner, Thomas M. Gibbons

ABSENT

Commissioner, William A. Macchi

ALSO PRESENT:

Daniel Becht, Esquire, Executive Director
John Folk, CPA, Director of Finance
Frank J. Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP
Judy Rybka, Recording Secretary
Richard Haytas, P.E., Senior Engineer/Infrastructure Maintenance Supervisor
Kevin Carr, Purchasing Agent
John Hroncich, P.E., United Water
Barbara Gordon, Director of Administration
Jerome A. Harris, P.E., P.P., CME Associates
Michael McClelland, P.E., P.P., C.M.E., CME Associates
Jonathan Scharff, M Public Affairs
William C. Braker, 220 Clarmont Avenue, Jersey City, NJ, President, Jersey City NAACP

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Approval of minutes of the April 24, 2014 Commissioners meeting

Motioned to approve by Commissioner Tauro

Seconded by Commissioner Gibbons

Roll call vote:	Commissioner Gibbons	Aye
	Commissioner Economou	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Abstention
	Chairman Balmir	Aye

RESOLUTIONS

Resolution 5/14/1 authorizing transfer of funds for sewer operations

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Tauro

Roll call vote:	Commissioner Gibbons	Aye
	Commissioner Economou	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/2 authorizing payments of audited claims for sewer operations

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Matthias

Roll call vote:	Commissioner Gibbons	Aye
	Commissioner Economou	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/3 authorizing transfer of funds and payments of audited claims for water operations

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/4 authorizing cash disbursements

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Thieroff

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/5 authorizing payments from the capital improvement, project and note funds

Motioned to approve by Commissioner Economou

Seconded by Commissioner Tauro

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/6 authorizing MMREF expenditure for repair of 30 inch water main at 18th Street and Marin Boulevard

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Tauro

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/7 authorizing MMREF expenditure for removing pipe samples for Journal Square ward – north water distribution system improvement project

Motioned to approve by Commissioner Economou

Seconded by Commissioner Thieroff

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/8 authorizing additional work for the emergency condition on Phillips Street between Thomas McGovern Drive and Communipaw Avenue and awarding contract for re-routing of sewer main

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Matthias

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/9 adopting a purchasing policies and procedures manual

Commissioner Gibbons the new manual is a “great improvement.”

Per Mr. Borin, Commissioner Gibbons had additional comments regarding change orders. This will be evaluated and may result in a “few tweaks” in the future.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/10 authorizing amendment number 3 to professional engineering services contract with French & Parrello for design and construction administration services for the rehabilitation of Split Rock Dam

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/11 authorizing MMREF expenditure for refurbishing Troy Street pump station valves

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 4/14/12 awarding contract for providing maintenance rehabilitation repair service and parts for JCMUA’s combined sewer overflow system and associated equipment and services; JCMUA contract number CSOS-2014-12

Commissioner Thieroff noted that only one bid was received and expressed concern, especially in view of the contract amount.

Mr. Carr explained that for approximately 25 years Waterware has been the only bidder for this type of specialty work. “Six bidders picked up packages but did not submit.”

Mr. Haytas further explained the vendor does its own fabrication of material and can fabricate whatever is needed. Many manufacturers do not have parts in stock and will not give price quotes.

Commissioner Thieroff asked if the Authority would accept bids from vendors that could partner with the fabricator, and Mr. Haytas replied, “Yes.”

Mr. Becht added, “They have sheds in the back and work from here. They provide the services.”

Motioned to approve by Commissioner Tauro

Seconded by Commissioner Thieroff

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/13 authorizing MMREF expenditure for re-pointing masonry joints in downstream face of Boonton Dam, Section V

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/14 authorizing change order numbers 1 through 12 for 2013 water system improvements for Bergen Lafayette wards project; JCMUA contract number BGSP-2012-32-W; New Jersey Environmental Infrastructure Trust project number 0906001-007

Motioned to approve by Commissioner Economou

Seconded by Commissioner Matthias

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/15 authorizing a change order for providing emergency and non-emergency plumbing repair services for JCMUA’s compliance with N.J.A.C. 5:30 11-9 for a change order that exceeds 20 percent

Motioned to approve by Commissioner Economou
 Seconded by commissioner Matthias

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/16 authorizing change orders 17 through 21 to contract for cleaning and lining water main in Ogden Avenue

Motioned to approve by Commissioner Matthias
 Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/17 amending professional engineering services contract with Hatch Mott MacDonald, Inc. for design and contract administration of re-routing water treatment plant raw water supply and pipe improvements

Motioned to approve by Commissioner Tauro
 Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/18 authorizing the qualifications of firms for conflict/special/workmen’s compensation services contracts

Commissioner Thieroff asked the expectation concerning the “up to amount.”

Mr. Borin replied the litigation is being handled by the Riker, Danzig firm and he could only guess at the amount.

Mr. Becht added this involves on going litigation and on going payments to Rockaway Valley Sewerage Authority. JCMUA already has \$4 to \$5 million invested and hopes to get much of that back on appeal. Final adjudication is anticipated in approximately two to three years. "There is an opportunity to reduce the contribution annually and save the agency a lot of money."

Motioned to approve by Commissioner Thieroff
Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/19 authorizing adoption of amended rules and regulations for furnishing water service

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Thieroff

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/20 awarding contract for providing removal and disposal of street excavated material from the owners facility; JCMUA contract number DSM-2013-46

Motioned to approve by Commissioner Thieroff
Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/21 authorizing change orders 5 through 8 for East Side Pump Station, motor, VFD and control replacements; JCMUA contract number ESPI-2012-19; NJEIT project number S340928-09

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Tauro

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Resolution 5/14/22 authorizing award of a contract for community relations, innovative programs and grant consulting services

Motioned to add Resolution 5/14/22 to the agenda by Commissioner Thieroff
 Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye
	Commissioner Matthias	Aye
	Chairman Balmir	Aye

Mr. Borin provided an overview of Resolution 5/14/22 concerning a contract for community relations and grant consulting. It was put out to bid twice and this is the lower of the two bids received. The goal is to develop an outreach program, financial assistance program, manage communications with the community and address complaints/problems in a formal way.

Per Mr. Becht, the annual contract can be re-evaluated if the Authority is not satisfied. This is a three prong program involving outreach, grant consulting and funding assistance for low income residents/rate payers.

Commissioner Thieroff asked how it was noticed and the qualifications of the bidder.

Per Mr. Carr, notice was on the JCMUA's website

Mr. Borin advised the proposal includes the bidder's qualifications. A brief discussion followed regarding bidder's qualifications, background and past experience.

Commissioner Thieroff asked, "Was the notice enough?"

Mr. Borin advised the notice met pay to play requirements.

Commissioner Gibbons suggested that prior to voting on Resolution 5/14//22, the bidder present at next month's Commissioners meeting.

Motioned to table Resolution 5/14/22 by Commissioner Thieroff
 Seconded by Commissioner Tauro

Roll call vote:	Commissioner Economou	Aye
	Commissioner Thieroff	Aye
	Commissioner Tauro	Aye

Commissioner Matthias Aye
Chairman Balmir Aye

COMMUNICATIONS – None

EXECUTIVE DIRECTOR'S REPORT – No report.

COMMITTEE REPORTS

Green Infrastructure Committee – Commissioner Gibbons provided an update on the rain barrel initiative and discussed an incentive, involving attendance at a seminar, for eligibility for free barrels. Mr. Becht advised the Authority is committed to providing 200 barrels at a cost of \$25 each.

COUNSEL REPORT – No report

UNFINISHED BUSINESS – None

NEW BUSINESS – Commissioner Tauro had a question regarding conflict of interest and Mr. Borin provided a response.

Motion to re-open the Public Comment session by Chairman Balmir

Seconded by Commissioner Thieroff.

Roll call vote:

Commissioner Economou	Aye
Commissioner Thieroff	Aye
Commissioner Tauro	Aye
Commissioner Matthias	Aye
Chairman Balmir	Aye

Mr. William C. Braker, 220 Claremont Avenue, introduced himself as a Jersey City property owner and President of the Jersey City NAACP. He explained that in the past his water bills averaged \$400 to \$500 but in 2013 he received bills for thousands of dollars. Following these increased bills, he hired a plumber on two separate occasions but no leaks were found. He also contacted United Water and was told by a “nasty” employee that there is no appeal process. He then called the MUA and spoke with Elmer Andal who Mr. Braker called “a perfect gentleman” and was provided \$800 in leak relief. He further advised the Board that other residents have had similar experiences with increased water bills. “We need someone to look into this. We want justice. I think I’m a victim of a faulty reading.” Mr. Braker asked the Board to review this matter and his poor customer service experience with United Water.

Mr. Becht thanked Mr. Braker for coming to this evening’s meeting and for his compliments to Mr. Andal. He explained if a customer is dissatisfied with United Water they can come to the MUA with their complaints. “We’ll take another look at it but we cannot say your meter was over read or there were no other issues. We’ll get to the bottom of it and figure out the problem.”

Mr. Braker thanked Mr. Becht and the Board of Commissioners and asked that Mr. Andal follow up with him.

EXECUTIVE SESSION - None

ADJOURNMENT

The meeting adjourned at 6:00 p.m.

Motioned by Chairman Balmir

Seconded by Commissioner Matthias

Unanimously approved by all remaining Commissioners present.

Respectfully submitted,


Judy Rybka
Recording Secretary