

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
AUGUST 28, 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, Marie Tauro
Commissioner, John H. Thieroff
First Alternate Commissioner, Nicholas I. Economou

MEMBERS ABSENT:

Commissioner William A. Macchi
Commissioner, Lewis W. Matthias
Second Alternate Commissioner, Thomas M. Gibbons

ALSO PRESENT:

Daniel Becht, Esquire, Executive Director
Judy Rybka, Recording Secretary
Frank J. Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP
Richard Haytas, P.E., Senior Engineer/Infrastructure Maintenance Supervisor
Barbara Gordon, Director of Administration
Rajiv Prakash, JCMUA Engineering Department
William C. Pyontek, P.E., P.P., French & Parrello Associates
Jerome A. Harris, P.E., P.P., CME Associates
Michael McClelland, P.E., P.P., C.M.E., CME Associates
Paul Kelley, P.E., C.M.E., Remington, Vernick and Arango Engineers, Inc.
John M. Pyne, P.E., Remington, Vernick and Arango Engineers, Inc.
Terrence McDonald, The Jersey Journal

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Commissioner Thieroff noted that Resolution 7/14/10 was voted down, not tabled, at the July 24, 2014 Commissioners meeting. Minutes are amended to reflect Resolution 7/14/10 was voted down.

Approval of minutes of the July 24, 2014 Commissioners meeting as amended above

Motioned to approve by Commissioner Economou

Seconded by Commissioner Thieroff

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

RESOLUTIONS – CONSENT AGENDA

Resolution 8/14/1 authorizing transfer of funds for sewer operations

Resolution 8/14/2 authorizing payments of audited claims for sewer operations

Resolution 8/14/3 authorizing transfer of funds and payments of audited claims for water operations

Resolution 8/14/4 authorizing cash disbursements

Resolution 8/14/5 authorizing payments from the capital improvement, project and note funds

Resolution 8/14/6 authorizing amendment number 3 for professional engineering services contract to Hatch Mott MacDonald for structural assessment of buildings and JCMUA structures affected by Superstorm Sandy

Resolution 8/14/7 authorizing amendment number 4 for professional engineering services contract to Hatch Mott MacDonald for structural assessment of buildings and JCMUA structures affected by Superstorm Sandy

Resolution 8/14/8 authorizing amendment number 5 for professional engineering services contract to Hatch Mott MacDonald for structural assessment of buildings and JCMUA structures affected by Superstorm Sandy

Resolution 8/14/9 authorizing purchase of three (3) 4 X 4 Ford F-450 crew cab dump trucks using the New Jersey State Cooperative Purchasing Program

Resolution 8/14/10 authorizing payment to Public Service Electric and Gas Company for the relocation of utility facilities

Resolution 8/14/11 authorizing Arcadis U.S., Inc. to amend the existing Duncan Avenue outfall contract documents to include installing a water main

Resolution 8/14/12 authorizing a contract amendment for the existing Sixth and Tenth Street sewer rehabilitation to Arcadis U.S., Inc.

Resolution 8/14/14 authorizing MMREF expenditure for installation of new pressure reducing valve (PRV) at 6th Street and Marin Boulevard

Resolution 8/14/16 authorizing the award of a contract for General Counsel services

Resolution 8/14/17 authorizing MMREF expenditure for installation of sodium permanganate storage and feed system at the Boonton Dam

Resolution 8/14/18 authorizing change order number 5 for the rehabilitation of Split Rock Reservoir Dam, JCMUA contract number SRD-2013-14-W

Resolution 8/14/19 making application to the Local Finance Board and authorizing other actions required for participation in the New Jersey Environmental Infrastructure Trust Financing Program

Resolution 8/14/20 authorizing MMREF expenditure for replacement of water main in Magnolia Avenue

Resolution 8/14/21 authorizing the declaration of an emergency condition on Fourth Street between Coles Street and Brunswick Street and Monmouth Street between Fourth and Fifth Street and awarding contract for replacing sewer main

Resolution 8/14/22 authorizing amendment number 4 to professional engineering services contract with French & Parrello Associates, P.A. for design and construction administration services for the rehabilitation of Split Rock Dam

Resolution 8/14/23 authorizing change order number 36 for Boonton Gravity Supply Project, JCMUA contract number BGSP-2012-33-W; New Jersey Environmental Infrastructure Trust Project #0906001-008

Resolution 8/14/24 authorizing change order number 1 for contract for Sip Avenue sewer separation project, JCMUA contract number SA-2013-48

Resolution 8/14/26 authorizing change order number 1 for MMREF expenditure for refurbishment of Troy Street pump station valves

Resolution 8/14/28 authorizing change order number 13 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 Thieroff

Seconded by Commissioner Tauro

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

Resolution 8/14/13 ratifying the execution of an agreement with T-Mobile Northeast LLC for the leasing of a portion of property for cell communications facilities and equipment

Commissioner Thieroff questioned the fee JCMUA will receive for the cell tower.

Per Mr. Borin, the fee is approximately \$1,800 per month and will increase to \$2,500 per month. Going forward, JCMUA's contract will increase three percent (3%) per year.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Economou

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

Resolution 8/14/15 authorizing amending the contract with CME Associates for consulting engineering services

Commissioner Thieroff requested supporting information for the increase.

Mr. McClelland, CME Associates, explained the original contract was a general authorization and "just an estimate" so that funds would be available. Based on current and future projects, additional compensation is required (not to exceed \$148,000). "We are not billing until we are requested to provide services."

Mr. Becht explained that CME has been given additional responsibilities and the original allocation was used by mid year. They assist in a number of projects and provide oversight on both the water and sewer sides. Work has been diverted to CME from other engineering firms but the overall engineering budget is not increasing.

Commissioner Thieroff asked, "What's driving this?"

Mr. Becht replied, "Additional work and some staffing issues." City Administration is

holding JCMUA more accountable for water and sewer breaks and expects the MUA to be more proactive.

Motioned to approve by Commissioner Economou

Seconded by Commissioner Tauro

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

Resolution 8/14/25 authorizing MMREF expenditure for leak detection services on two hundred (200) miles of water distribution system mains

Commissioner Thieroff discussed the high cost of police coverage, stating the matter must be addressed.

Mr. Haytas explained \$40,000 for police coverage was originally budgeted. An additional \$90,000 plus another \$150,000 was requested since mid July to the present time.

Mr. Becht added that police coverage typically accounts for an additional 10 to 15 percent of the job cost. An internal study of police costs will be conducted "but we do not want to slow down the work."

Chairman Balmir suggested a meeting with Jersey City law enforcement.

Mr. Borin advised there is a City ordinance addressing this and recalled past discussions about meetings with the City.

Mr. Becht suggested the JCMUA might use its own employees with possible oversight by the JCPD.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Tauro

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

Resolution 8/14/27 authorizing MMREF expenditure for reimbursement of cost of 12 inch ductile iron pipe material to contractor

Commissioner Thieroff questioned the reimbursement request and the late submission of the invoice.

Mr. Prakash explained that Spectra Energy accidentally hit a water main resulting in the need to replace 500 feet of pipe. Certain emergency work was completed but the new 500 foot main was not replaced because of a conflict with site plans for a proposed development in the area. The pipe had already been ordered and delivered to the job site but was not installed. The invoice submitted by United Water is dated August 4, 2014 although this occurred in September/October 2013. The contractor is requesting reimbursement for the pipe which can be used for other Authority projects. Mr. Prakash advised the Authority was fully reimbursed.

Motioned to approve by Commissioner Tauro

Seconded by Commissioner Economou

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

Resolution 8/14/29 amending professional engineering services contract with French & Parrello Associates, P.A. for design and construction administration for repairs of bascule gates, gate houses and suspension bridge at Boonton Dam

Mr. Pyontek, French & Parrello, recalled the original contract was awarded in 2008 for repair of three chambers and the suspension bridge at the Boonton Dam. While on the job site, they had access to the spillway and noted the bascule gates were deteriorating (gate repairs were not included in the original contract). French & Parrello brought this to the attention of the MUA, and the contract was amended to include an inspection of the bascule gates and preparation of a report. In 2014 the gates were included in the plans and specifications but funds in the original contract were depleted. French & Parrello is requesting an additional budget to provide construction administration services not included in the original contract. "The bascule gates should be done if you're doing the chambers and you'll have a complete job."

Mr. Prakash explained he is in agreement with French & Parrello's recommendation. United Water also recommends this be part of project as it will allow water to rise in the reservoir. Per Dam Safety requirements, work should begin and will be completed within approximately five months.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Economou

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

COMMUNICATIONS – No

EXECUTIVE DIRECTOR'S REPORT – No report

COMMITTEE REPORTS – No reports

COUNSEL REPORT – Will report in Executive Session

UNFINISHED BUSINESS – Commissioner Tauro discussed pot hole repairs by the City and the Authority's involvement in the project. Per conversations with City Hall, in the future JCMUA and the Board of Commissioners will be involved in/advised of such matters in advance.

Chairman Balmir reported that he also spoke with the City and was assured the MUA's Executive Director will be advised in advance should situations such as this arise again in the future.

Mr. Borin advised an agreement will be prepared in connection with the pot hole work.

NEW BUSINESS – No

EXECUTIVE SESSION

Entered Executive Session at 5:43 p.m. to discuss ongoing litigation.

Motioned by Commissioner Thieroff

Seconded by Commissioner Tauro

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

EXECUTIVE SESSION REPORT – Confidential minutes of the Executive Session, prepared/submitted by Mr. Borin, are attached.

ADJOURNMENT

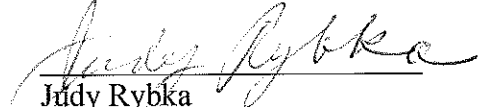
The meeting adjourned at 6:42 p.m. immediately following Executive Session

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Tauro

Unanimously approved by all Commissioners present.

Respectfully submitted,


Jidy Rybka
Recording Secretary