

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
NOVEMBER 24, 2015**

CALL TO ORDER – 5:02 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, William Macchi
Commissioner, Lewis W. Matthias
Commissioner, Marcos Vigil
First Alternate Commissioner, Nicholas Economou

MEMBERS ABSENT:

Second Alternate Commissioner, Thomas M. Gibbons

ALSO PRESENT:

Daniel Becht, Executive Director
Judy Rybka, Recording Secretary
Kevin Conti, Esquire, DeCotiis, FitzPatrick & Cole, LLP
Richard Haytas, PE, Senior Engineer/Infrastructure Maintenance Supervisor
John Folk, CPA, Director of Finance
Rajiv Prakash, Engineering Department
Elmer Andal, Finance Department
Kevin Carr, Purchasing Agent
Jerome A. Harris, PE, PP, CME Associates
Michael McClelland, PE, PP, CME Associates

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Approval of minutes of the October 28, 2015 Commissioners meeting

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Vigil

Roll call vote: Commissioner Economou	Aye
Commissioner Vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

CONSENT AGENDA

Resolution 11/15/1 authorizing transfer of funds for sewer operations

Resolution 11/15/2 authorizing payments of audited claims for sewer operations

Resolution 11/15/3 authorizing transfer of funds and payments of audited claims for water operations

Resolution 11/15/4 authorizing cash disbursements

Resolution 11/15/5 authorizing payments from the capital improvement, project and note funds

Resolution 11/15/6 authorizing the execution of an agreement with the City of Jersey City for reimbursement of the costs associated with construction of the Jersey Avenue bridge water main

Resolution 11/15/7 authorizing an amendment to the contract for accounting services with William Katchen, CPA's

Resolution 11/15/8 authorizing change order number 3 final quantities and close out of contract for Newark Avenue sewer replacement project, JCMUA contract number NA-2013-47

Resolution 11/15/9 authorizing change order number 3 final quantities and close out of contract for Trenton Street sewer separation project, JCMUA contract number TS-2013-46

Resolution 11/15/13 granting 80 percent sewerage abatement

Resolution 11/15/14 granting 35 percent sewerage abatement

Resolution 11/15/16 authorizing execution of an agreement with New York SMSA Limited Partnership D/B/A Verizon Wireless for leasing of a portion of property for cell communication facilities and equipment

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Matthias

Roll call vote: Commissioner Economou	Aye
Commissioner Vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

DEFERRED AGENDA

Resolution 11/15/10 authorizing change order number 1 for MMREF expenditure for cured-in-place pipe lining of existing water mains on Newark Avenue between Tonnelle Avenue and James Street – Phase 2

Commissioner Vigil requested additional background information.

Mr. Prakash explained this is a MMREF project through United Water for lining of an existing main. Three bids were received. The job is nearing completion and inspections have been performed. Oversight of Phase 1 required full time oversight, but Phase 2 is limited to part time oversight. It was determined that using the engineer who performed the design work was “the best way to go.”

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Matthias

Roll call vote: Commissioner Economou	Aye
Commissioner Vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Commissioner Tauro	Aye

Resolution 11/15/11 authorizing the declaration of an emergency repair of back pitch sewer on Tenth Street between Brunswick Street and Monmouth Street

Commissioner Vigil asked the name of the developer involved, and Mr. Haytas stated he would get the name for him after the meeting.

Commissioner Vigil also asked if there would be any reimbursement for this work from the developer.

Mr. Haytas explained the MUA provided sewer maps that were not correct, and the developer was unable to make the connection. (As problems with the maps are found, corrections are made.) The developer advised the MUA that residents would be moving into the property in

early 2016. To remedy the emergency situation, a 60 inch manhole will be installed until the sewer is replaced. The new sewer will be designed with a positive pitch and “will serve the developer adequately.” Mr. Haytas further advised that some improvements were also made on Ninth Street at the developer’s cost.

Mr. Becht added the Authority shares the latest technology/maps with developers, PSE&G, United Water, etc.

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Economou

Roll call vote: Commissioner Economou	Aye
Commissioner Vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

Resolution 11/15/12 authorizing adoption of amended sewer connection fee program rules

Commissioner Vigil requested a copy of the fee schedule. (Fee schedule was not attached to the Resolution.)

Mr. Folk advised the current fee is \$1,791 per EDU, and explained the fee was not increased but changes were made as to how the fee is applied, and added there is a reduction in fees for restaurants and laundromats.

Mr. Becht explained that fees for restaurants and laundromats have basically been “cut in half.” He suggested the Resolution could be approved subject to attachment of the fee schedule. Once the fee schedule is in place, a statement can be prepared for the Mayor’s office.

Motioned to approve by Commissioner Vigil subject to inclusion of fee schedule

Seconded by Commissioner Matthias

Roll call vote: Commissioner Economou	Aye
Commissioner Vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

Resolution 11/15/15 authorizing the emergency stabilization of embankment for the Sip Avenue drainage ditch

Commissioner Vigil asked if this is a recurring issue.

Mr. Haytas explained the sewer at Sip Avenue was replaced from 1 & 9 to Emerson Street (goes through the netting facility) and increased the size of the tide gate. In moderate to heavy rain, the DOT catch basins on 1 & 9 overflow and water dumps into the creek and erodes the embankment. This can prevent the tide gate from opening, resulting in a back up. There is also

potential for the tide gate to remain open, taking on river water and the possibility of damage to the tide gate from falling rocks. Mr. Haytas further explained the Marion Gardens housing complex could be affected if the tide gate remains closed. Sip Avenue from 1 & 9 to Kennedy Boulevard could also experience problems. "The 440 drain system is undersized and needs to be up graded. We cannot stabilize it on our own. The DOT owns the catch basins that flood."

Commissioner Vigil asked if there are options available for recovering some of the funds for these expenses.

Mr. Haytas suggested a letter to the DOT although previous letters have been sent to no avail.

Mr. Becht explained that typically it is best to remedy problems and then try to recover expenses, and Mr. Haytas agreed.

Commissioner Vigil restated his position that every effort should be made to recover these expenses.

Mr. Conti suggested recovery through court action.

Commissioner Vigil recommended approving Resolution 11/15/15 subject to seeking recovery of funds and other damages related to DOT negligence.

Motioned to approve by Commissioner Vigil subject to recovery of funds and other damages related to DOT negligence

Seconded by Commissioner Economou

Roll call vote:	Commissioner Economou	Aye
	Commissioner Vigil	Aye
	Commissioner Macchi	Aye
	Commissioner Matthias	Aye
	Chairwoman Tauro	Aye

Resolution 11/15/17 authorizing execution of a right of entry agreement with the Jersey City Redevelopment Agency for the performance of environmental investigation activities on property owned by the Authority

Chairwoman Tauro questioned \$60,000 payment to the Jersey City Redevelopment Agency.

Mr. Conti explained the JCMUA "split the cost" with the JCRA for environmental investigations, adding the Authority "would have had to perform this investigative work anyway."

Mr. Becht explained the property will revert back to the City because the facility is not being used by the MUA. The environmental studies benefit the MUA, and the property may ultimately be released for use by Liberty Science Center and will benefit all citizens. The property, which is no longer of any use to the MUA and can transfer without further responsibility to the

Authority, will go to a non-profit to replace a school and other facilities. "This is a cost sharing situation."

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Matthias

Roll call vote: Commissioner Economou	Aye
Commissioner vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Commissioner Tauro	Aye

Resolution 11/15/18 awarding contract for professional engineering services to Remington, Vernick and Arango for Phase 2A of the combined sewer capacity and condition assessment rehabilitation

Mr. Haytas advised four bids were received for the project. Under the consent decree, replacement of certain sewer segments is required. There are several phases of the project, and it is now in Phase 3 and 4. Phase 2A involved relining 18 sewer segments. Scope of work included design, preparation of plans and specifications and application for a loan with the Environmental Infrastructure Trust. The lowest bid was received from a construction engineering firm with which the MUA had no experience. Remington et al is currently working on approximately 12-13 projects for JCMUA and has the necessary knowledge and experience.

Commissioner Vigil asked if Ocean Avenue and south is one of these projects Remington et al is currently working on.

Mr. Haytas replied, "No." Phase 3 and 4 is being performed "around the tunnel." Ocean Avenue going south has not had many problems with backups or integrity.

Commissioner Vigil advised that at a recent meeting, a City Council member noted the line is 50 years old. City Council is expected to make a request for information about this area.

Mr. Becht advised City Council has requested a five year capital plan and list of projects currently underway.

Mr. Haytas added that as of the past five years, there have been no major deficiencies with the sewer system in that area.

Motioned to approve by Commissioner Economou

Seconded by Commissioner Vigil

Roll call vote: Commissioner Economou	Aye
Commissioner vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

COMMUNICATIONS – None

EXECUTIVE DIRECTOR’S REPORT – Mr. Becht reported on the water main break in Hoboken and Jersey City. Effects are City wide in Hoboken and the break is also affecting the Newport area of Jersey City. “We have 45 PSI level and having trouble getting to 50 PSI. It is hoped repairs will be completed by Wednesday.” Although the water is discolored, it is safe to drink and a boil water advisory has not been issued. Per Mr. Becht, pipes are being scoured and water contains grit/sediment but it is not harmful. The MUA will convene with United Water and the City next week to determine if other issues can be addressed in advance of winter.

COMMITTEE REPORTS – No reports

COUNSEL REPORT – No report

ITEMS OF UNFINISHED BUSINESS

Unfinished Business Agenda/Action Item(s) for November 2015 Commissioners meeting:

1. Change order chart.

ITEMS OF NEW BUSINESS - None

EXECUTIVE SESSION

Entered Executive Session at 5:45 p.m. to discuss personnel matters.

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Matthias

Roll call vote: Commissioner Economou	Aye
Commissioner Vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

Executive session ended/regular session reopened at 6:14 p.m.

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Matthias

Roll call vote: Commissioner Economou	Aye
Commissioner vigil	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Chairwoman Tauro	Aye

ADJOURNMENT

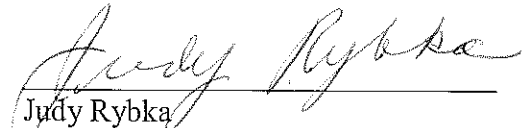
The meeting adjourned at 6:15 p.m.

Motioned to approve by Commissioner Economou

Seconded by Commissioner Vigil

Unanimously approved by all Commissioners present.

Respectfully submitted,



Judy Rybka
Recording Secretary