

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
JULY 22, 2015**

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
Commissioner, Lewis W. Matffias
Commissioner, Marcos Vigil (arrived 5:12 p.m.)
Second Alternate Commissioner, Thomas M. Gibbons

MEMBERS ABSENT:

Commissioner William A. Macchi
Commissioner Marie Tauro
First Alternate Commissioner, Nicholaos Economou

ALSO PRESENT:

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

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Approval of minutes of the June 24, 2015 Commissioners meeting

Per Mr. Borin, no action will be taken by the Board on the June minutes due to lack of attendance at this meeting and those present at the June meeting.

CONSENT AGENDA

Resolution 7/15/1 authorizing transfer of funds for sewer operations

Resolution 7/15/3 authorizing transfer of funds and payments of audited claims for water operations

Resolution 7/15/4 authorizing cash disbursements

Resolution 7/15/5 authorizing payments from the capital improvement, project and note funds

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Matthias

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

Resolution 7/15/6 authorizing change order numbers 9 through 15 for MMREF expenditure for replacement of water main in Magnolia Avenue

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Matthias

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

Resolution 7/15/9 authorizing change order number 3 for rehabilitation of the two (2) 48 inch lower level drain lines and valves at the Boonton Dam project

Resolution 7/15/10 authorizing the award of a contract for construction administration services to East Point Engineering for inspection services for upgrades to the JCMUA's east and west side pumping stations

Resolution 7/15/11 authorizing the award of a contract for professional engineering services to Pure Technologies for engineering study of the JCMUA's water supply aqueduct

Resolution 7/15/12 amending the contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC for special/conflict counsel services

Resolution 7/15/13 authorizing engineering services contract with Arcadis U.S., Inc. to prepare monthly and quarterly reports containing the CSO discharge volumes and frequency for each 2015 storm

Resolution 7/15/14 awarding an amendment to contract for professional engineering services to Hatch Mott MacDonald for Phase 1-2 of the combined sewer capacity and condition assessment study

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Matthias

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

DEFERRED AGENDA

Resolution 7/15/2 authorizing payments of audited claims for sewer operations

Mr. Folk explained two corrections to Resolution 7/15/2. Page 2 – payroll services in the amount of \$25,256.63 was applied to account 01-07-510-001-**225** and should be applied to account 01-07-510-001-**226**. Page 5 - \$970,302.91 loan principal was applied to account 01-07-530-005-**233** and should be applied to 01-07-530-005-**231**

Mr. Borin requested a motion to amend, reflecting corrections above, and approve Resolution 7/15/2.

Motioned to amend/approve by Commissioner Matthias

Seconded by Commissioner Gibbons

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

Resolution 7/15/7 granting 35 percent abatement

Commissioner Gibbons asked how the 35 percent rate was established and noted that it seems high.

Mr. Haytas explained the cooling tower uses domestic water and has one meter (newer hotels have separate meters on cooling towers). The 35 percent rate was established by using a 2 page calculation which indicates a rate average of 27 to 46 percent. This formula has been used for abatements in the past and was verified with New York City. Mr. Haytas suggested contacting other municipalities to determine how they handle hotels. He further suggested using DEP calculations and possibly categorizing hotels separately.

Commissioner Gibbons suggested tabling Resolution 7/15/7 to allow additional time to research the current 35 percent rate.

Motioned to table by Commissioner Gibbons

Seconded by Commissioner Matthias

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

Resolution 7/15/8 authorizing change order number 1 for MMREF expenditure for installation of hydrants at various locations in Jersey City

Chairman Balmir requested a motion to table Resolution 7/15/8

Motioned to table Resolution 7/15/8 by Commissioner Matthias

Seconded by Commissioner Gibbons

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

COMMUNICATIONS – None

EXECUTIVE DIRECTOR’S REPORT – No report

COMMITTEE REPORTS – No reports

GENERAL COUNSEL REPORT – No report

ITEMS OF UNFINISHED BUSINESS

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

1. Change order chart.

ITEMS OF NEW BUSINESS – Mr. Folk discussed the quote for workers compensation which is significantly below the budgeted amount of \$715,000, and advised a payment of \$135,000 is due the insurance company before August. He added that workers compensation was “indirectly” approved when the budget was approved.

Mr. Carr explained the rate is based on a model published by the State. However, it has not been published since last year. He advised that claims are down from 37 to 9 over a four year period, and “we’ll probably see a greater reduction.”

EXECUTIVE SESSION – None

Prior to adjournment, Chairman Balmir asked everyone to join him in welcoming Commissioner Vigil, the JCMUA's new Commissioner. Commissioner Vigil was then sworn in by General Counsel.

ADJOURNMENT

The meeting adjourned at 5:15 p.m.

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Matthias

Unanimously approved by all Commissioners present.

Respectfully submitted,


Judy Rybka
Recording Secretary