

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
MAY 27, 2015**

CALL TO ORDER – 5:02 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. Matthias
Commissioner, Marie Tauro
Commissioner, John H. Thieroff
Second Alternate Commissioner, Thomas M. Gibbons

MEMBERS ABSENT:

Commissioner, William A. Macchi
First Alternate Commissioner, Nicholaos I. Economou

ALSO PRESENT:

Daniel Becht, Esquire, Executive Director
Judy Rybka, Recording Secretary
Frank J. Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP
Richard Haytas, PE, Senior Engineer/Infrastructure Maintenance Supervisor
Barbara Gordon, Director of Administration
Kevin Carr, Purchasing Agent
Rajiv Prakash, Engineering Department
John Folk, CPA, Director of Finance
Michael McClelland, PE, PP, CME, CME Associates
Jerome A. Harris, PE, PP, CME Associates
John Hroncich, PE, United Water
Matt Mulligan, Shauger Group
Mark Moon, Esquire, Trenk, DePasquale, Webster et al

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Approval of minutes of the April 22, 2015 Commissioners meeting

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Thieroff

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

CONSENT AGENDA

Resolution 5/15/1 authorizing transfer of funds for sewer operations

Resolution 5/15/2 authorizing payments of audited claims for sewer operations

Resolution 5/15/3 authorizing transfer of funds and payments of audited claims for water operations

Resolution 5/15/4 authorizing cash disbursements

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

Resolution 5/15/9 approving a cash management plan in accordance with N.J.S.A. 40A:5-14 for the year 2015

Resolution 5/15/10 authorizing contracts with certain approved State contract vendors for contracting units pursuant to N.J.S.A. 40A:11-12

Resolution 5/15/11 authorizing the award of a contract for professional engineering services to Maser Engineering for assessment of interconnection capacity to increase system reliability

Resolution 5/15/12 authorizing the award of a contract for professional engineering services to Civil Dynamics for formal inspection of Boonton Dam and Parsippany Dike

Resolution 5/15/13 authorizing MMREF expenditure for re-pointing of masonry joints in downstream face of Boonton Dam Section VI

Resolution 5/15/15 authorizing the declaration of an emergency condition at 95A Orient Avenue and issuance of a purchase order to William J. Guarini, Inc.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Matthias

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

Resolution 5/15/16 authorizing the MMREF expenditure for emergency repair of leaks on a 48 inch valve and blowoff line of the aqueduct in Riverside County Park in Lyndhurst

Resolution 5/15/17 authorizing MMREF expenditure for emergency repair of 12 inch main break in Tonnelle Avenue at Manhattan Avenue

Resolution 5/15/18 authorizing the declaration of an emergency repair of collapsed sewer on Tenth Street between Eric Street and Manila Avenue and issuance of a purchase order to J. Fletcher Creamer & Sons, Inc.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Gibbons

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

Resolution 5/15/20 awarding contract extension for the provision of providing removal and disposal of street excavation material- contract number DSM-2013-43 – for one year pursuant to and in accordance with the terms and conditions of N.J.S.A. 40:11-15

Resolution 5/15/22 authorizing the declaration of an emergency water service on 727 Newark Avenue and awarding contract for repair of water service and issuance of a purchase order to William J. Guarini, Inc.

Resolution 5/15/24 authorizing change order number 3 for contract for the provision of emergency and non-emergency plumbing repair services in compliance with N.J.A.C. 5:30 11-9

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Gibbons

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

Chairman Balmir requested a motion authorizing amendment to his vote on consent agenda items as follows: Abstention vote on Resolution 5/15/16, Resolution 5/15/17 and Resolution 5/15/18. Votes amended above from “Aye” to “Abstention.”

Motioned to approve amended votes by Commissioner Thieroff

Seconded by Commissioner Gibbons

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

DEFERRED AGENDA

Resolution 5/15/6 awarding contract for Sixth Street sewer replacement project; JCMUA number DAS-2014-11B

Commissioner Gibbons commented the \$1 million for gas main relocation seems like a “large” number and recommended advance notice in this type of situation.

Mr. Haytas explained under the consent decree, the JCMUA is required to replace the sewer. The sewer project is within the line of influence for several blocks of a PSE&G gas main which will need to be relocated. \$1 million is a “preliminary number,” and meetings with PSE&G and the contactor will be scheduled to determine if it is possible to lower the cost of relocating the gas main. This is a PSE&G expense which will be incurred by the MUA then billed as time and material.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Matthias

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

Resolution 5/15/7 authorizing adoption of the JCMUA 2015 sewer budget

Commissioner Gibbons requested additional detail on the budget.

Mr. Folk recalled the budget was introduced two months ago and sent to the State for review/approval. The MUA was advised today that the budget can be adopted and “no major changes were made.”

Resolution 5/15/8 authorizing adoption of the JCMUA 2015 water budget

Per Commissioner Gibbons, his question concerning Resolution 5/15/18 is the same as his question on Resolution 5/15/7.

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Thieroff

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

Resolution 5/15/14 authorizing purchase of one 4X4 pickup truck, one 4X4 crew cab pickup truck and one AWD vehicle using the New Jersey State Cooperative Purchasing Program

Commissioner Gibbons asked why new vehicles are needed. “Are they additional or replacement?”

Mr. Carr explained all Commissioners will receive a copy of the vehicle renewal/replacement report which “explains it all.” Certain vehicles have reached the end of their service life and/or are no longer functional/reliable. “This is to replace existing vehicles.”

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Matthias

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

Resolution 5/15/19 authorizing a 20 percent change order for the contract for providing removal and disposal of street excavation material, JCMUA contract number DSM-2013-43

Commissioner Gibbons noted the 20 percent change order is on a contract that has already been exceeded by \$17,000 (approximately). He requested additional information and suggested steps be taken to prevent this in the future. Commissioner Gibbons recommended the contractor be advised to stop providing services (if the project is not critical) when nearing the end of the purchase order amount.

Mr. Carr explained the MUA did not have a dirt removal contract for approximately two years and attempted to estimate the amount to be removed in order to put together accurate specifications. “This is an estimated contract and the estimate is high.” Two years of dirt accumulation and two or three large jobs are involved. The contract was based on past experience and will continue for another year. The contractor will accept a one percent increase, and Mr. Carr feels this is a “great price.”

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Gibbons

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

Resolution 5/15/21 awarding contract extension for the provision of repair service and parts for television/video sewer inspection equipment – contract number TVS-2013-09 – for one year pursuant to and in accordance with the terms and conditions of N.J.S.A. 40:A11-15

Commissioner Matthias noted this is an extended contract that expired in April 2015 and asked Mr. Borin if it can be extended legally since it has expired.

Mr. Borin replied, “Yes, I’m comfortable with it.”

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Gibbons

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

Resolution 5/15/23 awarding a contract for large valve replacement project, JCMUA contract number LVR-2014-01-W-CME (**delivered at meeting**)

Chairman Balmir requested a motion to defer Resolution 5/15/23 until after the Executive Session

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Gibbons

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

COMMUNICATIONS – None

EXECUTIVE DIRECTOR REPORT – Per Mr. Becht, nothing further report.

COMMITTEE REPORTS

Green Infrastructure Committee – Commissioner Gibbons reported he and Mr. Elmer Andal recently attended a task force meeting at City Hall. The meeting was well attended by City agencies/departments, Rutgers University and community groups. There was a good deal of support for green infrastructure in Jersey City which will help meet permitting goals.

COUNSEL REPORT – Per Mr. Borin, two items will be discussed in Executive Session.

ITEMS OF UNFINISHED BUSINESS

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

1. Change order chart.

ITEMS OF NEW BUSINESS – Commissioner Tauro discussed a recent new hire and asked how the hire came about.

Mr. Becht explained that as part of his job as Executive Director, he hires regularly and recently hired a new employee. A recommendation was made and upon completion of an application, the candidate was interviewed and found to be qualified for the position. Mr. Becht made an executive decision to hire the individual based on qualifications.

Chairman Balmir stated, “I have no relatives working for the MUA.”

ENTERED EXECUTIVE SESSION 5:25 PM

Motioned by Commissioner Gibbons

Seconded by Commissioner Thieroff

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

EXECUTIVE SESSION ENDED/REGULAR SESSION REOPENED 6:03 PM

Motioned by Commissioner Thieroff

Seconded by Commissioner Matthias

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

Resolution 5/15/23 awarding a contract for large valve replacement project, JCMUA contract number LVR-2015-01-W-CME (**delivered at meeting**)

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Gibbons

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

ADJOURNMENT

The meeting adjourned at 6:04 p.m.

Motioned to approve by Commissioner Thieroff

Seconded by Commissioner Matthias

Unanimously approved by all Commissioners present.

Respectfully submitted,



Judy Rybka
Recording Secretary