

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY  
MINUTES OF THE REORGANIZATION MEETING AND  
REGULAR BOARD OF COMMISSIONERS MEETING  
FEBRUARY 24, 2016**

**CALL TO ORDER – 5:03 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 Maureen C. Hulings  
Commissioner, William Macchi  
Commissioner, Lewis W. Matthias  
First Alternate Commissioner, Nicholas Economou  
Second Alternate Commissioner, Thomas M. Gibbons

**MEMBERS ABSENT:**

Commissioner, Marcos Vigil

**ALSO PRESENT:**

Daniel Becht, Executive Director  
Judy Rybka, Recording Secretary  
Frank Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP  
John Folk, CPA, Director of Finance  
Rajiv Prakash, Engineering Department  
Kevin Carr, Purchasing Agent  
Elmer Andal, Finance Department  
Jerome A. Harris, PE, PP, CME Associates  
Michael McClelland, PE, PP, CME Associates  
John Hroncich, United Water

**FLAG SALUTE**

**PUBLIC COMMENT** – No public comment

**APPROVAL OF MINUTES**

Commissioner Matthias noted an error in Resolution 1/16/9 and the summary. Resolution 1/16/9 should read as follows: awarding contract for professional engineering services to Remington, Vernick and Arango for relining of Van Winkle Avenue for combined sewer between Kennedy Boulevard and Senate Place (not Van Winkle Avenue between Ocean Avenue and Cator Avenue)

Motioned to approve minutes of the January 27, 2016 Commissioners meeting with above correction by Commissioner Matthias

Seconded by Commissioner Economou

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

**ELECTION OF OFFICERS**

**Chair** – Commissioner Macchi nominated Chairwoman Tauro and Commissioner Economou nominated Commissioner Hullings. There were no further nominations.

Roll call vote for nomination of Chairwoman Tauro:

Commissioner Economou	Nay
Commissioner Macchi	Aye
Commissioner Hullings	Nay
Commissioner Matthias	Nay
Chairwoman Tauro	Aye

Roll call vote for nomination of Commissioner Hullings:

Commissioner Economou	Aye
Commissioner Macchi	Nay
Commissioner Hullings	Aye
Commissioner Matthias	Aye
Commissioner Tauro	Nay

Commissioner Hullings is elected Chair to the Board of Commissioners of the JCMUA for the 2016/17 term.

**Vice Chair** – Chairwoman Hullings nominated Commissioner Macchi. There were no further nominations.

Roll call vote for nomination of Commissioner Macchi:

Commissioner Economou	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Commissioner Tauro	Aye
Chairwoman Hullings	Aye

Commissioner Macchi is elected Vice Chair to the Board of Commissioners of the JCMUA for the 2016/17 term.

**Secretary** – Commissioner Matthias nominated Commissioner Tauro. There were no further nominations.

Roll call vote for nomination of Commissioner Tauro:

Commissioner Economou	Aye
Commissioner Macchi	Aye
Commissioner Matthias	Aye
Commissioner Tauro	Aye
Chairwoman Hullings	Aye

Commissioner Tauro is elected Secretary to the Board of Commissioners of the JCMUA for the 2016/17 term.

At approximately 5:10 p.m., Mr. Borin declared the reorganization of the Jersey City Municipal Utilities Authority Board of Commissioners complete.

**COMMITTEES - 2016/17**

Operations Committee: Commissioner Vigil, Commissioner Macchi.

Financial Oversight and Audit Committee: Commissioner Matthias, Chairwoman Hulings.

Procurement and Contracting Committee: Commissioner Gibbons, Commissioner Tauro.

**CONSENT AGENDA**

**Resolution 2/16/1** adopting annual meeting schedule

**Resolution 2/16/2** designating official newspapers

**Resolution 2/16/3** approving a cash management plan in accordance with N.J.S.A. 40A:5-14 for the year 2016

**Resolution 2/16/4** appointing Financial Oversight and Audit Committee for 2016-17

**Resolution 2/16/5** appointing Operations Committee 2016-17

**Resolution 2/16/6** appointing Procurement and Contracting Committee for 2016-17

**Resolution 2/16/7** authorizing transfer of funds for sewer operations

**Resolution 2/16/8** authorizing payments of audited claims for sewer operations

**Resolution 2/16/9** authorizing transfer of funds and payments of audited claims for sewer operations

**Resolution 2/16/10** authorizing cash disbursements

**Resolution 2/16/11** authorizing payments from the capital improvement, project and note funds

**Resolution 2/16/12** authorizing application for a loan from the FY2017 New Jersey Environmental Infrastructure Trust Financing Program and designating authorized representatives

Chairwoman Hullings asked, "Why a loan?"

Mr. Folk explained the interest rate with the New Jersey Infrastructure is very low, less than one percent.

**Resolution 2/16/13** authorizing MMREF expenditure for replacement of 12 inch water main in State Route 440 between Kellogg Street and Danforth Avenue

**Resolution 2/16/14** authorizing MMREF expenditure for replacement of 8 inch and 6 inch water mains in Van Winkle Avenue, Huron Avenue and St. Paul's Avenue

**Resolution 2/16/15** authorizing change order number 6 exceeding 20 percent for the Duncan Avenue outfall replacement and water main relocation project; JCMUA contract number DAS-2013-11A

Commissioner Gibbons referred to the 8<sup>th</sup> "whereas" paragraph of Resolution 2/16/15 and noted change orders one through five do not add up. When new change orders are added, it does not accurately add up to the new contract amount.

Mr. Carr explained the original amount was incorrect. The bidder failed to supply line item allowance. It will be reviewed, corrected and sent out.

Commissioner Macchi asked the procedure to be followed when a change order exceeds 20 percent.

Mr. Folk explained it can be accepted or rejected by the Infrastructure Trust. A request can be made that the change order be accepted. If rejected, the MUA can use other funds and not borrow elsewhere "We're able to handle this amount without further debt. We're not close to the limit we can borrow from the Infrastructure Trust."

**Resolution 2/16/16** authorizing change order number 1 for MMREF expenditure for cured-in-place pipe lining of existing water mains in Newark Avenue between Tonnele Avenue and Summit Avenue – Phase I

**Resolution 2/16/17** authorizing change order number 5 for MMREF expenditure for rehabilitation of the two (2) 48 inch lower level drain lines and valves at the Boonton Dam project

**Resolution 2/16/18** awarding change order and contract reduction and closeout for replacement of grit and screenings conveyor systems at East Side Wastewater Pumping Station; JCMUA contract number ESGC-2013-37

**Resolution 2/16/19** authorizing preparation of bid specifications and public advertising for the procurement of various goods and/or services

**Resolution 2/16/20** authorizing purchase of goods and services with certain approved State contract vendors pursuant to N.J.S.A. 40A:11-12

**Resolution 2/16/21** extending contract for preventative maintenance, repair of emergency generators and associated equipment for one year pursuant to and in accordance with the terms and conditions of N.J.S.A. 40A:11-15; JCMUA contract number PMREG-2014-18

**Resolution 2/16/22** awarding contract for rehabilitation and replacement of water mains and sewer mains; JCMUA contract number WMRC-2015-37-W

**Resolution 2/16/23** authorizing additional payment to the Site Administrator of the New Jersey Spill Compensation Fund for the assessment of the 96 inch sewer in Carteret Avenue by Redzone Robotics, Inc. pursuant to PPG site remediation litigation

Mr. Borin explained this is for payment to Redzone Robotics for inspection of sewer in connection with PPG chromium remediation. Excavation was required near the sewer on Carteret Avenue. An agreement was reached with the site Administrator to "split" the cost. This is for an additional \$21,000, which is approximately half the cost of the additional work. "This is being directed as part of the cleanup work of PPG sites."

Mr. Becht noted that there has been a recommendation from Corporation Counsel "to move forward with this."

Motion to approve consent agenda Resolutions 2/16/1 through 2/16/23 by Commissioner Matthias

Seconded by Commissioner Economou

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

**COMMUNICATIONS** - None

**EXECUTIVE DIRECTOR'S REPORT** – Mr. Becht reported union negotiations are underway, and recalled the Board approved a two percent increase for administrative staff. The Authority is looking for a similar increase for union employees. A meeting was held today and union negotiations will continue.

**COUNSEL REPORT** – No report

**ITEMS OF UNFINISHED BUSINESS**

Unfinished Business Agenda/Action Item(s) for February 2016 Commissioners meeting:

1. Change order chart.

Commissioner Gibbons distributed a sample spreadsheet for use in tracking change orders, and requested a draft report be available for review at the next meeting. The tracking system will be helpful to the monthly Procurement/Contracting Committee meeting and provide a "snap shot" which can be updated month by month.

Mr. Becht reviewed the sample spreadsheet and advised every effort will be made to accommodate Commissioner Gibbon's request. Since a good deal of additional work will be required, it may be necessary to use the services of the consulting engineers.

Commissioner Gibbons offered to maintain the spreadsheet and distribute it prior to the monthly Procurement/Contracting Committee meeting.

Mr. Becht added that he and Mr. Carr will make this a priority, and it will be addressed by the next Procurement/Contracting Committee meeting.

## ITEMS OF NEW BUSINESS

Commissioner Macchi discussed a recent Jersey Journal article regarding a \$50,000 contract to perform testing of the City's water supply. He explained that he did not recall the Board being made aware of this and asked if the contract requires approval by the Board of Commissioners.

Mr. Becht apologized for any miscommunication and will provide improved communication with the Commissioners through the Chair and Vice Chair who will disseminate information to the Board. He invited Commissioner Macchi and all Commissioners to feel free, of course, to call him anytime. He explained the contract amount is less than the State standard and below the bid threshold. It does not require approval by the MUA's Board. Mr. Becht expressed "complete confidence in Mr. Carr," and noted the MUA is in full compliance with pay-to-play.

City administration has requested a "double check" of water quality, and the Authority has reached out to several labs to determine if it is fully compliant. Following conversations with United Water and the labs, the cost went down and an RFP was put out. "This is good for all concerned; the MUA, the City and residents."

Commissioner Macchi asked if the Jersey Journal should be contacted and advised the information they have is not correct.

Mr. Becht explained that he does not handle press. "That comes from City Hall." It is possible that information concerning the water testing contract may have been reported incorrectly.

Chairwoman Hullings recommended contacting the Jersey Journal when testing is complete so the results and lower cost can be reported.

Commissioner Gibbons discussed the Green Infrastructure Committee (ad hoc committed) and requested a motion to fill Commissioner Balmir's vacancy on the Committee (Commissioner Balmir resigned in 2015) and continue with the Committee.

Mr. Becht suggested using staff for the Green Infrastructure Committee, and Commissioner Gibbons agreed.

Commissioner Gibbons noted he is "still looking for the Rutgers study." He attends many Environmental Committee meetings and is liaison between the JCMUA and the Committee. He explained that he needs certain information for these meetings.

Mr. Becht assured Commissioner Gibbons he will be given all needed/requested information.

Chairwoman Hullings referred to the January 27, 2016 Commissioners meeting minutes which state Commissioner Vigil recommended salary/personnel issues could be discussed in Executive Session at this month's meeting. The minutes also indicated that Mr. Becht and Commissioner Tauro were to meet and discuss this matter. "Did this meeting take place?"

Mr. Borin replied advised that the meeting did occur and that a further discussion should take place in Executive Session.

**EXECUTIVE SESSION**

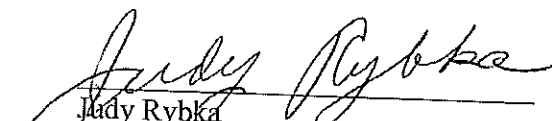
Entered Executive Session at 5:47 p.m.  
Moted by Commissioner Matthias  
Secoded by Commissioner Economou  
Roll call vote: Commissioner Economou Aye  
                  Commissioner Macchi Aye  
                  Commissioner Matthias Aye  
                  Commissioner Taro Aye  
                  Chairwoman Hullings Aye

Executive Session Ended 5:59 p.m.  
Moted by Commissioner Economou  
Secoded by Commissioner Matthias  
Roll call vote: Commissioner Economou Aye  
                  Commissioner Macchi Aye  
                  Commissioner Matthias Aye  
                  Commissioner Tauro Aye  
                  Chairwoman Hullings Aye

**ADJOURNMENT**

The meeting adjourned at 6:00 p.m.  
Moted to approve by Commissioner Matthias  
Secoded by Commissioner Economou  
Unanimously approved by all Commissioners present.

Respectfully submitted,

  
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Judy Rybka  
Recording Secretary