

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY  
MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
JANUARY 27, 2016**

**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 Maureen C. Hulings  
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  
Frank Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP  
John Folk, CPA, Director of Finance  
Rajiv Prakash, Engineering Department  
Kevin Carr, Purchasing Agent  
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**

Approval of minutes of the December 23, 2015 Commissioners meeting

Motioned to approve by Commissioner Matthias

Seconded by Commissioner Economou

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

Mr. Borin requested a motion and second to go out of the agenda order and move Committee Reports (item 9) to item 6.

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
Commissioner Hulings	Aye
Chairwoman Tauro	Aye

**COMMITTEE REPORTS**

**Operations Committee** – Mr. Borin reported the Operations Committee met by conference call concerning Resolution 1/16/16, authorizing a 2 percent salary increase for non-union employees. Mr. Borin was present on the call. Committee consensus was in agreement with the Executive Director’s recommendation for the 2 percent increase.

**Procurement and Contracting Committee** – Mr. Borin reported the Procurement and Contracting Committee met regarding Resolutions 1/16/6, 1/16/7 and 1/16/8 in connection with contract awards for accounting, auditing and consulting engineering services, respectively. Staff recommendations based on the evaluation conducted were as follows: accounting contract was awarded to William Katchen, CPA. Auditing contract was awarded to Ferraioli, Wielkotz, Cerullo and Cuva, P.A. The contract for consulting engineering services was awarded to CME Associates.

Regarding Resolution 1/16/6 for accounting services, Mr. Borin further reported that last year's contract was based on level of service as recommended by staff. The 2016 Resolution is for a not to exceed contract amount of \$75,000 and is in line with last year's contract. The level of the contract is set at the correct level and is more in line with the cost of service.

### **CONSENT AGENDA**

**Resolution 1/16/1** authorizing transfer of funds for sewer operations

**Resolution 1/16/2** authorizing payments of audited claims for sewer operations

**Resolution 1/16/3** authorizing transfer of funds and payments of audited claims for water operations

**Resolution 1/16/4** authorizing cash disbursements

**Resolution 1/16/5** authorizing payments from the capital improvement, project and note funds

**Resolution 1/16/6** authorizing the award of a contract for accounting services

**Resolution 1/16/7** authorizing the award of contract for auditing services

**Resolution 1/16/8** authorizing the award of a contract for consulting engineering services

**Resolution 1/16/9** awarding contract for professional engineering services to Remington, Vernick and Arango for relining of Van Winkle Avenue for combined sewer between Ocean Avenue South and Cator Avenue

**Resolution 1/16/10** authorizing the qualification of firms and awarding of contract for special/conflict counsel services contracts

**Resolution 1/16/12** authorizing MMREF expenditure for installation of new 36 inch gate valve in Jefferson Avenue between Summit Avenue and Central Avenue

**Resolution 1/16/14** authorizing change order number 1 for MMREF expenditure for replacement of water main in New York Avenue between Ravine Road and New Jersey Transit tracks

**Resolution 1/16/16** authorizing a 2 percent salary increase for non-union employees

Motioned to approve by Commissioner Vigil  
Seconded by Commissioner Matthias

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

**Resolution 1/16/11** authorizing amendment to professional engineering services contract with Hatch Mott MacDonald, Inc. for design and construction administration for relocation of water mains in Jersey City water system

**Resolution 1/16/13** authorizing amendment to professional engineering services contract with Hatch Mott MacDonald, Inc. for design, permitting and bid phase services for Journal square north pipe renewal project

Mr. Borin requested a motion to table Resolution 1/16/11 and Resolution 1/16/13

Motioned to table Resolution 1/16/11 and Resolution 1/16/13 by Commissioner Vigil

Seconded by Commissioner Hulings

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

### **DEFERRED AGENDA**

**Resolution 1/16/15** authorizing the execution of an easement agreement affecting Block 167, Lot 5 and Block 172, Lot 2 in the Borough of North Arlington by and between Meadowlands Ventures, LLC and the Jersey City Municipal Utilities Authority

Commissioner Vigil asked if an evaluation of the property, with regard to the easement, had been conducted to determine if there would be any impact/effect on operations and water service.

Mr. Prakash explained that meetings with the developer were held in October/November 2015 concerning development of a Federal Express facility and the developer's request to realign the intersection of Porete Avenue and the Belleville Turnpike. A 30 inch water main exists in Belleville Turnpike. The water main will have to be crossed to provide access to Belleville Turnpike. He advised no negative impact on operations is anticipated and the bridge will not impede MUA operations in the future.

Mr. Borin advised he reviewed the easement agreement and provided comments/revisions to make certain nothing would be done that might cause any liability to JCMUA, and that the Authority would be indemnified in the event of legal action should there be an interruption in water service. All recommendations and revisions to the agreement were accepted.

Mr. Becht added that the easement agreement was done in consultation with both United Water and legal counsel

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Hulings

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

**COMMUNICATIONS** – Mr. Becht advised there was “nothing specific to share with the Board.”

Chairwoman Tauro reported that Chief Engineer Rich Haytas had been in a serious auto accident some weeks ago and suffered injuries to his eyes. The MUA and its Board of Commissioners wish Mr. Haytas well during this difficult time.

Mr. Becht advised Mr. Haytas has been in communication with the MUA and he will begin disability in February 2016. “We wish him a speedy recovery. Our prayers are with him.”

**EXECUTIVE DIRECTOR’S REPORT** – Mr. Becht reported that the Mayor has requested testing of the City’s water in light of current news stories concerning problems with the water quality in a number of New Jersey municipalities. Specifically, PFOA’s have been found in the water in 12 municipalities. The matter has been discussed with United Water. “We constantly test our water and will continue to do so. The MUA feels confident it is in full compliance with regulations.” An RFQ will be put together tomorrow for services of three independent testers, asking for responses within seven days. Responses will be promptly shared with the Board. In line with State and Federal regulations, the MUA may decide to involve more than one lab in the testing. Additionally, there are procedures in place, implemented by United Water, to comply with State and Federal regulations.

Mr. Hroncich added that PFOA’s in the water of a number of New Jersey municipalities is from “old Teflon and clothing manufacturing and is mostly a ground water issue.” The water in Jersey City was tested last year and no PFOA’s were found at that time.

**COUNSEL REPORT** – Mr. Borin reported on the East Side treatment plant property and the access agreement with the Jersey City Redevelopment Agency to allow for site testing and the proposed agreement with the Jersey City Redevelopment Agency to convey a portion of the property for development. The MUA has prepared a draft purchase agreement to share with the Jersey City Redevelopment Agency and its counsel. A portion of the property will be retained by the JCMUA for vehicle storage, pump station and other purposes. Development of the site will provide an asset/advantage to the City on property not needed by the MUA.

**ITEMS OF UNFINISHED BUSINESS**

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

1. Change order chart.

**ITEMS OF NEW BUSINESS** – Commissioner Vigil discussed meetings with the DEP regarding the Rebuild by Design project in Hoboken. A separate meeting with Jersey City property owners will be held. A study has not yet been done concerning the possible impact on flood waters. A follow up meeting with the State may be held concerning impact on flood water and infrastructure. A separate meeting with Jersey City property owners may be held to share information the Planning Department has gathered. “We will then request the DEP provide back up support.”

Commissioner Macchi briefly discussed the commercialization of Liberty State Park and asked if the JCMUA is taking a position on this.

Commissioner Vigil advised the Mayor has made clear the City’s position on this.

Chairwoman Tauro discussed her request for a schedule of Administrative salaries over the past five years.

Mr. Becht recommended entering Executive Session if personnel matters are to be discussed or the item can be carried over for next month’s Board of Commissioners meeting. The schedule requested by Chairwoman Tauro was prepared for last month’s Board meeting but was not an agenda item in December. Mr. Becht suggested discussing this at the next Board meeting since it is not on this evening’s agenda. He explained that all personnel records are locked for privacy and confidentiality and stressed the importance of maintaining privacy/confidentiality.

Mr. Becht advised that negotiations are underway with union representatives, and a two percent increase for a three year contract has been proposed. A two percent increase for non-union employees has been approved by the Board (Resolution 1/16/16).

Commissioner Vigil recommended the salary/personnel matter be discussed in Executive Session at next month's Commissioners meeting, and further recommended Mr. Becht and Chairwoman Tauro meet to share information for her review that would not have to be further circulated.

Mr. Becht stated he would be "more than happy to meet with Chairwoman Tauro."

Commissioner Macchi questioned the MUA practice of sharing employees with the JCIA and DPW.

Mr. Becht explained that per an existing interlocal service agreement, sharing employees is frequently done, and advised the MUA is one of the City agencies responsible for snow removal. "We're all the same city, and we all work together to do what's needed to keep the City running."

Commissioner Macchi requested copy of interlocal service agreement for review, and Mr. Becht will provide Commissioner Macchi with a copy.

**EXECUTIVE SESSION** – No Executive Session

**ADJOURNMENT**

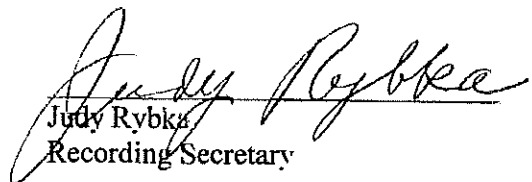
The meeting adjourned at 5:55 p.m.

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Hulings

Unanimously approved by all Commissioners present.

Respectfully submitted,

  
Judy Rybka  
Recording Secretary