

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

**CALL TO ORDER** – 5:05 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:**

Commissioner Maureen C. Hulings  
Commissioner, William A. Macchi  
Commissioner, Marcos D. Vigil  
Commissioner, Jeannine Zampella  
First Alternate Commissioner Thomas M. Gibbons

**ABSENT**

Chairwoman, Marie Tauro  
Second Alternate Commissioner, Nicholas I. Economou

**ALSO PRESENT:**

Daniel Becht, Esquire, Executive Director  
Judy Rybka, Recording Secretary  
Francis J. Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP  
John D. Folk, CPA, Director of Finance  
Richard Haytas, PE, Senior Engineer/Infrastructure Maintenance Supervisor  
Rajiv Prakash, Engineering Department  
Michael McClelland, PE, PP, CME Associates  
Jerome A. Harris, PE, PP, CME Associates  
Kevin J. Carr, RPPO, QPA, Purchasing Agent  
John Hroncich, Suez/United Water

**FLAG SALUTE**

**PUBLIC COMMENT** – No public comment

**APPROVAL OF MINUTES**

Approval of minutes of the June 22, 2016 Commissioners meeting

Motioned to approve by Commissioner Hulings

Seconded by Commissioner Zampella

Roll call vote: Commissioner Gibbons	Abstention
Commissioner Vigil	Aye
Commissioner Zampella	Aye
Commissioner Hulings	Aye
Commissioner Macchi	Aye

**RESOLUTIONS - CONSENT AGENDA**

**Resolution 7/16/1** authorizing transfer of funds for sewer operations

**Resolution 7/16/2** authorizing payments of audited claims for sewer operations

**Resolution 7/16/3** authorizing transfer of funds and payments of audited claims for water operations

**Resolution 7/16/4** authorizing cash disbursements

**Resolution 7/16/5** authorizing payments from the capital improvement, project and note funds

**Resolution 7/16/6** amending contract for professional engineering services contract with Arcadis U.S., Inc. for the Grand Street sewer cleaning and inspection

**Resolution 7/16/7** authorizing an amendment to Arcadis U.S., Inc. for engineering services for Phase VI and VII combined sewer capacity and condition assessment study and engineering design services for Phase V sewer rehabilitation project

**Resolution 7/16/8** approving a fully insured workers' compensation insurance policy

**Resolution 7/16/9** authorizing a shared services agreement between the Jersey City Municipal Utilities Authority and the Jersey City Housing Authority in accordance with N.J.S.A. 40A:11-5(2) and 40A:65-1 et seq

**Resolution 7/16/10** awarding contract for professional engineering services to Mott MacDonald for the provision of construction administration services for Phases 1 and 2 of the combined sewer capacity and condition assessment rehabilitation project

**Resolution 7/16/11** amending contract for professional engineering services with Mott MacDonald for construction administration for Duncan Avenue Outfall Sixth Street Project, JCMUA contract number DAOCA-2013-33-HMM

**Resolution 7/16/13** authorizing change order numbers 1 through 5 for MMREF expenditure for replacement of water mains in Huron Street, St. Paul's Avenue and Van Winkle Street

**Resolution 7/16/14** authorizing MMREF expenditure for emergency installation of valves and rerouting of water mains at St. Paul's Avenue and Skillman Avenue

**Resolution 7/16/15** authorizing change order numbers 2 through 7 for MMREF expenditure for cured-in-place pipe lining of existing water mains on Newark Avenue between Tonnele Avenue and James Street – Phase 2

**Resolution 7/16/17** awarding contract for provision of repair services and parts for truck-mounted articulating cranes, overhead cranes and associated equipment, JCMUA contract number RSPAC-2016-19 **(Rebid)**

**Resolution 7/16/18** rejecting bids for the provision of repair services and parts for raw sewage motors, pumps and variable frequency drives, control panels and associated equipment, JCMUA contract number RSMPD-2016-23

**Resolution 7/16/19** awarding contract for provision of repair services and parts for truck-mounted Stetco 0950T combination sewer cleaning machines and associated equipment, JCMUA contact number RSCSM-2016-20 **(Rebid)**

**Resolution 7/16/20** awarding contract for professional engineering services to Remington, Vernick and Arango for Phase 5A of the combined sewer capacity and condition assessment rehabilitation

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Hulings

Roll call vote: Commissioner Gibbons	Aye
Commissioner Vigil	Aye
Commissioner Zampella	Aye
Commissioner Hulings	Aye
Commissioner Macchi	Aye

### **DEFERRED RESOLUTIONS**

**Resolution 7/16/12** amending contract for professional engineering services contract with T & M Associates, Inc. for engineering design for Van Horne Street Combined 18 inch sewer relining

Commissioner Gibbons advised he is recusing himself and will not vote on Resolution 7/16/12.

Motioned to approve by Commissioner Hulings  
Seconded by Commissioner Vigil  
Roll call vote: Commissioner Vigil           Aye  
                  Commissioner Zampella        Aye  
                  Commissioner Hulings         Aye  
                  Commissioner Macchi         Aye

**Resolution 7/16/16** authorizing change order number 1 to the replacement of water and sewer lines to Liberty Island, JCMUA contract number RWSLI-2012-30-C

Commissioner Gibbons questioned the agreement with the National Park Service.

Mr. Borin advised there is a contract with the National Park Service and the State of New Jersey for full reimbursement to the JCMUA plus a 10 percent fee (approximately \$800,000).

Mr. Becht explained as contract administrator, the Authority receives a 10 percent fee to oversee the project which is fully guaranteed by the Federal government. "Work is approximately 90 percent complete."

Mr. Folk added this was approved by the National Park Service and a purchase order was issued. Approximately \$600,000 of the \$800,000 has been collected and payments are current.

Motioned to approve by Commissioner Gibbons  
Seconded by Commissioner Hulings  
Roll call vote: Commissioner Gibbons       Aye  
                  Commissioner Vigil            Aye  
                  Commissioner Zampella       Aye  
                  Commissioner Hulings         Aye  
                  Commissioner Macchi         Aye

**Resolution 7/16/21** authorizing Executive Director to enter into negotiations with Suez/United Water for a potential extension of the existing professional operation services contract

Commissioner Gibbons discussed the importance of input from the Operations Committee, and requested all Commissioners receive a copy of the current contract and reports. He requested the Resolution be amended to include the Operations Committee.

Per Mr. Becht, the Finance Department and Administration have met regarding the extension. Messrs. Becht and Folk will meet to review with the Finance and Operations Committees. Mr. Becht welcomed participation by the Board and Operations Committee. Deadline for the extension is "by Halloween or Thanksgiving." The Mayor and Chief of Staff will also be involved. Approximately 15 months remain on the current contract which can be extended an additional nine (9) years (two extensions, 4 years and 5 years).

Motioned to amend Resolution 7/16/21 to include Operations Committee by Commissioner Vigil  
Seconded by Commissioner Gibbons

Roll call vote: Commissioner Gibbons	Aye
Commissioner Vigil	Aye
Commissioner Zampella	Aye
Commissioner Hulings	Aye
Commissioner Macchi	Aye

Motioned to approve Resolution 7/16/21 as amended above by Commissioner Hulings  
Seconded by Commissioner Vigil

Roll call vote: Commissioner Gibbons	Aye
Commissioner Vigil	Aye
Commissioner Zampella	Aye
Commissioner Hulings	Aye
Commissioner Macchi	Aye

Following vote on Resolution 7/16/21, Commissioner Macchi asked about the water study that was recently conducted.

Mr. Becht advised the study was completed and shared with City Hall, the EPA and DEP. The Authority is in full compliance with standards for clean drinking water. Issues/concerns about lead lines in schools will be included in new contract negotiations with Suez/United Water. Schools are responsible for lines feeding the school system. "This has been a problem for many years and it has been discussed with the school system."

Commissioner Hulings asked if the results of the water study appeared in newspapers.

Mr. Becht advised results did appear in newspapers, including The New York Times and The Guardian, and the results were "shared mutually."

**COMMUNICATIONS** – No Communications

**EXECUTIVE DIRECTOR'S REPORT** – No report

**COMMITTEE REPORTS** – No reports

**COUNSEL REPORT** – Mr. Borin reported on preparation of a purchase and sale agreement with the Jersey City Redevelopment Agency for the East Side Plant. Negotiations are underway with the re-developer, and the purchase/sale agreement can be finalized following negotiations.

Commissioner Macchi questioned a settlement with Honeywell.

Per Mr. Folk, "The MUA is not in that group and is not involved at all."

Mr. Borin added there are important real estate issues relating to that project that will be brought before the Board.

**ITEMS OF UNFINISHED BUSINESS** - Unfinished Business Agenda/Action Item(s) for July 2016 Commissioners meeting:

1. Change Order Chart

**ITEMS OF NEW BUSINESS**

Commissioner Vigil introduced the following New Business Items:

1. New DEP rule allowing new septic systems to be constructed. 100 percent of the City's water comes from the Highlands region of New Jersey. City Administration opposes the new rule and will look to the JCMUA for support/involvement.
2. New Jersey City University will meet with the Executive Director to obtain information regarding the cost of external water infrastructure to be built by the University. City Administration will look to the JCMUA for input concerning the infrastructure and proposed bonding.

Mr. Becht advised that initial conversations have taken place, and the matter will be discussed further when necessary.

Commissioner Gibbons introduced the following New Business Items:

1. Draft ordinance to make public utilities pay for relocation of utilities when JCMUA performs sewer work. (Currently, the cost is being paid by the MUA.) "It's been done this way in New York City for decades."

Mr. Becht explained this has been brought to the attention of the JCMUA. "It makes sense and is very viable, but a State statute is needed to implement." This has been discussed with Arcadis and has been "on the books" for approximately eight years. "Utilities are fighting it but the MUA is in support of it."

2. The Environmental Committee has raised questions concerning the City's water supply. Commissioner Gibbons requested a representative from Suez/United Water address concerns about capacity and future development at upcoming Environmental Committee meetings.

Mr. Prakash advised an application to the DEP for a water master permit is "in the works," and the Authority has a list of all new development planned for the City.

3. New Jersey Tree Foundation recently held successful training programs at Dickinson High School. Commissioner Gibbons asked if the MUA's pledge of \$5,000 has been submitted.

Mr. Becht requested an invoice. Once the invoice is received, a manual check can be issued.

Following "Items of Unfinished Business" Commissioner Gibbons noted page 6 of the May 25, 2016 Commissioners meeting minutes require a correction to the last paragraph of the Procurement and Contracting Committee report. The correction has been made.

Commissioner Vigil then requested a general report on the City's water capacity.

Mr. Hroncich advised reservoirs are at 83 percent capacity (6 percent lower than this time last year). The State has issued a drought watch. Meetings are scheduled for July 29 with the Big 6 and State. There is a six inch rain deficit year to date. "We're in good shape for the water supply for Jersey City."

Commissioner Hulings then requested that in the future, the Resolutions list on the meeting agenda contain page numbers.

There was a motion by Commissioner Vigil to have meeting packages distributed to Commissioners as a PDF (rather than hard copy).  
Seconded by Commissioner Gibbons  
Unanimously approved by all commissioners present

**EXECUTIVE SESSION** – No Executive Session

**ADJOURNMENT**

The meeting adjourned at 5:42 p.m.  
Motioned to approve by Commissioner Macchi  
Seconded by Commissioner Hulings  
Unanimously approved by all Commissioners present.

Respectfully submitted,

  
Judy Rybka  
Recording Secretary