

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY  
MINUTES OF THE BOARD OF COMMISSIONERS MEETING  
MAY 25, 2016**

**CALL TO ORDER** – 5:00 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 (present by phone)  
Commissioner, William A. Macchi  
Commissioner, Marcos D. Vigil  
Commissioner, Jeannine Zampella  
Second Alternate Commissioner, Thomas M. Gibbons

**ABSENT**

First Alternate Commissioner, Nicholas I. Economou

**ALSO PRESENT:**

Judy Rybka, Recording Secretary  
Frank Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP  
John Folk, CPA, Director of Finance  
Rajiv Prakash, Engineering Department  
Krystyna Pawlowski, Administrative Assistant  
Jerome A. Harris, PE, PP, CME Associates  
Michael McClelland, PE, PP, CME Associates  
Josh Jacobs, Esquire, Riker, Danzig et al  
John Hroncich, United Water/Suez

**FLAG SALUTE**

**PUBLIC COMMENT** – No public comment

**APPROVAL OF MINUTES**

Approval of minutes of the April 27, 2016 Commissioners meeting

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Vigil

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

**RESOLUTIONS**

**Resolution 5/16/9 PULLED** awarding contract for provision of emergency and non-emergency plumbing repair services; JCMUA contract number PRS-2016-12

Per General Counsel, Resolution 5/16/9 is pulled from the agenda

**CONSENT AGENDA**

**Resolution 5/16/1** authorizing transfer of funds for sewer operations

**Resolution 5/16/2** authorizing payments of audited claims for sewer operations

**Resolution 5/16/3** authorizing transfer of funds and payments of audited claims for water operations

**Resolution 5/16/4** authorizing cash disbursements

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

**Resolution 5/16/6** authorizing a purchase and sale agreement with the Jersey City Redevelopment Agency for a portion of the East Side Plant property

Mr. Borin explained certain buildings on the property will be retained by the MUA and other portions of the property will be transferred to the JCRA.

Mr. Prakash added the building(s) being retained by the JCMUA can be used for storage and vehicles.

Chairwoman Tauro asked if the Authority's Administration offices could be located in these building(s).

Mr. Borin explained this can be explored and noted that other opportunities exist in the vicinity of that site.

**Resolution 5/16/7** authorizing MMREF expenditure for purchase of meters and associated hardware from Sensus Technologies

**Resolution 5/16/8** awarding a contract for operations building window replacement project; JCMUA contract number OBWR-2015-19

**Resolution 5/16/10** authorizing MMREF expenditure for electrical upgrades to underground utility vaults at Troy Street pump station

**Resolution 5/16/11** authorizing change order number 7 exceeding 20% for the Duncan Avenue outfall replacement and water main relocation project; JCMUA contract number DAS-2013-11A

Commissioner Vigil noted the new contract amount is now considerably above the bid amount and reiterated the need for the JCMUA to continue maintaining change orders to a minimum.

Commissioner Macchi asked if 20 percent above the bid amount is the amount requiring a Resolution.

Per Mr. Borin, any change order requires a Resolution. "20 percent is the magic number" that requires additional justification to the State.

**Resolution 5/16/12** authorizing change order number 6 for MMREF expenditure for rehabilitation of the two (2) 48 inch lower level drain lines and valves at the Boonton Dam Project

**Resolution 5/16/14** authorizing MMREF expenditure for disconnection of water services at various abandoned properties

**Resolution 5/16/15** awarding contract extension for the provision of removal and disposal of street excavation material; JCMUA contract number DSM-2013-43 for one year pursuant to and in accordance with the terms and conditions of N.J.S.A.40A:11-15

**Resolution 5/16/16** authorizing the declaration of an emergency relining of an 18 inch combined sewer on Van Horne Street between the Light Rail tracks

**Resolution 5/16/17** authorizing the declaration of an emergency repair of the sewer on Randolph Avenue between Carteret Avenue and Claremont Avenue

**Resolution 5/16/18** authorizing amendments to contracts for Special Counsel

**Resolution 5/16/19** REVISED Resolution authorizing the award of a contract for professional engineering consulting services to CME Associates to provide design, bid and construction administration services for Brookdale Gatehouse improvement project in Clifton

Motioned to approve by Commissioner Gibbons

Seconded by Commissioner Zampella

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

**DEFERRED AGENDA**

**Resolution 5/16/13** authorizing adoption of amended sewer connection fee program rules

Commissioner Gibbons asked for clarification and justification regarding changes.

Mr. Prakash advised there were not many changes. One change involves the application fee. The MUA is now looking to get the application fee up front because a good deal of time is spent looking at plans that ultimately do not go to construction. The application fees cover review time. Also, there will now be a charge for review of renovation projects which was not done in the past. The prior policy was: no connection fee, no application fee. Plans for renovations must be reviewed and review time will be compensated.

Commissioner Gibbons asked, "Do we have autonomy to set fees?"

Mr. Borin advised the Authority has "some" autonomy regarding how fees are paid. Per statute, fee amounts are based on a formula under statute.

Commissioner Gibbons asked, "Do we charge connection fees for parking lots and garages?"

Mr. Prakash explained charges are based on sanitary flow and parking lots do not pay sewer connection fees.

Commissioner Gibbons discussed storm water going through the CSO which must be treated. Some communities charge impact fees or connection fees to encourage low impact development. "This could be an opportunity to introduce something like that."

Mr. Borin suggested this could be reviewed to determine how it can be done under the law.

Commissioner Macchi asked if regulations are introduced to allow fees to be paid by parking lots, will regulations apply to new lots only or will existing lots be required to pay fees.

Per Mr. Prakash, if regulations are introduced for parking lots, they will apply to new lots only. Site plans will have to be submitted for review and contractors will be notified of fees which must be paid before plans are approved.

Mr. Borin added the fees are set forth in Authority regulations and should be built into the project's budget.

Commissioner Gibbons discussed providing an incentive for low impact and other green development by offering reduced fees.

Mr. Prakash explained some changes are being proposed to encourage developers to use green methods/technology. Connection fees are based on flow, and green development reduces flow into the sewer system.

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Gibbons

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

**COMMUNICATIONS** – Commissioner Gibbons referred to a letter from the Environmental Committee which he forwarded to the Executive Director. In the letter, the Environmental Committee expressed concerns about the rate of development in Jersey City and future water supply. Some feedback was received from United Water/Suez. It was suggested that United Water/Suez be invited to meet with the Environmental Committee and address concerns.

Mr. Hroncich explained capacity at Split Rock and Boonton is 11 billion gallons. Demand is 16 billion gallons per year. Reservoirs are not the only source of Jersey City's water supply. The Rockaway River adds to the supply. "There's enough for now and the future." Growth in Jersey City from 2010 through 2014 was approximately 6 percent (1.5 percent/year). Demand in Jersey City is dropping approximately 5 percent a year. The system is tighter, repairs have been done and mains have been rehabilitated. Additionally, customers are more conscientious and use less water. The DEP gave Jersey City an allocation permit which goes out 20 years.

Commissioner Vigil asked about water usage this time last year.

Mr. Hroncich explained that reservoirs typically drop in summer and are up during winter. "The same is expected for this year. We're within normal range. Jersey City's fluctuation in water demand is not that great."

Commissioner Macchi asked if developers are aware of the Rockaway River supply.

Mr. Hroncich replied, “No. They assume 100 gallons per day per person. Once building is complete, this number is off the books and incorporated into demand of the plant.”

**EXECUTIVE DIRECTOR REPORT** – No report

**COMMITTEE REPORTS** – Chairwoman Tauro questioned committee meeting schedules for standing committees.

Mr. Borin explained committees meet regularly but noted that the Operations Committee has not met recently.

**Procurement and Contracting Committee** – Commissioner Gibbons attended the Jersey City Economic Summit and explained the goal of the City is to buy local and use local labor. He reported that per the Executive Director, 80 percent of JCMUA’s workforce is local. Commissioner Gibbons recommended more local purchasing.

Commissioner Vigil discussed Anchor Institutions and identifying areas where development of training programs could encourage hiring of local labor and assist with the growth of the local economy.

Commissioner Macchi discussed a program in place in NYC some time ago whereby local contractors would be awarded a contract rather than the low bidder provided the local contractor’s bid was within 10 percent of the low bid.

Mr. Borin explained that is not allowed under New Jersey laws.

Commissioner Gibbons advised that in the future the design consultant cannot also be the construction manager because of conflict of interest. He suggested the Procurement Manual may need modification to further address change orders.

**COUNSEL REPORT** – Per Mr. Borin, “nothing additional to report.” Special Litigation Counsel will report in Executive Session.

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

1. Change order chart.

**ITEMS OF NEW BUSINESS** - Commissioner Vigil advised a press release today announced Jersey City and two other cities to receive technical assistance regarding CSO’s. Jersey City, the JCMUA and the City’s Redevelopment Agency worked together to submit an application and the project selected was the Morris Canal. This is an important project for future development and the environment of Jersey City.

**ENTERED EXECUTIVE SESSION AT 5:40 P.M.**

Motioned by Commissioner Vigil

Seconded by Commissioner Gibbons

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

**EXECUTIVE SESSION ENDED/REGULAR SESSION REOPENED AT 5:52 P.M.**

Motioned to approve by Commissioner Vigil

Seconded by Commissioner Gibbons

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

**ADJOURNMENT**


The meeting adjourned at 5:53 p.m.

Motioned by Commissioner Vigil

Seconded by Commissioner Gibbons

Unanimously approved by all Commissioners present.

Respectfully submitted,

  
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Judy Rybka  
Recording Secretary