

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING
MARCH 27, 2014**

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, Jr.
Commissioner, William A. Macchi (excused from meeting at 5:42 p.m.)
Commissioner, Lewis W. Mathias
Commissioner, Marie Tauro
Commissioner, John Thieroff
First Alternate Commissioner, Nicholas Economou
Second Alternate Commissioner, Thomas M. Gibbons

ALSO PRESENT:

Daniel Becht, Esquire, Executive Director
John Folk, CPA, Director of Finance
Frank J. Borin, Esquire, DeCotiis, FitzPatrick & Cole, LLP
Judy Rybka, Recording Secretary
Richard Haytas, P.E., Senior Engineer/Infrastructure Maintenance Supervisor
Kevin Carr, Purchasing Agent
John Hroncich, P.E., United Water
Barbara Gordon, Director of Administration
Jerome A. Harris, P.E., P.P., CME Associates
Michael McClelland, P.E., P.P., C.M.E., CME Associates
John Hroncich, P.E., United Water

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Approval of minutes of the February 27, 2014 Commissioners meeting/annual reorganization meeting

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Tauro

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

RESOLUTIONS

Resolution 3/14/1 authorizing transfer of funds for sewer operations

Motioned to approve by Commissioner Tauro
Seconded by Commissioner Macchi

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

Resolution 3/14/2 authorizing payments of audited claims for sewer operations

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Tauro

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

Resolution 3/14/3 authorizing transfer of funds and payments of audited claims for water operations

Motioned to approve by Commissioner Thieroff
Seconded by Commissioner Matthias

Roll call vote: Commissioner Thieroff Aye
Commissioner Macchi Aye

Commissioner Tauro Aye
Commissioner Matthias Aye
Chairman Balmir Aye

Resolution 3/14/4 authorizing cash disbursements

Motioned to approve by Commissioner Tauro
Seconded by Commissioner Macchi

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

Resolution 3/14/5 authorizing payments from the capital improvement, project and note funds

Motioned to approve by Commissioner Thieroff
Seconded by Commissioner Matthias

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

Resolution 3/14/6 awarding an amendment to a contract with Camp, Dresser, McKee, Inc. (CDM, Inc.) for professional engineering services as an expert witness

Commissioner Gibbons noted Resolution 3/14/6 should be amended to reflect new/correct name of the firm, CDM Smith

Motion to approve Resolution 3/14/6 as amended above by Commissioner Thieroff,
Seconded by Commissioner Matthias

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

Resolution 3/14/7 awarding contract for Brown Place sewer replacement and improvements project

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Tauro

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

Resolution 3/14/8 authorizing adoption of amended rules and regulations for furnishing water service

Chairman Balmir advised Resolution 3/14/8 will be deferred in order to compare new rules/regulations to the old rules/regulations.

Per Mr. Borin, a copy of the revised document will be distributed to the Board.

Commissioner Gibbons discussed Appendix I/rate sheet and noted the lowest cost is for water, which remains fairly constant. He asked how the increase is determined.

Mr. Becht explained the 3.75 percent cost of living adjustment (COLA) is contractually set. "It helps us afford increases and capital improvements on water and sewer."

Mr. Folk added, "A rate hearing held eight years ago (approximately) set the rates for ten years."

Motion to defer Resolution 3/14/8 by Commissioner Thieroff, seconded by Commissioner Matthias

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

Resolution 3/14/9 authorizing leasing one (1) copy machine

Motioned to approve by Commissioner Tauro
Seconded by Commissioner Macchi

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

Resolution 3/14/10 authorizing amendment number 2 to professional engineering services contract with French & Parrello for construction administration services for the rehabilitation of Split Rock Dam

Motioned to approve by Commissioner Thieroff
Seconded by Commissioner Matthias

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

Resolution 3/14/11 authorizing MMREF expenditure for valve testing in advance of the lane closures on the Pulaski Skyway Bridge

Commissioners Gibbons and Thieroff discussed the high cost of traffic control services to be provided by the Jersey City Police Department and asked if the MUA had discussed funding assistance with City Hall and the State.

Mr. Becht explained the DOT is funding fifty (50) police officers. The MUA will be performing a camera inspection of the areas affected and police services will be provided at no cost to the Authority during the inspection. Additionally, free police services will be provided for one month while MUA crews are performing night work. A number of meetings have been held concerning traffic control costs but no firm commitments have been received by the MUA.

Commissioner Thieroff suggested discussing the matter with the Hudson County Executive. Mr. Becht will look into it.

Commissioner Macchi briefly discussed using crossing guards rather than police officers in an effort to reduce costs.

Commissioner Gibbons suggested the MUA draft a letter stating its position regarding charges for JCPD service, and Chairman Balmir asked Mr. Becht to draft a letter for signature by members of the JCMUA Board of Commissioners.

Commissioner Gibbons asked if a contract was in place to protect the MUA from law suits during this on going work.

Mr. Carr explained the contract is through United Water and includes an indemnification clause. A copy of the insurance certificate is on file with the JCMUA.

Motion to approve by Commissioner Thieroff
Seconded by Commissioner Macchi

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

Resolution 3/14/12 authorizing contract for professional engineering services to Remington, Verrick and Arango Engineers for expanded scope of work for the

replacement of Sip Avenue sewer system (US 1 & 9 to Freeman Avenue) in conjunction with USEPA consent decree

Motioned to approve by Commissioner Thieroff
Seconded by commissioner Matthias

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

Resolution 3/14/13 authorizing amendment of contract with Shauger Group for replacement of lighting with associated hardware to JCMUA Administration Building and Operations Building

Commissioner Thieroff questioned the cost involved.

Mr. Haytas explained that repairs were needed as a result of damage caused by Superstorm Sandy. Once the work began, other problems were found including structural cracks and problems with soffits, drainage, lighting and roofing. The lighting is the last of the expected repairs. Additionally, the security system was upgraded and scaffolding was needed which increased the cost.

Mr. Becht added that bricks were falling into the walkway and it became a safety issue. "No work's been done on the building since the 1950's and we'll probably be here another five to eight years."

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Tauro

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

Resolution 3/14/14 awarding contract for professional engineering services to Remington, Vernick & Arango Engineers for design engineering and construction management services for replacement of Newark Avenue water main

Motioned to approve by Commissioner Thieroff
Seconded by Commissioner Macchi

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

Resolution 3/14/15 authorizing the award of contract for professional engineering services to CME Associates for design, bid and construction phase services for large valves

Commissioner Tauro asked about “fair” contract awards, and Mr. Haytas replied, “We are always fair. We’ll try to expand to include others.”

Commissioner Gibbons suggested two additional bids should be obtained to ensure the MUA is getting the best value.

Commissioner Thieroff explained the “time frame was tight” to apply for EIT funding and CME was involved in preliminary discussions.

Mr. Becht added that CME is the Authority’s consulting engineering firm and has been involved in meetings since February/March. They made a commitment to get proposal to EIT by the deadline, which represented added value. The Authority looks to use engineers it has a prior relationship with and engineers with knowledge of the job. In the future new protocols may result in engineering contracts being put out for bid.

Mr. Borin advised matters such as these are being reviewed in conjunction with the Procurement Manual which will be done in the coming weeks and added the go ahead has been given to apply for EIT funding.

Motioned to approve by Commissioner Tauro
Seconded by Commissioner Thieroff

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

Resolution 3/14/16 authorizing the declaration of a sewer emergency condition at Bartholdi Avenue between John F. Kennedy Boulevard and Romar Avenue

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Thieroff

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

Resolution 3/14/17 awarding contract for professional engineering services to Mayo, Lynch and Associates for the preparation of plans and specifications for miscellaneous East and West Side Plants improvements

Motioned to approve by Commissioner Matthias
Seconded by Commissioner Thieroff

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

COMMUNICATIONS – None

EXECUTIVE DIRECTOR'S REPORT – Mr. Becht reported the MUA continues “to stay on top of customer service and there are no major issues.”

COMMITTEE REPORTS

Procurement and Contracting Committee – Commissioner Gibbons reported the Committee met with senior management to review the draft Procurement Manual which should be ready by the next Commissioners meeting.

Commissioner Gibbons further reported the Jersey City Environmental Committee has invited him to attend its April 2014 meeting.

COUNSEL REPORT – No report

UNFINISHED BUSINESS – None

NEW BUSINESS – Commissioner Tauro distributed a newspaper article concerning proposed legislation to protect employees who are unable to come to work during a state of emergency. She recalled JCMUA employees who were in this position during the winter snow storms and were asked to use personal, vacation or sick time in order to be paid.

Mr. Becht stated that if the bill is passed, the Authority would, of course, adhere to the law.

Commissioner Thieroff asked the number of sick days allowed JCMUA employees.

Mr. Becht explained in the past employees were given three weeks sick time, but they now receive two weeks.

EXECUTIVE SESSION - None

ADJOURNMENT

The meeting adjourned at 5:49 p.m.
Motioned by Commissioner Thieroff
Seconded by Commissioner Matthias

Respectfully submitted,


Judy Rybka
Recording Secretary