

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE BOARD OF COMMISSIONERS MEETING/ANNUAL
REORGANIZATION MEETING
FEBRUARY 27, 2014**

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, Gerard M. Balmir, Jr.
Commissioner, William Macchi
Commissioner, Lewis W. Matthias
Commissioner, John Thieroff
Second Alternate Commissioner, Thomas Gibbons

ABSENT:

First Alternate Commissioner, Nicholas Economou

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
David J. Samuel, P.E., P.P., C.M.E., CME Associates

FLAG SALUTE

PUBLIC COMMENT – No public comment

APPROVAL OF MINUTES

Approval of minutes of the December 30, 2013 Commissioners meeting
Motedioned to approve by Commissioner Macchi
Seconded by Chairwoman Tauro

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| Roll call vote: | Commissioner Thieroff | Abstention |
| | Commissioner Balmir | Abstention |
| | Commissioner Macchi | Yay |
| | Commissioner Matthias | Yay |
| | Chairwoman Tauro | Yay |

Approval of minutes of the January 23, 2014 Commissioners meeting
Motedioned to approve by Commissioner Macchi
Seconded by Chairwoman Tauro

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| Roll call vote: | Commissioner Thieroff | Abstention |
| | Commissioner Balmir | Abstention |
| | Commissioner Macchi | Yay |
| | Commissioner Matthias | Abstention |
| | Chairwoman Tauro | Yay |

ELECTION OF OFFICERS

Chair - Chairwoman Tauro nominated Commissioner Balmir; the nomination was seconded by Commissioner Macchi. There were no further nominations.

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| Roll call vote: | Commissioner Thieroff | Yay |
| | Commissioner Balmir | Yay |
| | Commissioner Macchi | Yay |
| | Commissioner Matthias | Yay |
| | Chairwoman Tauro | Yay |

The motion carried and Commissioner Balmir was elected Chair to the Board of Commissioners of the JCMUA for the 2014/15 term.

Vice Chair – Chairman Balmir nominated Commissioner Tauro; the nomination was seconded by Commissioner Macchi. There were no further nominations.

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| Roll call vote: | Commissioner Thieroff | Yay |
| | Commissioner Tauro | Yay |
| | Commissioner Macchi | Yay |

Commissioner Matthias Yay
Chairman Balmir Yay

The motion carried and Commissioner Tauro was elected Vice Chair to the Board of Commissioners of the JCMUA for the 2014/15 term.

Secretary – Commissioner Tauro nominated Commissioner Thieroff; the nomination was seconded by Commissioner Matthias. There were no further nominations.

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

The motion carried and Commissioner Thieroff was elected Secretary to the Board of Commissioners of the JCMUA for the 2014/15 term.

The 2014 Officers were sworn in by Mr. Borin, and Mr. Becht invited everyone to join him in congratulating the new Officers of the JCMUA Board of Commissioners.

CONSENT AGENDA

Resolution 2/14/1 adopting annual meeting schedule

Resolution 2/14/2 designating official newspapers

Resolution 2/14/3 designating certain financial institutions as official depositories for the monies of the Authority in accordance with N.J.S.A. 40A:5-14 for the year 2014

Resolution 2/14/4 adopting Jersey City Municipal Utilities Authority's by laws

Resolution 2/14/5 adopting Financial Oversight and Audit Committee for 2014/15

Resolution 2/14/6 appointing Operations Committee for 2014/15

Resolution 2/14/7 appointing Procurement and Contracting Committee for 2014/15

Resolution 2/14/8 authorizing transfer of funds for sewer operations

Resolution 2/14/9 authorizing payments of audited claims for sewer operations

Resolution 2/14/10 authorizing transfer of funds and payments of audited claims for water operations

Resolution 2/14/11 authorizing cash disbursements

Resolution 2/14/12 authorizing payments from the capital improvement, project and note funds

Resolution 2/14/13 authorizing expenditures for Sensus Meters and associated hardware

Resolution 2/14/14 authorizing applications for one or more loans from the New Jersey Environmental Infrastructure Trust Program

Resolution 2/14/15 supplemental bond resolution authorizing the issuance of not to exceed \$30,000,000 sewer revenue bonds, Series 2014 of the Jersey City Municipal Utilities Authority

Resolution 2/14/16 authorizing the execution and delivery of agreements to be executed by the Jersey City Municipal Utilities Authority pursuant to the 20-14 New Jersey Environmental Infrastructure Trust Financing Program

Resolution 2/14/17 authorizing the qualification of firms for professional engineering services contracts for 2014/15

Resolution 2/14/18 authorizing the award of a contract for community relations, innovative programs and grants consulting services

Resolution 2/14/19 authorizing participation in the Hudson County Hazard Mitigation Plan Update and designating Senior Engineer to serve as primary point of contact

Resolution 2/14/20 authorizing the rejection of all bids and re-bidding for services for the disposal of street excavation materials.

Resolution 2/14/21 awarding contract for provision of emergency and non-emergency rental of discharge pumps, generators, submersible pumps and associated equipment; JCMUA contract number RTMSP-2013-44

Resolution 2/14/22 authorizing engineering services contract with Malcolm Pirnie, Inc. to provide general CSO consulting services as it relates to the JCMUA's NJDEP CSO general permit

Resolution 2/14/23 authorizing MMREF expenditure for emergency repair of 24 inch valve in Cornelison Avenue

Resolution 2/14/24 authorizing award of contract for professional engineering services to CME Associates for design and construction phase services for new pressure reducing valve

Resolution 2/14/25 authorizing change orders numbers 1 through 16 to contract for cleaning and lining of water main in Ogden Avenue

Resolution 2/14/26 authorizing change orders numbers 19 through 21 for Boonton Gravity Supply Project; JCMUA contract number BGSP-2012-33-W; New Jersey Environmental Infrastructure Trust Project number 0906001-008

Resolution 2/14/27 authorizing award of contract for professional engineering services to Hatch Mott MacDonald for design, bid and construction phase services for new centrifuge and screw conveyor system

Resolution 2/14/28 authorizing change orders numbers 1 and 2 for rehabilitation of Split Rock Reservoir Dam; JCMUA contract number SRD-2013-14-W

Resolution 2/14/29 authorizing amendment to professional engineering services contract with French & Parrello for construction administration services for the rehabilitation of Split Rock Dam

Motioned to approve Resolutions 2/14/1 through 2/14/3, Resolutions 2/14/5 through 2/14/16 and Resolutions 2/14/19 through 2/14/29 by Commissioner Matthias, seconded by Commissioner Thieroff (Resolution 2/14/18 deleted from the agenda)

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| Roll call vote: | Commissioner Thieroff | Yay |
| | Commissioner Tauro | Yay |
| | Commissioner Macchi | Yay |
| | Commissioner Matthias | Yay |
| | Chairman Balmir | Yay |

Resolution 2/14/3 - Mr. Borin advised M & T Bank will be listed as Trustee for escrow in connection with bonds. (Resolution 2/14/3 approved above.)

Resolution 2/14/4 - Mr. Borin explained one remaining change to the by laws in Section 1.7 (b) item 6, page 2, to include powers to review and approve plans for the organization and reorganization of each department as proposed by the Executive Director. (Revised copy of by laws distributed at meeting.)

Per Mr. Borin, three committees are set up under the by laws:

1. Financial Oversight and Audit Committee – Commissioner Thieroff is the Chair and Commissioner Matthias the other member.
2. Operations Committee - Commissioner Thieroff is the Chair and Commissioner Macchi the other member.
3. Procurement and Contracting Committee – Commissioner Gibbons is the Chair and Commissioner Tauro the other member.

Motioned to approve Resolution 2/14/4 by Commissioner Thieroff, seconded by Commissioner Matthias

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| Roll call vote: | Commissioner Thieroff | Yay |
| | Commissioner Tauro | Yay |
| | Commissioner Macchi | Yay |
| | Commissioner Matthias | Yay |
| | Chairman Balmir | Yay |

Resolution 2/14/17 – Motioned to approve by Commissioner Matthias, seconded by Commissioner Macchi.

Commissioner Gibbons discussed the importance of getting a minimum of three bids and suggested a three bid minimum whenever possible be the policy going forward.

Mr. Borin explained Resolution 2/14/17 establishes a pool of firms but does not guarantee work to any firm solely because it is in the pool. He recommended firms be considered in conjunction with the Procurement Manual, Operations Committee and Procurement/Contracting Committee.

Mr. Borin suggested Resolution 2/14/17 be modified with new language stating selection of firms will be consistent with the Procurement Manual guidelines and requirements.

Commissioner Macchi asked Mr. Carr if there has ever been an instance when obtaining three bids was not possible, and Mr. Carr replied, “No.”

Commissioner Tauro asked the rationale for requiring three bids and stated that in her opinion the lowest price is not always the best choice, explaining the result of selecting the lowest bid is often numerous change orders.

Commissioner Gibbons explained that requiring three bids will test the market and is important for obtaining the best price and best value for the MUA.

Roll call vote (with amendments to Resolution 2/14/17 as explained above by Mr. Borin)

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| Commissioner Thieroff | Yay |
| Commissioner Tauro | Yay |
| Commissioner Macchi | Yay |
| Commissioner Matthias | Yay |
| Chairman Balmir | Yay |

Resolution 2/14/18 motioned to defer by Commissioner Thieroff, seconded by Commissioner Matthias

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| Roll call vote: | Commissioner Thieroff | Yay |
| | Commissioner Tauro | Yay |
| | Commissioner Macchi | Yay |

Commissioner Matthias Yay
Chairman Balmir Yay

COMMUNICATIONS – None

EXECUTIVE DIRECTOR’S REPORT – Mr. Becht reported that 20 Authority employees worked 12 hour days for two weeks on snow removal throughout the City. Meetings were held with the City, the Department of Public Works, the Incinerator Authority and Parking Authority to enter into a shared service agreement to share new equipment and retrofit other equipment. “We’re pleased to be part of it.”

The quarterly meeting with an EPA representative took place today. “They are very pleased with our efforts and progress. Our manual is an example for other municipalities.”

The Authority is working with United Water and City Administration to revise the plan to reduce water main brakes.

Commissioner Tauro discussed unpaid snow days for MUA employees and morale. “The Governor closed the State and the Mayor closed the City.” She asked why Authority employees were not sent home early or given paid time off.

Mr. Haytas explained that all staff is needed when there is an emergency.

Mr. Becht added that all JCMUA personnel are considered essential personnel. Phone coverage is needed, permits must be handled and complaints addressed. The JCMUA policy states everyone is expected to come to work. However, employees can use sick, vacation or personal time if they do not wish to come to work in severe weather. “The policy has been in place since day one, and we never closed in the past until this year.”

Commissioner Macchi said he noticed that catch basins had not been cleaned.

Mr. Becht advised twenty employees were assigned to snow removal and catch basin cleaning. The Office Emergency Management’s command center assigned jobs.

COMMITTEE REPORTS – None

COUNSEL REPORT – Mr. Borin reported on the audit/review by CME Associates of the United Water contract because of water main brakes. A final draft of the report will be presented to the Mayor’s office for consideration. Report findings will then be discussed with the JCMUA Board of Commissioners.

UNFINISHED BUSINESS – None

NEW BUSINESS – None

EXECUTIVE SESSION - No

ADJOURNMENT

The meeting adjourned at 5:50 p.m.

Motioned by Chairman Balmir

Seconded by Commissioner Matthias

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| Roll call vote: | Commissioner Thieroff | Yay |
| | Commissioner Tauro | Yay |
| | Commissioner Macchi | Yay |
| | Commissioner Matthias | Yay |
| | Chairman Balmir | Yay |

Respectfully submitted,



Judy Rybka
Recording Secretary