

WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

MINUTES April 20, 2011

The regular meeting of the Warren County (Pequest River) Municipal Utilities Authority was called to order by Chairman Chamberlain at 7:30 p.m. The meeting was held at the Authority's Administration building located at 199 Foul Rift Road, Belvidere, New Jersey.

Roll Call:

Chad Chamberlain, Chairman
Morris Scott, Jr., Vice Chairman
Laurel Napolitani, Secretary
Robert Piazza, Treasurer
Angelo Accetturo
Drew Kiszonak
Everdina O'Connor
Philip Rosenberg
Michael Walsh

Also, in attendance were:

Stephen Donati, P.E., Authority Engineer and Consultant; Charles L. Houck, Authority Chief Financial Officer; Jessica Cardone, Esq., Authority Legal Counsel; John Wasser, Chief Operator; and Patricia Kaspereen, Administrative Assistant.

Representing the Augustinian Recollect Sisters: Jess Symonds, P.E., Biggs Engineering.

Chairman Chamberlain led everyone in the Pledge of Allegiance and then read the Introductory Statement.

MINUTES

Ms. Napolitani moved and Mr. Walsh seconded to approve the minutes of the March 16, 2011 regular meeting, as presented. The motion passed. Roll call was as follows:

Mr. Accetturo	Abstain	Mr. Rosenberg	Yes
Mr. Kiszonak	Yes	Mr. Scott	Abstain
Ms. Napolitani	Yes	Mr. Walsh	Yes

Ms. O'Connor	Yes	Chairman Chamberlain	Yes
Mr. Piazza	Yes		

CORRESPONDENCE

Ms. Napolitani recapped the correspondence; Mr. Donati addressed his items during his report.

1. A memo dated March 22, 2011, from Steve Marvin, Warren County Administrator to Ms. Kaspereen, Administrative Assistant, with instructions for Financial Disclosure Statements.
2. A letter dated March 22, 2011, from Jess Symonds, P.E., Biggs Engineering to Stephen Donati, P.E., with updated flow information for the project located at Block 51, Lot 1 in White Township (Augustinian Recollects Center).
3. A letter dated March 22, 2011, from the NJDEP to Mr. Bale, Acting Supervisor in response to the Authority's Affirmative Defense Claim dated February 10, 2011 for the Oxford WWTP. (no fines were issued)
4. A letter dated March 23, 2011, from the U.S.D.A. State Director to Chairman Chamberlain regarding the Authority's request for an eligibility determination for a grant for the Oxford WWTP Upgrade.
5. A letter dated March 30, 2011, from Chairman Chamberlain to Dr. Austin, President of the Warren County Community College expressing thanks for the college's assistance in creating our new website.
6. A letter dated April 1, 2011, from Mr. Guida, Collection System Operator for the Township of Oxford, submitting his monthly report.
7. A letter dated April 7, 2011, from the NJDEP to the Town of Belvidere enclosing an approved Treatment Works Approval No. 11-0029 for Quality First Builders.
8. A letter dated April 12, 2011, from the State of New Jersey, Division of Public Contracts, Equal Employment Opportunity Compliance to Mr. Piazza, the Authority's PACO, confirming a scheduled compliance review.

GENERAL COUNSEL'S REPORT

There was no attorney's report.

ENGINEER'S REPORT

Under sewer extensions, revised flow numbers were received from the engineer for the Augustinian Recollect Center (corr. no. 2). Mr. Donati compared the original flow numbers with the updated numbers. He stressed the Authority must be fair and consistent with past practices and what will be done in the future. The Authority has generally used DEP criteria to determine flow.

Their engineer reduced the number of seats for conferencing from 60 seats to 30, based on the limited number of participants for a retreat. However, DEP standards are based on size not the number of participants. Capacity for the future must be taken into account.

The difference in flow numbers between the original flow numbers for assisted living, and the revised number for the residence where the Sisters will be living is significant. Classification as an assisted living facility was incorrect and the new numbers are more appropriate.

The biggest issue is the flow number for lodging, which was reduced by the percentage of anticipated usage. Mr. Donati cautioned the Board on this matter, because it is not in accordance with DEP regulations. The DEP does not allow for a reduction for periodic flow, design must be for peak flow. In addition, the Board might set a precedent for future users to our system.

Although it is not mandatory to utilize DEP guidelines, Mr. Donati again stressed the Authority should be consistent. Ms. Cardone agreed.

Mr. Donati said one option for the “lodging rooms” would be to use another category with a lower flow number per unit but for 100% usage.

Mr. Symonds informed the Board that a cycle counter would be used to measure flow at the Center.

The commissioners expressed concern over future changes or users of the property.

Ms. Cardone said that there was discussion at the last meeting about entering into an agreement, where provisions could be included for items of concern.

Mr. Houck asked if a lien could be placed on the property, so that if ownership changes, the MUA could collect any deferred portion of the connection fee, should the Board decide to defer a portion of the fee. Ms. Cardone said that could be explored as well in the contract.

Billing for their flow was discussed. As a new connection, the user charges could be estimated based on our standards. We would then monitor the actual metered flow and adjust for future billing. Once that is established, it will remain the same unless there is a disproportionate change in flow.

Also discussed was the statute concerning the possibility of discounting the connection fee for low-income housing.

After further discussion, Mr. Donati suggested the following: use the revised flow number for the two-bedroom dwelling (225); use the original flow number for the conference seating (180); use the revised number for the 14 room dormitory (840); and use a new flow number of 1,560 for lodging. This brings the total flow number to 2,805, resulting in a connection fee amount of \$83,378.63, instead of the originally proposed fee of \$120,089 and the proposed fee of \$45,925 from their engineer.

There was ongoing discussion about putting a lien on the property, for any deferred portion of the connection fee, if the Sisters cannot afford the entire fee upfront.

Chairman Chamberlain reminded the Board that this money would go into our capital fund to pay for future upgrades. He asked Mr. Houck if a payment plan could be set up for the amount not paid upfront. Mr. Houck said that could be an option, but cautioned against setting a precedent no matter what the decision.

After further discussion, Mr. Scott moved to request payment in full (upfront) of the \$83,378.63 in connection fees. Mr. Rosenberg seconded. The motion passed, roll call was as follows:

Mr. Accetturo	Yes	Mr. Rosenberg	Yes
Mr. Kiszonak	Yes	Mr. Scott	Yes
Ms. Napolitani	Yes	Mr. Walsh	Yes
Ms. O'Connor	Yes	Chairman Chamberlain	Yes
Mr. Piazza	No		

DEP sent a response (corr. no. 3) to our Affirmative Defense Claim. While the cold weather defense was not accepted, no fines were issued. Mr. Wasser has some ideas for next year's cold weather.

As noted in correspondence no. 6, the Township of Oxford is also having pump clogging issues due to rags (wipes).

Oxford Upgrade: DEP has set March 1, 2011 as the start date for the three-year compliance period. Mr. Donati distributed a preliminary draft of the task schedule for the project.

Mr. Williams, from the PCFA, contacted Mr. Donati about the landfill's leachate and their Closure/Post Closure Plan in relation to the Oxford WWTP upgrade.

Feasibility Study: the four treatment process options for the upgrade are being analyzed. Mr. Donati will meet with the committee on Monday, May 9 at 2:00 p.m.

Oxford Upgrade Financing: the U.S.D.A. sent a letter (corr. no. 4) in response to our eligibility application. Mr. Donati recommended doing simultaneous applications, one with the U.S.D.A. and the other with the NJEIT. He will prepare the costs to do both applications for next month's meeting.

Belvidere WWTP Influent Screening: as directed by the commissioners at last month's meeting, Mr. Donati negotiated a lower price with HC Constructors. They reduced their proposal from \$142,695.45 to \$139,464.91.

Mr. Piazza moved to hire HC Constructors for the influent screening for a total cost of \$139,464.91. Mr. Scott seconded, all in favor.

Mr. Donati will prepare the change order to Contract 09-01 for next month's meeting.

Mr. Donati displayed the NJDEP's Warren County Working Draft Sewer Service Area map. The DEP had a meeting in early April to present the map and answer questions. A representative from C&P attended. The proposed sewer services areas will be significantly reduced, which will reduce the MUA's potential user base.

Chairman Chamberlain noted the Route 46 corridor in White Township has been removed from the sewer service area on the map. The consensus of the Board was to send a letter to the DEP in opposition of the proposal, and copy the municipalities, legislators and freeholders.

Windtryst Apartments made an OPRA request. Their new manager met with Mr. Houck regarding their flow numbers. Windtryst supplies the Authority with their numbers.

The renewal for the annual maintenance agreement for the copier is due. The amount of the yearly renewal fee has been increasing significantly over the past ten years and parts for the copier may become difficult to obtain. As directed by the chairperson of the Finance Committee, Ms. Kaspereen obtained a quote for the purchase/lease of a new copier. She was able to do so from the original salesperson of the current copier. The quote was based on State Contract.

The consensus of the Board was to not renew the maintenance agreement and for Ms. Kaspereen to obtain additional quotes from different vendors.

CHIEF OPERATOR'S REPORT

Mr. Wasser reported that both plants are operating satisfactorily.

Regarding a report issued by the DEP last September about the color of the discharge from the Oxford WWTP, we will be using aluminum chloride instead of ferric chloride. The cost is roughly the same.

FINANCE

Mr. Piazza reported that the Finance Committee met twice to discuss the third-party electric provider proposals. The committee’s recommendation is to award the contract to Viridian Energy. They are currently the supplier for the county and the Town of Belvidere. We will continue to be billed through JCP&L; there is no long-term contract, and the Everyday Green program uses 20% green energy.

Mr. Scott moved to adopt Resolution #11-21, awarding Contract No. 11-01 to Viridian Energy to serve as a third party energy provider for the WC(PR)MUA. Ms. O’Connor seconded. The motion passed. Roll call was as follows:

Mr. Accetturo	Yes	Mr. Rosenberg	Yes
Mr. Kiszonak	Abstain	Mr. Scott	Yes
Ms. Napolitani	Yes	Mr. Walsh	Yes
Ms. O’Connor	Yes	Chairman Chamberlain	Yes
Mr. Piazza	Yes		

Mr. Piazza moved that Resolution #11-22 (Certificate No. 297: \$90,709.01) be approved to pay all bills from the Operating Fund. Mr. Scott seconded. The motion passed unanimously on a roll call vote.

Mr. Piazza moved that Resolution #11-23 (Certificate No. 305: \$18,494.00) be approved to pay all bills from the Capital Improvements Fund. Mr. Scott seconded. The motion passed unanimously on a roll call vote.

CFO REPORT

Mr. Houck stated the FY2010 audit has been received and distributed to the commissioners.

State statute requires each board member attest to the fact that they have read the summary of the audit and findings and recommendations.

Mr. Scott moved and Mr. Piazza seconded to adopt Resolution #11-24, approving the Authority’s FY2010 Audit and execution of the Group Affidavit Form by each board member. The motion passed. Roll call was as follows:

Mr. Accetturo	Yes	Mr. Rosenberg	Yes
Mr. Kiszonak	Abstain	Mr. Scott	Yes
Ms. Napolitani	Yes	Mr. Walsh	Yes
Ms. O’Connor	Yes	Chairman Chamberlain	Yes
Mr. Piazza	Yes		

PERSONNEL COMMITTEE

There was nothing to report.

UNFINISHED BUSINESS

There was no unfinished business to report.

NEW BUSINESS

There was no new business to report.

PUBLIC COMMENT

There was no public present.

As there was no more business to come before the Authority, Mr. Scott moved and Mr. Walsh seconded that the meeting be adjourned. The motion passed unanimously. The meeting was adjourned at 9:08 p.m.

Patricia Kaspereen
Administrative Assistant