

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE SPECIAL BOARD OF COMMISSIONERS MEETING
JANUARY 4, 2019**

CALL TO ORDER – 12:07 p.m.

In compliance with the New Jersey Open Public Meeting Act, Chairwoman Hulings called the meeting to order and requested the Statement of Compliance with the notice requirements of the Open Public Meeting Act be read into the minutes of the meeting.

ROLL CALL OF MEMBERS PRESENT:

Chairwoman, Maureen K. Hulings
Vice Chairwoman, Jeannine Zampella
Commissioner, Thomas M. Gibbons (present by phone)
Commissioner, Vincent N. MASTRIA (present by phone)
Commissioner, Maureen Nally
First Alternate Commissioner, Rahat A. Chatha (present by phone)
Second Alternate Commissioner, Kathleen Hartye

ALSO PRESENT:

Joseph Coviello, Acting Executive Director
Judy Rybka, Recording Secretary
Francis J. Borin, Esquire, DeCotiis, FitzPatrick, Cole & Giblin LLP
Richard Haytas, PE, Senior Engineer/Infrastructure Maintenance Supervisor
John D. Folk, CPA, Director of Finance
Edward Traina, PE, CME Associates
Michael McClelland, PE, PP, CME Associates

FLAG SALUTE

PUBLIC COMMENT – No Public Comment

RESOLUTIONS

Resolution 1/19/1-S authorizing a Memorandum of Understanding between the City of Jersey City, the Jersey City Municipal Utilities Authority and PPG Industries, Inc. regarding the Carteret Avenue environmental remediation

Commissioner Gibbons noted he submitted questions in writing, and Mr. Coviello acknowledged receipt of his questions and advised questions were circulated.

Regarding the question concerning why the remedial action work plan (RAWP) is not final, Mr. Borin explained it is under review, and comments made by the NJDEP have been communicated to counsel for PPG Industries. PPG counsel is in the process of finalizing the RAWP. Per the Indemnification Agreement and Hold Harmless Agreement, if any changes impact JCMUA they would “come back to” JCMUA for review and approval of work. Mr. Borin added that the de-watering process will not impact JCMUA facilities.

Commissioner Gibbons asked who is responsible for monitoring and assuring that there is no impact on JCMUA.

Per Mr. Borin review will be by JCMUA to make certain there is no impact on JCMUA facilities.

Commissioner Gibbons questioned why the matter is moving going forward at this time rather than waiting for the document to be final.

Mr. Borin explained the City would like the redevelopment project to proceed and wants to make certain remediation work is complete as soon as possible. The City does not want remediation work being undertaken in proximity to residential development.

Mr. Coviello discussed rehabilitation or replacement of the 96 inch main, recalling a Memorandum of Understanding from a number of years ago. That agreement originally called for removal of the pipe. The pipe is too expensive to replace and video work shows the pipe is in good condition. NJDEP agrees it is not necessary to remove the pipe. The pipe will be lined and

the result will be a strong pipe. He added that one pipe was replaced at the siphon location. The original cost of project was in the vicinity of \$20 million; estimated cost is now approximately \$8 million.

Commissioner Gibbons expressed concerns over possible delays and the potential for increased costs if there are delays. He asked if delays are in fact experienced will there be delay claims against PPG.

Mr. Coviello explained if delays impact the cost of JCMUA's work, there will be delay claims against PPG. Full remediation will be complete then the pipe will be relined. JCMUA's work will be completed faster by not working in conjunction with PPG.

Motioned to approve by Vice Chairwoman Zampella

Seconded by Commissioner Nally

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| Roll call vote: | Commissioner Mastria | Aye |
| | Commissioner Gibbons | Aye |
| | Commissioner Nally | Aye |
| | Vice Chairwoman Zampella | Aye |
| | Chairwoman Hulings | Aye |

Resolution 1/19/2-S authorizing a Hold Harmless and Indemnification Agreement between the Jersey City Municipal Utilities Authority and PPG Industries, Inc./Entact, LLC regarding the Carteret Avenue environmental remediation in the vicinity of 96 inch steel combined sewer main

Mr. Coviello advised JCMUA engineering observe the soft dig.

Motioned to approve by Vice Chairwoman Zampella

Seconded by Commissioner Nally

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| Roll call vote: | Commissioner Mastria | Aye |
| | Commissioner Gibbons | Aye |
| | Commissioner Nally | Aye |
| | Vice Chairwoman Zampella | Aye |
| | Chairwoman Hulings | Aye |

ADJOURNMENT

The meeting adjourned at 12:20 p.m.

Motioned to approve by Vice Chairwoman Zampella
Seconded by Commissioner Nally
Unanimously approved by all Commissioners present.

Respectfully submitted,



Judy Rybka
Recording Secretary