

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE REGULAR BOARD OF COMMISSIONERS MEETING
MAY 28, 2020**

CALL TO ORDER – 5:06 P.M.

In compliance with the Sunshine Laws, Chairwoman Hulings ordered and directed that a 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 a copy of the notice be sent to The Jersey Journal, The Star Ledger and the City Clerk. Due to the COVID-19 global pandemic, this public meeting of the Board of Commissioners of the Jersey City Municipal Utilities Authority (“JCMUA”) is being conducted telephonically. As such, to enable members of the public to participate in this meeting, the dial-in information for this conference call was posted at the entrance to JCMUA’s Administrative Offices and was also posted on JCMUA’s website.

ROLL CALL OF MEMBERS PRESENT:

Chairwoman, Maureen C. Hulings
Vice Chairwoman, Jeannine Zampella
Commissioner, Vincent N. Mastria (joined meeting at 5:09 p.m.)
Commissioner, Maureen Nally
First Alternate Commissioner, Rahat A. Chatha

ALSO PRESENT:

Jose R. Cunha, Executive Director
Joseph Coviello, Deputy Director
John D. Folk, C.P.A., Director of Finance
Judy Rybka, Recording Secretary
Richard Haytas, PE, Senior Engineer/Infrastructure Maintenance Supervisor
Rajiv Prakash, Engineering Department
Krystyna Pawlowska, Administrative Assistant
Francis J. Borin, Esquire, DeCotiis, FitzPatrick, Cole & Giblin, LLP
Michael J. McClelland, P.E., P.P., CME Associates
Ed Traina, CME Associates

FLAG SALUTE

PUBLIC COMMENT – No Public Comment

Closed Public Comment Session at 5:08 p.m.

Motioned to approve by Commissioner Nally

Seconded by Vice Chairwoman Zampella

Roll call vote: Commissioner Nally Aye

 Vice Chairwoman Zampella Aye

 Commissioner Chatha Aye

 Chairwoman Hulings Aye

APPROVAL OF MINUTES

Approval of minutes of the April 23, 2020 Commissioners Meeting

Vice Chairwoman Zampella advised of an error in the minutes regarding the vote on Resolution 4/20/20 which was recorded incorrectly. She further advised that she voted “aye”/yes on Resolution 4/20/20. However, her vote was recorded as “nay”/no. Vice Chairwoman Zampella requested the minutes be amended to reflect her correct vote.

General Counsel recommended the April 23, 2020 minutes be approved as amended above (“aye”/yes vote by Vice Chairwoman Zampella for Resolution 4/20/20).

Motioned to approve the April 23, 2020 minutes as amended above by Commissioner Nally

Seconded by Commissioner Mastria

Roll call vote: Commissioner Mastria Aye

 Commissioner Nally Aye

 Vice Chairwoman Zampella Aye

 Commissioner Chatha Aye

 Chairwoman Hulings Aye

RESOLUTIONS – CONSENT AGENDA

Resolution 5/20/1 authorizing transfer of funds for sewer operations

Resolution 5/20/2 authorizing payments of audited claims for sewer operations

Resolution 5/20/3 authorizing transfer of funds and payments of audited claims for water operations

Resolution 5/20/4 authorizing cash disbursements

Resolution 5/20/5 authorizing payments from the capital improvement, project and note funds

Resolution 5/20/6 authorizing the award of a contract in accordance with the New Jersey Local Unit Pay-to-Play Law to Automated Control Concepts, Inc. for the performance of program and repair services for the SCADA system

Resolution 5/20/7 authorizing amendment number one to the contract for the provision of construction phase services with CME Associates for screen replacement at the East Side and West Side pump stations and screenings conveyor replacement at the West Side pump station

Resolution 5/20/8 awarding contract to Overhead Hoist & Crane, Inc. for the provision of repair services and parts for truck-mounted articulating cranes, overhead cranes, and associated equipment; JCMUA contract number RSPAC-2019-32

Resolution 5/20/9 authorizing award of a contract to Groff Tractor of New Jersey, LLC for the provision of repair services and parts for backhoe/loader/excavator through the Educational Services Commission of New Jersey Cooperative Pricing System

Resolution 5/20/10 authorizing the award of a contract to Intrep Solutions to perform internet technology network consulting services

Resolution 5/20/11 authorizing the award of a contract to CME Associates to prepare a survey and provide preliminary design engineering services for the Route 440/Kellogg Street sewer separation project

Resolution 5/20/12 authorizing MMREF expenditure for emergency repair of twelve-inch water main at the intersection of Bay Street and Warren Street by Shauger Property Services, Inc.

Resolution 5/20/13 authorizing MMREF expenditure for procurement of insertion valves and installation kits from Advanced Valve Technologies

Resolution 5/20/14 authorizing MMREF expenditure for emergency repair of twelve-inch water main in Port Jersey Boulevard by J. Fletcher Creamer & Son, Inc.

Resolution 5/20/15 authorizing MMREF expenditure for replacement of water mains by Persistent Construction at the various intersections in the vicinity of the proposed Newark Avenue Pedestrian Plaza

Resolution 5/20/16 approving an amendment to the contract with Pathogend of New Jersey for additional COVID-19 decontamination services

Resolution 5/20/17 authorizing an amendment to the contract for General Counsel services with DeCotiis, Fitzpatrick, Cole & Giblin, LLP

Resolution 5/20/18 authorizing the award of a contract to Brand Builders, LLC in accordance with the New Jersey Local Unit Pay-to-Play Law for the purchase of rain barrels

Resolution 5/20/19 awarding a contract to Maser Consulting, P.A. for the provision of professional engineering services for tree canopy inventory, preservation and responsible replacement with limited green infrastructure planning for numerous streets impacted by Phases 1, 2 and 5 water and sewer rehabilitation projects

Resolution 5/20/20 authorizing the award of a contract for professional engineering services to Grant Engineering & Construction Group, LLC for the Princeton Avenue sewer separation project

Resolution 5/20/21 authorizing an amendment to the contact with Remington and Vernick Engineers for the provision of professional engineering services for the replacement of the Van Winkle outfall

Resolution 5/20/22 authorizing the utilization of Joseph M. Sanzari, Inc. as a utility construction services contractor through Bid 19-71 of the Bergen County Cooperative Pricing System

Resolution 5/20/23 authorizing an application for a loan to the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank for the remote water meter reading project; JCMUA Project Number S-340928-32

Resolution 5/20/24 authorizing an application for a loan to the New Jersey Department of Environmental Protection and the New Jersey Infrastructure Bank for Phase 1-2 sewer rehabilitation project; JCMUA Project Number S-340928-24

Resolution 5/20/25 authorizing amendment to contract for professional engineering services with T & M Associates for flood hardening improvements to pump stations 1, 2 and 3B

Motioned to approve by Commissioner Nally

Seconded by Commissioner Mastria

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

EXECUTIVE DIRECTOR REPORT – Mr. Cunha reported on the following:

Rate Study/Hearing – the rate study is “winding down” and appears to be pointing toward an increase. An analysis of the last quarter of 2012 thru March 2020 was performed, revealing an average increase of 1.6 to 1.7 percent per year, a “modest” increase. A number of very large capital projects took place over approximately eight years, and several billion dollars in capital expenditures is expected during the next ten years, calling for some “significant adjustments” to rates. A rate hearing is scheduled for June 25, 2020, prior to the 5:00 p.m. June 25 Board of Commissioners meeting.

Vice Chairwoman Zampella asked if the rate increase is mandated and discussed the current financial situation of many rate payers, (high unemployment rates due to the COVID-19 pandemic). She asked if the rate increase could possibly be delayed.

Per Mr. Cunha, JCMUA is required to perform an annual analysis of rates. JCMUA is “cognizant” of the current difficult times being experienced by so many but further delays will result in greater increases later on. A public hearing regarding the increase will likely be scheduled for June 25, and the matter will be brought before the Board of Commissioners. Further discussion can take place at the rate hearing and Commissioners meeting. The “final number” (amount of increase) will be determined by the Board of Commissioners.

Large Developments – two large developments, Bayfront and Canal Crossing, are planned for Jersey City. Those areas containing contamination where the development(s) will take place have been remediated over the course of forty years. JCMUA will lead construction of all utilities and road work for both projects, and is very proud to have earned this role in these developments. The projects are estimated to be in excess of \$50 million each. Additional information will be provided at the next Board of Commissioners meeting.

COMMITTEE REPORTS – Chairwoman Hulings reported the Personnel Committee met to review several recommendations by the Executive Director for new hires and replacement employees. She advised the Personnel Committee agrees with his recommendations. No other committee meetings were held.

GENERAL COUNSEL REPORT – Mr. Borin briefly reported that after the April 23, 2020 Board of Commissioners meeting, a law suit was filed against JCMUA concerning contract award pursuant to Resolution No. 4/20/20. JCMUA has been successful in its defense of that suit. A separate lawsuit was filed by a tax payer challenging the same contract award. General Counsel is in the process of submitting papers, and oral arguments are scheduled for tomorrow, May 29. Additional information will be available following tomorrow’s oral arguments.

ITEMS OF UNFINISHED BUSINESS – No Unfinished Business

ITEMS OF NEW BUSINESS– No New Business

EXECUTIVE SESSION – No Executive Session

Prior to Adjournment, Chairwoman Hulings thanked everyone including Mr. Cunha, Mr. Coviello, Mr. Haytas, Mr. Folk, Ms. Pawlowska and all JCMUA employees for their efforts and dedication during these difficult times. Also mentioned was General Counsel, Frank Borin, who has been “very busy.” She apologized if anyone was omitted, and extended special thanks and appreciation to everyone at JCMUA for all they’ve done and continue to do during the difficult days of the pandemic. Chairwoman Hulings noted that JCMUA employees have not had the luxury of working from home that many others have had during the past several months. “I want to tell you how much I think of you for all you’ve done. Thank you all so very much.”

The next Commissioners meeting is scheduled for Thursday, June 25 at 5:00 p.m.

ADJOURNMENT

The meeting adjourned at 5:25 p.m.

Motioned to approve by Commissioner Nally

Seconded by Commissioner Mastria

Unanimously approved by all Commissioners present.

Respectfully submitted,

Judy Rybka

Judy Rybka

Recording Secretary