

MINUTES OF THE SPECIAL MEETING OF THE ATLANTIC  
HIGHLANDS/HIGHLANDS REGIONAL SEWERAGE AUTHORITY HELD  
JANUARY 7, 2011 AT THE ATLANTIC HIGHLANDS BOROUGH HALL

This meeting was called to order at 12:15 PM at the Atlantic Highlands Borough Hall meeting room with the following roll call:

PRESENT: Mr. Fligor (by phone), Mr. Bishof, Mr. Braswell, Mr. Urbanski

ABSENT: Mr. O'Neil, Mr. Rybeck

Staff members present were Mr. Palamara-Administrator, Mr. Gemmell-Engineer, Mr. McNamara-Attorney and Mrs. Clark-Secretary.

Also present were Atlantic Highlands Councilman Hoffmann and Highlands Councilman Francy.

Mr. McNamara stated that NJ statute provides that attendance at a public meeting includes telephonic or electronic participation, and that a quorum can be met and Authority business can be conducted as if all were physically present.

Mr. Braswell announced that this meeting is in compliance with the Open Public Meetings Act by virtue of notice having been sent to the Two River Times and the Asbury Park Press. The notice was also forwarded to the Borough Clerks of both Atlantic Highlands and Highlands.

**ATLANTIC HIGHLANDS PUMP INSTALLATION PROJECT RESULTS:**

Mr. Palamara stated that on December 22, 2010 only one proposal was received for the Atlantic Highlands Pump Installation and it was higher than he felt it should be. He noted that he, Mr. Rybeck and Mr. Fligor met Mr. Gemmell last week to review the proposal and the overall project.

Mr. Gemmell explained that the proposal did not provide all of the required documents nor a testing and Quality Control plan. He also noted that in addition to being the only bid, it was slightly higher than his engineering estimate. He recommended rejecting that proposal and re-advertising again.

**RESOLUTION 2-2010 REJECTING ALL PROPOSALS SUBJECT TO DEP APPROVAL**

was offered by Mr. Urbanski, seconded by Mr. Bishof, and approved by the following roll call vote:

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. Urbanski

NAYS: None

ABSENT: Mr. O'Neil, Mr. Rybeck

**RE-ADVERTISING ATLANTIC HIGHLANDS PUMP STATION PROJECTS:**

Mr. Palamara said that the DEP had given permission to separate the RFPs for the pump replacement and the SCADA projects. He said that although the pump work can be fairly well defined, it is difficult to define how much work will be needed for the SCADA system.

Mr. Gemmell suggested that the Pump Installation be done first with the SCADA Installation to follow. Mr. Palamara said that although the equipment had to be ordered separate from these RFPs, it might also be possible to get DEP funding for it, which would lower our interest rate.

Discussion followed about bidding the projects on a Time & Material or Lump Sum basis. Mr. Palamara stated that the estimated cost for the pump installation seemed much higher than if the work were done under our existing contract, and also that \$8,000 for mobilization and cleanup was not justified for the pump project. He stated our Highlands SCADA was installed on a Time & Materials basis and we got a good job at a fair price.

He noted that when doing a project like installing a SCADA system in a 25 year old facility the work cannot be well defined and a contractor's bid will be considerably higher to cover unknown problems, but if the work was done Time & Material with a "not to exceed" limit it would give the lowest cost plus protection to the Authority. He said that contractors capable of doing this work are well known and trusted, and that, in addition to T&M inspectors, Authority personnel would also be there throughout the project.

Mr. Gemmell recommends asking for a Lump Sum bid for the pump installation to eliminate risks of the contractor increasing the cost.

The commissioners decided that it should be a Lump Sum with the elimination of mobilization and clean up for the pump installation.

Discussion followed regarding the expense for the engineer to revise the RFP specifications for the SCADA installation. Mr. Gemmell said the previous RFP made the contractor responsible for the design so this was not detailed in the specifications and it would take a week to a week and a half of engineering work, he estimates \$7,500.00, to provide the detail he thinks should be in the RFP for Time & Materials proposals.

Mr. Palamara said he did not feel that amount of work was needed or justified. He had already sent Mr. Gemmell the task list and shop drawings done by the manufacturer and that simply incorporating this information plus the actual Time & Materials needed for our Highlands SCADA system would give a contractor a good idea of what the job would take.

Mr. Fligor agreed and discussion followed. It was decided to go with Time and Materials for the SCADA System. Mr. Gemmell and Mr. Palamara will work together to prepare an RFP and Mr. Palamara will have the Authority Attorney review the specifications to make sure the information for bidders meets legal standards.

#### TOMSA LITIGATION:

Mr. McNamara said there is no need for a closed session; he will be a better position to discuss how to proceed at the next meeting.

#### SPECIAL MEETING TO APPROVE BOND REFINANCING:

Mr. Palamara said that the Authority needs to schedule a Special Meeting for next week regarding the interest rate quotes MCIA is scheduled to receive on January 11<sup>th</sup> for our Bond Refunding. January 12, 2011 will work for everyone. Meeting was set for that date for 12:15 PM.

#### PUBLIC COMMENTS:

Mr. Braswell asked for Public Comments. There were none.

There being no further business Mr. Urbanski offered a motion to adjourn, seconded by Mr. Braswell, and by voice vote was unanimously carried.

Meeting adjourned at 1:00 PM.

Michelle Clark, Recording Secretary