

MINUTES OF THE REGULAR MEETING OF THE ATLANTIC
HIGHLANDS/HIGHLANDS REGIONAL SEWERAGE AUTHORITY HELD
APRIL 28, 2010 AT THE ATLANTIC HIGHLANDS BOROUGH HALL

This meeting was called to order at 7:07 PM at the Atlantic Highlands Borough Hall meeting room with the following roll call:

PRESENT: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. O'Neil, Mr. Urbanski, Mr. Rybeck

ABSENT: None

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

Also present were Atlantic Highlands Councilman Hoffmann, Highlands Councilman Francy, Authority staff members Frotton, Leaser, Grogan, Guttormsen and members of the public.

Chairman 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.

APPROVAL OF MINUTES:

Mr. Fligor offered a motion approving the minutes of the Regular Meeting and the Executive Session of March 24, 2011 as distributed, seconded by Mr. Urbanski and upon roll call was unanimously carried.

ENGINEER'S REPORT:

Mr. Gemmell reviewed his Monthly Status Report. He added that Mr. Mason delayed the AHPS pump installation previously scheduled for April 25th but a new tentative date of May 16, 2011 has been set. Regarding the SCADA RFP, they have received two bids and Mr. Gemmell suggests that the contract be awarded to Sodon's Electric, who is qualified to do this work and is the lowest bidder.

Mr. Palamara stated the before the award of the construction contract, the contract for Project Engineer should be awarded. He reviewed the proposal from Mr. Gemmell for this work

RESOLUTION 30-2011, APPOINTMENT OF JOSEPH GEMMELL OF T&M ASSOCIATES, AS PROJECT ENGINEER FOR SCADA PROJECT was offered by Mr. O'Neil, seconded by Mr. Fligor, and adopted upon the following roll call vote:

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. O'Neil, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: None

RESOLUTION 31-2011, AWARDED CONTRACT FOR INSTALLATION OF SCADA SYSTEM TO SODON'S ELECTRIC was offered by Mr. O'Neil, seconded by Mr. Rybeck, and adopted upon the following roll call vote:

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. O'Neil, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: None

April 28, 2011

Discussion followed regarding the Highlands force main break on April 13, 2011. Mr. Gemmell said the break was consistent with the failures seen in the past, and consistent with the exterior corrosion which is caused by soil conditions that exist in the area. In the 15' section excavated for the repair, they also identified other areas of weakened pipe and it was decided to clamp these off with materials which they had on hand. He said the Authority should be aware that there are other areas of weakened pipe out there.

Mr. Palamara brought pictures and discussed the reports of the break and repairs. He noted that this break was just beyond the 220 feet of pipe has already been replaced. Mr. Braswell asked if it would be expected to continue to break in that area, being that all of the pipe is in the same state of disrepair. Mr. Gemmell and Mr. Palamara confirmed that this may continue until the entire pipe is replaced.

Mr. Rybeck questioned the additional charges due to emergency service. Mr. Palamara said the emergency rates only came into affect after 5:00 PM. Mr. Fligor suggested that if there is another break the line be shut down and that only Central Jersey be called, so that emergency rates are only being paid to one vendor.

Mr. Urbanski stated that the Authority needs to make some decisions here, we either need to re-route this pipe or repair it because at this point it's just taking too long.

Mr. Braswell asked about the installation of the first pump in Atlantic Highlands. He asked if the weather would be a factor in the installation date. Mr. Gemmell said yes, it is a part of the contract that the Authority can defer the installation if there is predicted wet weather. Mr. Gemmell said they need a reliable back up pump to carry the station's flow because it will be running on one pump, and they have two choices from which to pick. They could use a smaller pump which they can get on loan from TOMSA or they could pay to get a larger pump. He said he has been discussing this with Mr. Mason and based on the current flows there is a two pump run every day in Highlands which leads to a two pump run in Atlantic Highlands. They will do the installation one day and the start up the next day, therefore they need a reliable backup and he feels the larger pump would be a better choice. The Authority will save money by handling the pump hookup themselves because the contractor would add a 15% markup to do this for the Authority. The cost for the pump rental would be \$1,485 per week. Mr. O'Neil suggested that the contractor take care of this and then that would put the responsibility on them.

Mr. Palamara said that the second pump could be installed just a week after the first if all goes well, and if the first pump is running well at that point they may be able to use the TOMSA pump as the backup during the second installation, thereby saving the \$1,485. Discussion followed regarding the timetable of the installation and startup and the responsibility of the Authority workers.

Mr. Braswell asked if the employees had any concerns. Mr. Grogan said that his only concern is that if it rains it will be much more difficult. Mr. Gemmell assured him that they will be paying close attention to the weather.

ATTORNEY REPORT:

Mr. McNamara said that he will report on the recent TOMSA meeting in Executive Session.

Mr. Braswell asked if Mr. McNamara could touch on Dissolution. Mr. McNamara said that in general, his memo tells the Authority that they cannot self terminate or put themselves out of business. They have been created as an Authority by ordinance of the two towns and can only be put out of business by action of the two towns. He explained the process needed to dissolve the

April 28, 2011

Authority. He explained there will have to be detailed engineering, bonding and legal reviews plus creation of a transition plan, and then a series of Ordinances needed. One for dissolution, the second would be for whatever will replace the Authority; the third would be a bond ordinance for debt consolidation.

After these ordinances are introduced, the towns would then need to submit an application to the Local Finance Board in Trenton to approve the dissolution. If the Finance Board is satisfied, they will approve the dissolution and the ordinances come back to the towns for adoption and implementation of a transition plan.

Mr. Rybeck moved to direct Mr. McNamara to send a letter to both Highlands and Atlantic Highlands regarding the steps to be followed for dissolution, seconded by Mr. Fligor, and upon roll call was unanimously carried.

Mr. McNamara read the resolution he had prepared to memorialize Resolution 29-2011. A motion was first offered by Mr. Rybeck and seconded by Mr. Fligor, then amended to take out the last WHEREAS of Mr. McNamara's draft resolution.

RESOLUTION 32-2011, RESOLUTION CONCURRING WITH EXPRESSION OF INTENT OF THE BOROUGH OF ATLANTIC HIGHLANDS AND THE BOROUGH OF HIGHLANDS TO DISSOLVE THE ATLANTIC HIGHLANDS-HIGHLANDS REGIONAL SEWERAGE AUTHORITY was offered by Mr. Rybeck, seconded by Mr. Fligor, and adopted upon the following roll call vote:

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. O'Neil, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: None

ADMINISTRATOR'S REPORT:

Mr. Palamara said that Atlantic Highlands has put in flow meters to confirm the Authority's readings. He said the Authority meters were re-calibrated and the Atlantic Highlands and Highlands meters are running at manufacturer's accuracy. He stated that they have not had any reports from the Borough about any inconsistencies between our flow totals and theirs.

A new Electrical Supply contract was awarded to The Hess Corporation and their bid price is even lower than anticipated, with an 11% reduction from JCPL rates.

Mr. Palamara went through the Year to Date Budget to Actual Report. Mr. Rybeck had some questions regarding the Net Cash Flow. According to his calculations, there was more paid out this month than what was brought in. Mr. Palamara explained that some expenses are staggered throughout the year. Mr. Rybeck asked where the difference is being made up, or if they are falling short and suggested adding a cash flow analysis to the Budget/Actual Report. Mr. Palamara said they are not operating at with a zero balance, there is a reserve. He said they can incorporate the cash flow change from the last month onto the report.

Mr. Palamara reviewed the items on the Bill List. There were questions about the length of time needed to get audit information together. Mr. Palamara explained that this is the first time that Mrs. Frotton is going through this process for the Authority and that the offices have moved a few times this year, causing the files to be moved from place to place which has added to the difficulty in getting things together. He reminded the board that there is no office for the auditors to go to and therefore everything needs to be packed up and shipped out.

April 28, 2011

RESOLUTION 33-2011, RESOLUTION OF PAYMENT OF BILLS IN THE AMOUNT OF \$176,891.95 for Operations and \$44,943.50 for Capital

Budget/NJEIT/Force Main Repair was offered by Mr. Bishof, seconded by Mr. Rybeck, and adopted upon the following roll call vote:

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

NAYS: Mr. O'Neil

ABSENT: None

OPERATOR'S REPORT:

Mr. Mason was not here this evening but Mr. Fligor read through his report.

OLD BUSINESS:

Mr. Rybeck asked for printed copies of the Employee Manual for all Commissioners. Mr. Palamara said they are sixty pages each, but that he would make copies. He spoke of the changes made last year, as required by JIF, due to changes in laws. Mr. Rybeck asked if those changes have been given to the employees. Mr. Palamara said yes, they were sent out recently and it is documented that the employees have received it; he said that the employees are given an emergency contact form each year, and there is an acknowledgement on that form that the employee has received the manual. Mr. Fligor said that paper copies of the updates should be handed out and the employees should be signing off on the receipt of the updates.

Mr. Rybeck asked about the process in place for employees to attend training. Mr. Fligor explained that an employee wishing to go for training, would go to his immediate supervisor, who would approve the training if there was money in the budget and he had the approval of the Administrator. He stated that if the training budget has been exceeded, the Administrator does not have the authority to allow the training, he must go back before the Finance Committee, and they will make that decision. He said that if the training is required in order to keep their certification then it must go through the Administrator, who still must go to the Finance Committee, but it should be an automatic approval from the Finance Committee. Mr. Rybeck would like to have a form put together for the employees to request training, noting if the training is elective or for certification. Discussion continued. Mr. Bishof stated that he didn't feel this was a discussion that should be carried out in public. He said that this should be handled by the Personnel Committee. He told Chairman Braswell that he felt this was out of order and that they should move to the next item of business. The Personnel Committee, consisting of Mr. Fligor, Mr. Bishof and Mr. Braswell, will meet next week to work on Personnel issues.

NEW BUSINESS: None

April 28, 2011

PUBLIC COMMENTS:

Highlands Councilman Francy said that at the time of a previous force main break someone inspected along the pipe length and gave a report that the thickness of the pipe seemed to be sufficient. He feels that at this point that information has proven not to be useful, that no part of the pipe is in good shape. Mr. Gemmell said the conclusions of his report on the forced main break is that the pipe is not reliable. Atlantic Highlands Councilman Hoffmann said that he is aware that the acidity is pretty dense in that area but asked if it improved going up the hill to Atlantic Highlands. Mr. Gemmell said that this information is also in the report and that there is not a large improvement going uphill. Mr. Hoffmann asked if a replacement is needed. Mr. Gemmell said there was some replacement done, but no one can say what the pressure capability is and replacement of the entire line is needed.

Mr. Urbanski moved to close the Public Comment Session of the meeting, seconded by Mr. Rybeck, and unanimously approved by voice vote.

EXECUTIVE SESSION:

Mr. Braswell stated that a resolution was needed for the Authority to go into Closed Session for the specific purpose of discussing the TOMSA arbitration.

RESOLUTION 34-2011, EXECUTIVE SESSION TO DISCUSS TOMSA ARBITRATION was offered at 8:42 PM by Mr. Fligor, seconded by Mr. Rybeck, and adopted upon a unanimous roll call vote.

The Regular meeting re-convened at 9:11 PM with all members present.

Mr. Fligor moved to re-open the Regular Session of the meeting, seconded by Mr. Bishof, and unanimously approved by voice vote.

There being no further business for the meeting, Mr. Fligor offered a motion to adjourn, seconded by Mr. Bishof and by voice vote was unanimously carried.

Meeting adjourned at 9:12 PM

Michelle Clark, Recording Secretary