

AGENDA  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
April 21, 2011

1. CALL TO ORDER
2. ANNOUNCEMENT THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN ACCORDANCE WITH CHAPTER 231, P.L. 1975 (THE OPEN PUBLIC MEETINGS ACT)
3. FLAG SALUTE
4. ROLL CALL
5. MINUTES OF REGULAR MEETING OF MARCH 17, 2011
6. REPORTS
  - A. DIRECTOR
  - B. ENGINEER
  - C. AUDITOR
  - D. GENERAL COUNSEL
  - E. COMMITTEES
    - (1) COMMUNITY RELATIONS – Commissioner A. Edwards
    - (2) EMPLOYEE RELATIONS – Vice-Chairman Jones
    - (3) FACILITIES EXPANSION/CONSTRUCTION - Commissioner Olbrich
    - (4) FINANCE AND BUDGET - Commissioner Hill
    - (5) INDUSTRIAL WASTE - Commissioner Friedman
    - (6) INSURANCE – Commissioner T. Edwards
    - (7) OPERATIONS - Commissioner Wasserman
    - (8) AD HOC – Commissioner Boutros
7. RESOLUTIONS
  - A. RESOLUTION ACKNOWLEDGING THE RECEIPT AND CERTIFYING THE REVIEW OF THE 2010 AUDIT REPORT
  - B. RESOLUTION TO ADOPT THE CORRECTIVE ACTION PLAN WITH RESPECT TO FINDINGS CONTAINED IN THE 2010 AUDIT REPORT
  - C. RESOLUTION TO AWARD CONTRACT TO J.P. SMITH CONTRACTORS FOR CRACK/JOINT REPAIR & RESURFACING OF CLARIFIER FLOOR
8. TREASURER'S REPORT
  - A. CASH POSITION HAVE THE AUTHORITY
  - B. RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS
  - C. RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND
9. MOTION FOR EXECUTIVE SESSION
10. CHAIRMAN'S REMARKS
11. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
12. PUBLIC PORTION
13. ADJOURNMENT

REGULAR MEETING  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
April 21, 2011

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday, April 21, 2011 in the Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey.

Representing the CCUA:  
Nancy Sungenis, Chairperson  
Albert Jones, Vice Chairman  
Angelia Edwards, Commissioner  
Todd Edwards, Commissioner  
Harvey Friedman, Commissioner  
Kenneth Hill, Commissioner  
Donald Olbrich, Commissioner  
Keith Wasserman, Commissioner  
Robert O'Donnell, General Counsel  
Steve Testa, Auditor  
Thelma D. Scott, Secretary  
Theodore Propert, Director  
Michael Fernandez, Deputy Director  
Robert Rose, Public Relations  
Patti McAllister, Assistant Secretary-Treasurer  
Sandy Acevedo, Business Administrator

Chairperson Sungenis called the meeting to order, announced that adequate notice of this meeting has been given in accordance with Chapter 231, P.L. (THE OPEN PUBLIC MEETING ACT) and led in the flag salute.

Secretary Scott called the roll and a quorum was present.

Chairperson Sungenis called for a motion to approve the minutes of the Regular Monthly Meeting of March 17, 2011. It was motioned by Commissioner Friedman, seconded by Commissioner A. Edwards and carried unanimously at roll call.

Chairperson Sungenis read a letter of proclamation, from the office of the New Jersey Senate and General Assembly, addressed to Commissioner Friedman on his recent receipt of the AEA Wave Award for Commissioner of the Year. She further stated that she and the Board were very proud of him for receiving the award.

## **REPORTS**

### **Director**

Director Propert submitted the March Discharge Monitoring Report (DMR) for inclusion in the minutes of this meeting. He stated that all parameters were met for the month of March.

Director Propert reported that a meeting is scheduled for next Wednesday with Authority staff, the Budget & Finance Committee and the CCIA to discuss additional leachate disposal and related topics.

He further reported that field application of bio-solids started at the Cumberland Nursery at the end of March.

Director Propert noted that the Solor Energy project has been scaled down, due to the inability of ACE lines to handle larger than 1 mega watt.

Continuing with his report, Director Propert stated that Resolution "A" on the agenda acknowledges the receipt and review of the 2010 Audit Report.

Resolution "B" adopts the Corrective Action Plan for the one minor instance of noncompliance under the "Findings and Recommendations" of the Audit Report. Mr. Propert further stated that the corrective action was taken as soon as the Authority was alerted to the error.

In concluding his report, Mr. Propert stated that Resolution "C" awards a contract for the repairs and coating of concrete work in the Primary Clarifier.

### **Engineer**

The Engineer's report was read by Director Propert due to the absence of Mr. Curcio. The report stated that bids were received for the painting of the Clarifier Project on April 5<sup>th</sup> and there were a total of six bidders. The lowest bid was from J.P. Smith of Glenside, PA, in the amount of \$35,690.00. Mr. Curcio has provided Director Propert with a recommendation letter to award the contract to the lowest bidder.

The report further stated that Perna Finnigan is scheduled to start work on Monday April 28, 2011 on the Upper Deerfield Force Main Replacement Project. Their plan is to start at the plant and work towards Upper Deerfield Township. He anticipates a three to four month construction schedule.

### **Auditor**

Mr. Testa reported that he attended a Finance and Budget Committee meeting and reviewed a draft of the 2010 Audit Report in detail. Copies of the Draft Report were also sent to the rest of the commissioners for their review. He received no comments on the Draft Report and final copies were recently provided to the Authority.

Mr. Testa briefly reviewed some of the highlights of the Audit Report, stating that the Authority received an "unqualified" or clean opinion on its financial statements for the year ended December 31, 2010, which essentially says, in our opinion, the basic financial statements present fairly, in all material respects, the financial position, results of operations and cash flows of the Authority for the year 2010 are in accordance with GAAP.

Further, with there being only one finding and recommendation to be reported for this year, Mr. Testa commended the Authority and the administrative staff for once again doing a very good job.

In presenting the financial highlights, Mr. Testa pointed out that the financial statements were presented comparatively, with columns for 2010 and 2009. It is significant to note the Authority did not have to utilize Net Assets to subsidize the 2010 budget, as in prior years. The reason for the significance is, in the three years prior, the Authority had used over \$1,000,000 of its net assets to subsidize operations. As a result, the Authority's General Fund is very low and the Authority is not in a position to be able to utilize net assets to subsidize operations in subsequent budgets or to help it meet the Rate Covenant contained in the Bond Resolution. The Authority did meet the Rate Covenant contained in the Bond Resolution for 2010.

Mr. Testa stated that Resolution "A" on the agenda tonight acknowledges the receipt and certifies the review of the 2010 Audit Report and should be acknowledged by the Commissioners signing the group form affidavit before leaving tonight's meeting.

As a result of the one finding and recommendation previously mentioned, the Authority was required to prepare a corrective action plan. That plan has been prepared and a resolution is on the agenda for approval.

He further stated that once the resolutions are approved, they are sent to the Division of Local Government Services along with the group form affidavit. The Synopsis of the Audit Report is to be published in the newspaper and forwarded to the Division of Local Government Services as well. This will satisfy the filing requirements pertaining to the 2010 Audit. At this time, Mr. Testa offered to answer any questions the Commissioners may have.

Commissioner Hill thanked Auditor Testa and staff for the work they did on the Audit Report.

### **General Counsel**

Mr. O'Donnell reported that he reviewed the bids submitted that are on the tonight's agenda. He also stated that he met with the Director to discuss some upcoming issues pertaining to the CCIA meeting.

Mr. O'Donnell further stated that he was available for any questions or comments from staff or the commissioners.

Chairperson Sungenis took a moment to welcome Freeholder Director William Whelan to the meeting. Director Whelan thanked Chairperson Sungenis.

Freeholder Director Whelan expressed his thanks to Commissioner Harvey Friedman for his service to the Authority, along with the board and staff for their service. He read and presented a proclamation from the Cumberland County Freeholder Board, saluting Commissioner Friedman for receiving the AEA Award for Outstanding Commissioner of the Year.

### **Committees**

The Finance and Budget Committee met on March 18<sup>th</sup> and April 8<sup>th</sup> with minutes of the meetings in the packages of the Commissioners.

Commissioner Ken Hill thanked all the participants of the committee for their work on the committee.

### **RESOLUTION**

RESOLUTION ((2400) ACKNOWLEDGING THE RECEIPT AND CERTIFYING THE REVIEW OF THE 2010 AUDIT REPORT, offered by Commissioner Todd Edwards and seconded by Commissioner Hill, carried unanimously at roll call.

RESOLUTION (2401) TO ADOPT THE CORRECTIVE ACTION PLAN WITH RESPECT TO FINDINGS CONTAINED IN THE 2010 AUDIT REPORT, offered by Commissioner Todd Edwards, seconded by Commissioner Hill and carried unanimously at roll call.

RESOLUTION (2402) TO AWARD CONTRACT TO J.P. SMITH CONTRACTORS FOR CRACK/JOINT REPAIR & RESURFACING OF CLARIFIER FLOOR, offered by Commissioner Olbrich, seconded by Commissioner Jones and carried unanimously at roll call.

**Treasurers Report**

Revenue Account	\$	121,754.87
Operating Account		1,326,759.93
Petty Cash		500.00
Sensor Account		6,193.13
General Account		18,337.63
Plant Reconstruction/Replacement		2,172,400.25
Trust Account		2,246,424.12
Total Cash Position	\$	5,892,369.93

Treasurer Quinn reported that the bills submitted for payment today for the Operating Account total \$268,712.36. The Authority Chairperson and Secretary have checked the vouchers. The Operating Account has sufficient funds to cover these checks and he recommends approval of Resolution "B". For the first three months of 2011, expenses have exceeded revenue by \$309,696.36.

RESOLUTION (2403) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Hill, seconded by Commissioner Todd Edwards and carried unanimously at roll call.

RESOLUTION (2404) OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND, offered by Commissioner Angelia Edwards and seconded by Commissioner Todd Edwards, carried unanimously at roll call.

**Chairperson's Remarks**

Chairperson Sungenis thanked Freeholder Director Whelan and congratulated Commissioner Friedman again for his dedicated service to the Board and receipt of the AEA Wave Award.

Commissioner Friedman thanked Freeholder Director Whelan for coming to present the proclamation and for his encouraging remarks. He also thanked his fellow commissioners, staff and management for their support.

**Public Portion**

As there were no comments, Chairperson Sungenis asked for a motion to adjourn, which was duly made by Commissioner Hill.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday, May 19, 2011 in the Public Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey at 4:30 pm.

Respectfully submitted,

Thelma D.Scott, Secretary

A RESOLUTION AWARDING A CONTRACT TO J.P. SMITH CONTRACTORS  
FOR THE CRACK/JOINT REPAIR & RESURFACING  
OF CLARIFIER FLOOR PROJECT

WHEREAS, the Cumberland County Utilities Authority has heretofore advertised for bids for the Crack/Joint Repair & Resurfacing of Clarifier Floor Project, in accordance with the Specifications adopted on February 17, 2011, on file at its Wastewater Treatment Plant; and

WHEREAS, on April 5, 2011 six (6) bids were received and duly opened for the Crack/Joint Repair & Resurfacing of Clarifier Floor Project, the three lowest bids were as follows:

J.P. Smith Contractors, Glenside, PA	\$35,690.00
Allied Painting, Inc, Cherry Hill, NJ	\$61,000.00
PIM Corporation, Piscataway, NJ	\$69,659.00

and said bids were referred to the Authority's General Counsel, Engineer and Director for tabulation, evaluation, report and recommendation; and

WHEREAS, the Authority's General Counsel, Engineer and Director recommend that a Contract be awarded to J. P. Smith Contractors, 120 S. Easton Road, Glenside, PA 19038, being the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That there be awarded, a contract to J. P. Smith Contractors, 120 S. Easton Road, Glenside, PA 19038, for the Crack/Joint Repair & Resurfacing of Clarifier Floor Project, as per bid specifications
2. That the proper officers of this Authority be and they are hereby authorized and directed to execute the Contract hereby awarded.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, April 21, 2011 at 4:30 p.m. prevailing time.

DATED: April 21, 2011