

AGENDA  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
MAY 19, 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
6. MINUTES OF REGULAR MEETING OF APRIL 21, 2011
7. 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 – 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
8. RESOLUTIONS
  - A. RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT TO TERMINATE THE SERVICE AGREEMENT BETWEEN THE CUMBERLAND COUNTY IMPROVEMENT AUTHORITY AND THE CUMBERLAND COUNTY UTILITIES AUTHORITY
  - B. RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A VOLUME WASTE HAULER AGREEMENT WITH THE CUMBERLAND COUNTY IMPROVEMENT AUTHORITY
  - C. RESOLUTION GRANTING A TEMPORARY LEAVE OF ABSENCE WITHOUT PAY TO TRACY FARDONE FOR PERSONAL ILLNESS
9. TREASURER'S REPORT
  - A. CASH POSITION OF 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
10. CHAIRPERSON'S REMARKS
11. MOTION FOR EXECUTIVE SESSION
12. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
13. PUBLIC PORTION
14. ADJOURNMENT

REGULAR MEETING  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
May 19, 2011

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday, May 19, 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  
Sam Boutros, Commissioner  
Angelia Edwards, Commissioner  
Todd Edwards, Commissioner  
Kenneth Hill, Commissioner  
Donald Olbrich, Commissioner  
Keith Wasserman, Commissioner  
Steve Testa, Auditor  
James Quinn, Treasurer  
Thelma D. Scott, Secretary  
Theodore Propert, Director  
Robert Rose, Public Relations  
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. Commissioner Friedman is noted as an excused absence.

Chairperson Sungenis called for a motion to approve the minutes of the Regular Monthly Meeting of April 21, 2011. It was motioned by Commissioner Albert Jones and seconded by Commissioner Don Olbrich, with Commissioner Sam Boutros abstaining.

## **REPORTS**

### **Director**

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

Director Propert stated that the Finance and Budget Committee along with Staff met with representatives from CCIA on April 27<sup>th</sup> and reached an agreement for the acceptance of additional leachate. This agreement is covered in Resolution "A" and "B" on tonight's agenda.

Mr. Propert noted that on April 28<sup>th</sup> the Insurance Committee met to discuss joining the Southern Shore HIF. It was decided to acquire the Authority's risk assessments from the State. The Authority will be exploring these options next month for entry into HIF 2012.

Mr. Propert stated that construction on the Upper Deerfield Force Main Project is scheduled to begin the end of this month.

He further reported that he and Ron Curcio held a Pre-construction meeting with J.P. Smith Contractors, Inc. for the concrete repairs and resurfacing project. Work on the Primary Clarifier is anticipated to begin on June 1<sup>st</sup>.

Mr. Propert also stated that Mr. Curcio approved the submittals for the sludge dewatering equipment, which have been forwarded to Huber Corporation. Anticipated delivery is for mid September.

Mr. Propert noted that the Authority is applying sludge to the Cumberland Nursery and hauling to GCUA as needed.

A Notice of Violation and penalty assessment has been issued to Buona Vita for oil and grease violations. The discharge limit is 125mg/l and the samples taken on two occasions were 1090 mg/l and 771 mg/l. These samples were taken in response to heavy weekend loadings. In addition, the Authority has learned that the licensed operator of record has left their facility. Buona Vita has also been advised that they have until July 1<sup>st</sup> to obtain the service of another licensed operator. After July 1<sup>st</sup> any penalties assessed will be at the highest level due to willful negligence in the operation of their pretreatment system.

Mr. Propert further informed the Board that Francis Bartholomew has been hired for the Computer Information Technician position, to start on May 31, 2011.

Mr. Propert stated that Resolution "C" on the agenda, grants a temporary leave of absence to Tracy Fardone for medical reasons. During her absence, the Authority will send the more time costly lab tests to their service contracted outside lab. In addition, the Authority will further evaluate the lab staffing needs and expenses.

In conclusion, Mr. Propert stated that the Authority continues to make website updates. He also stated that the AEA will be sponsoring a workshop on recommended practices.

### **Engineer**

Mr. Curcio reported that Rob Finnigan of Perna Finnigan, contractors on the Upper Deerfield Force Main Replacement Project informed him, shortly after last month's Authority meeting, that they did not intend to start work until approximately June 1<sup>st</sup>. Correspondence was sent advising Mr. Finnigan of their contractual requirements for completion of the project within 270 days from the issuance of the Notice to Proceed, which was issued mid February. And any delays to this point have been solely the result of his actions. Even though almost ninety days have passed since the issuance of the Notice of Proceed, if the project starts in the next few weeks, Ron believes that the work can be completed within the "time to complete" requirements of the contract.

Mr. Curcio further stated that he and the Director organized a Pre-Construction meeting with Brian Smith, of J.P. Smith, to discuss the contract awarded to them last month by the Authority, to restore and paint the Primary Clarifier. The contractor advised us that he will begin work around June 1<sup>st</sup> and will be on-site for approximately three weeks. Additional work quotes were requested to paint the clarifier walls and metal work. J.P. Smith provided a quote of \$21,000 for the walls and \$1,900 for the metal work. Since the Authority cannot amend the contract by more than 20% of its original value, without special reasons, the wall painting cannot be completed as an "extra" to the current contract. The metal work painting is still under consideration.

Mr. Curcio reported that he has reviewed the Huber Technology submittal for the sludge press project and has provided the Director with the approved documents to send to the vendor, authorizing the commencement of fabrication. Delivery of the sludge press unit is expected by September.

In conclusion, Mr. Curcio stated that the South Jersey Gas Soil Remediation Project has resurfaced. He has been corresponding with their contractor as to the techniques and procedures to be employed in order to excavate beneath the Authority's force main. Fortunately, the quantity and severeness of the interaction with the Authority's infrastructure has been significantly reduced from the original excavation plans submitted by the Gas Company last year.

### **Auditor**

Mr. Testa reported that they would soon be compiling the information necessary to prepare the Authority's Secondary Market Disclosure report. This report updates the economic and demographic information of the City of Bridgeton and the Township of Upper Deerfield that was included in the Authority's last official statement issued in connection with the Series 2006A and 2006B Bond Issues. That information, together with the 2010 Audit Report, is required to be sent to the Trustees who will then send it to certain national repositories that collect updated information on all bond issuers. This should be completed by June.

Mr. Testa stated that he will also prepare the updated calculations of the Authority's maximum allowable Connection Fee as of December 31, 2010, in accordance with the Statutes (NJSA, 40:14B-22). This should be completed by June.

### **General Counsel**

Director Propert read General Counsel's report in his absence that stated that Mr. O'Donnell attended the meeting between the Authority and CCIA concerning the waste being hauled to the Authority. It was agreed that the prior Service Agreement would be terminated and a new Hauler Agreement prepared. After Rob reviewed the specific additions to the Authority's Hauler Agreement, as prepared by Mike Fernandez as specific to the CCIA, the proposed agreement was sent to the CCIA to review and comment. It was further reported that he also drafted the language for the proposed resolution concerning the termination of the prior agreement and the new agreement.

The report further stated that General Counsel reviewed a bid submitted concerning its surety bond and other requirements, and found the bid acceptable.

In conclusion, it was also reported that he met with the Director to discuss some upcoming issues regarding personnel.

### **Committees**

The Finance & Budget Committee met on April 27<sup>th</sup> and the Insurance Committee met on April 28<sup>th</sup>. Minutes of the meeting are in the Commissioners packages.

### **RESOLUTIONS**

RESOLUTION (2405) APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT TO TERMINATE THE SERVICE AGREEMENT BETWEEN THE CUMBERLAND COUNTY IMPROVEMENT AUTHORITY AND THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Ken Hill and seconded by Commissioner Todd Edwards, carried unanimously at roll call.

RESOLUTION (2406) APPROVING AND AUTHORIZING THE EXECUTION OF A VOLUME WASTE HAULER AGREEMENT WITH THE CUMBERLAND COUNTY IMPROVEMENT AUTHORITY, offered by Commissioner Al Jones and seconded by Commissioner Todd Edwards, carried unanimously at roll call.

RESOLUTION (2407) GRANTING A TEMPORARY LEAVE OF ABSNCE WITHOUT PAY TO TRACY FARDONE FOR PERSONAL ILLNESS, offered by Commissioner Don Olbrich and seconded by Commissioner Angelia Edwards, carried unanimously at roll call.

**Treasurers Report**

Revenue Account	\$	157,940.42
Operating Account		893,612.35
Petty Cash		500.00
Sensor Account		6,196.94
General Account		18,337.74
Plant Reconstruction/Replacement		2,171,843.93
Trust Account		2,334,609.16
Total Cash Position	\$	5,583,040.54

Treasurer Quinn reported that the bills submitted for payment today for the Operating Account total \$189,591.78. 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 four months of 2011, expenses have exceeded revenue by \$202,636.70.

RESOLUTION (2408) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Sam Boutros and seconded by Commissioner Todd Edwards, carried unanimously at roll call.

**Chairperson's Remarks**

Chairperson Sungenis thanked everyone for attending the meeting.

**Commissioners Remarks**

Vice Chairman Jones stated that he would be scheduling a meeting with the Employee Relations Committee soon as possible. He further issued an invitation the Board to attend a private function at his home.

**Public Portion**

Mr. Blake Maloney, a former Director of the Authority, stated that he enjoyed coming back to the meetings, to see that the Authority and Board were still working like clockwork and continuing to do an excellent job.

Chairperson Sungenis asked for a motion to adjourn, which was duly made by Commissioner Olbrich.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday, June 16, 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 APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT  
TO TERMINATE THE SERVICE AGREEMENT BETWEEN THE  
CUMBERLAND COUNTY IMPROVEMENT AUTHORITY AND  
THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, an Agreement dated November 5, 1987, exists between the Cumberland County Utilities Authority (Authority) and the Cumberland County Improvement Authority (CCIA) wherein the Authority agrees to treat sewerage from the CCIA, commonly referred to as a "Service Agreement", and

WHEREAS, the CCIA and the Authority have mutually agreed to terminate the existing "Service Agreement" based on the changes in product quality delivered since the initial contract.

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

1. That the Service Agreement dated November 5, 1987 between the CCIA and the Authority shall be terminated by mutual agreement.
2. That the CCIA and the Authority shall enter into a Volume Waste Hauler Agreement by separate resolution.

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, May 19, 2011 at 4:30 p.m. prevailing time.

DATED: May 19, 2011

RESOLUTION TO ENTER INTO A VOLUME WASTE HAULER  
AGREEMENT WITH CUMBERLAND COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Cumberland County Utilities Authority's Sewer Use Rules and Regulations includes a classification for "Volume Waste"; and

WHEREAS, Cumberland County Improvement Authority (CCIA) and the Cumberland County Utilities Authority (Authority) have terminated their Service Agreement, dated November 5, 1987 by separate resolution; and

WHEREAS, the Cumberland County Improvement Authority (CCIA) and the Cumberland County Utilities Authority (Authority) wish to enter into a Volume Waste Hauler Agreement.

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

1. That a Volume Waste Hauler Agreement with the Cumberland County Improvement Authority (CCIA) be entered into for the treatment of wastewater classified as "Volume Waste" in accordance with the Authority's Sewer Use Rules and Regulations and Industrial Pretreatment Standards.
2. That the Chairperson and Secretary of the Authority be authorized to execute the Volume Waste Hauler Agreement with the Cumberland County Improvement Authority.

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, May 19, 2011 at 4:30 p.m. prevailing time.

DATED: May 19, 2010

RESOLUTION TO AMEND THE CRACK/JOINT REPAIR & RESURFACING OF  
CLARIFIER FLOOR TO INCLUDE  
REPAIRS & RESURFACING OF CLARIFIER WALLS

WHEREAS, the Commissioners of the Cumberland County Utilities Authority authorized the crack/joint repair & resurfacing of the clarifier floor and entered into a contract with J.P. Smith Contractors Inc. to perform the task; and

WHEREAS, prior to performance of the work, it was determined that the walls of the clarifier needed repair and resurfacing also, and it makes sense financially and \_\_\_\_\_ to do it while doing the floor; and

WHEREAS, authorization for this Change Order #1 is recommended by the Director and Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority that the Director of the Authority be and is hereby authorized to execute the attached Change Order #1 to the contract for the Crack/Joint Repair & Resurfacing of the Clarifier Floor for the modifications as presented.

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, May 19, 2011 at 4:30 p.m. prevailing time.

DATED: May 19, 2011



A RESOLUTION GRANTING A TEMPORARY  
LEAVE OF ABSENCE WITHOUT PAY  
TO TRACY FARDONE FOR PERSONAL ILLNESS

WHEREAS, Tracy Fardone has requested a temporary leave of absence without pay due to illness; and

WHEREAS, the Cumberland County Utilities Authority Personnel Handbook, Section 14, Leave of Absence permits the Authority to grant a temporary leave at its discretion; and

WHEREAS, the New Jersey Public Employees Retirement System requires a Resolution granting formal approval of the leave.

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

1. Effective from May 17, 2011, Tracy Fardone is granted a leave of absence without pay for a period, not to exceed eight (8) weeks, due to illness.

2. The Business Administrator is directed to file a copy of this Resolution with the Public Employees Retirement System as required.

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, May 19, 2011 at 4:30 p.m. prevailing time.

DATED: May 19, 2011