

AGENDA
CUMBERLAND COUNTY UTILITIES AUTHORITY
August 16, 2012

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 THE REGULAR MEETING OF JULY 19, 2012
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 Wasserman
 - (5) INDUSTRIAL WASTE - Commissioner Crilley
 - (6) INSURANCE – Commissioner Friedman
 - (7) OPERATIONS - Commissioner Boutros
 - (8) AD HOC – Commissioner Begley
7. RESOLUTIONS
 - A. RESOLUTION ESTABLISHING AN EMPLOYMENT AGREEMENT FOR MICHAEL FERNANDEZ AS DEPUTY DIRECTOR OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
 - B. RESOLUTION APPROVING LAND APPLICATION AGREEMENT WITH CUMBERLAND NURSERIES L.L.C.
8. 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
9. CHAIRMAN'S REMARKS
10. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
11. PUBLIC PORTION
12. ADJOURNMENT

REGULAR MEETING
CUMBERLAND COUNTY UTILITIES AUTHORITY
August 16, 2012

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday, August 16, 2012 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
James Crilley, Commissioner
Angelia Edwards, Commissioner
Harvey Friedman, Commissioner
Donald Olbrich, Commissioner
Steve Testa, Auditor
Ronald Curcio, Engineer
James Quinn, Treasurer
Thelma D.Scott, Secretary
Theodore Propert, Director
Michael Fernandez, Deputy Director
Robert Rose, Public Relations
Patti McAllister, Assistant Secretary – Treasurer

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. Commissioners Begley and Wasserman are recorded as an excused absence.

Chairperson Sungenis acknowledged Freeholder Director Kirstein's presence and thanked Blake Maloney for his presentation on some of the history of the CCUA before tonight's meeting.

Chairperson Sungenis called for a motion to approve the minutes of the Regular Monthly Meeting of July 19, 2012. It was motioned by Commissioner Olbrich, seconded by Commissioner Albert Jones and carried unanimously at roll call.

REPORTS

Director

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

Director Proper stated that there was an Annual Safety Inspection report included in the Commissioners packets from J.A. Montgomery. The report reflects the dedication and pride of the employees to maintain a safe working environment at the CCUA. We have received a good safety report for eleven years and he believes that we may have the best safety record in the country.

Director Propert reported that the staff is working on the 2012 budget adjustments and a Finance & Budget Committee meeting needs to be scheduled for review, next week.

Director Propert reported Deputy Director Mike Fernandez toured the **Cumberland County Improvement Authority's** new treatment facility on Wednesday. If there are no operational glitches, they expect **to startup the end of September and will likely cease to discharge here, by the end of this year.** The effective cutoff date of the CCIA, **as a waste volume customer,** will be December 31, 2012. They will be required to maintain their industrial treatment permit should they have the need to bring in any discharge. If so, they will be charged at the \$.05 rate; but he expects very little activity.

Director Propert noted that he is working with the City of Bridgeton in submitting **documentation to FEMA that** will allow the City to receive reimbursement for the **assistance Authority personnel provided, for the damage and flooding they received during the storm in early July.**

In conclusion, Director Propert stated that Resolution "A" establishes an employment agreement for Mike Fernandez as Deputy Director of the CCUA and Resolution "B" is to approve a land application agreement between Cumberland Nurseries and CCUA.

Engineer

Mr. Curcio reported that they are currently negotiating the final payment amounts with the contractor on the Upper Deerfield Force Main Project. A final inspection by Ed Kispert of NJDEP is scheduled for Monday, August 20, 2012.

Mr. Curcio further reported that the Authority received the Treatment Works Approval granting authorization to replace the second filter press in the sludge processing building. All the NJDEP permits are now in place for the work proposed under the Fiscal Year 2013 Treatment Plant Upgrade Project and we are waiting for authorization from the NJDEP to allow the project to be advertised for bid.

Auditor

Mr. Testa reported that they reviewed the language for the pertinent sections of the proposed new User Agreements.

Mr. Testa also reported that he is working on providing information with respect to the Bond Reserve Fund Allocation to the firm who prepares the arbitrage rebate calculations on behalf of the Authority.

General Counsel

Mr. O'Donnell reported that he has drafted a new contract to be sent to all customers by September 1st, **for review by their Boards and Counsel. It is uniform and simplified for all Authority Users. The new method for billing is still pending approval by Bond Counsel, but should be in place for approval by resolution by early fall, with the new agreement resolution (s) by December, effective January 1, 2013.**

Commissioner Olbrich asked if General Counsel **thought there would be any issues with the contracts to the users or their attorneys.** Mr. O'Donnell stated that he did not anticipate any problems since they will have been allotted enough time for review.

Mr. O'Donnell remains available for any questions and concerns from the staff or the Commissioners.

Committees

The **Finance & Budget Committee** met on July 24th to discuss a Land Application Agreement, chaired by Commissioner Keith Wasserman. Minutes of the meeting are included in the Commissioners' packages.

Commissioner Olbrich **answered a question on the minutes**, stating that the results were a win-win situation for the Cumberland Nurseries and the Authority.

The **Employee Relations Committee** had their second meeting on July 31st pertaining to Administrative employee negotiations. Minutes of the meeting are included in the Commissioners' packages.

Chairman Jones wanted to make a statement about **an employee matter and was directed by General Counsel to go into executive session, whenever** a personnel matter comes to the floor.

Chairperson Sungenis called for a motion to go into Executive Session. It was motioned by Commissioner Boutros, seconded by Commissioner Edwards and carried unanimously at roll call.

Minutes of the Executive session are under a separate document.

RESOLUTIONS

RESOLUTION (2495) ESTABLISHING AN EMPLOYMENT AGREEMENT FOR **ANTHONY MICHAEL FERNANDEZ AS DEPUTY DIRECTOR OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY**, offered by Commissioner Boutros, seconded by Commissioner Crilley, carried unanimously at roll call.

RESOLUTION (2496) APPROVING LAND APPLICATION AGREEMENT WITH CUMBERLAND NURSIES L.L.C., offered by Commissioner Jones, seconded by Commissioner Friedman, carried unanimously at roll call.

Treasurers Report

Revenue Account	\$	47,022.29
Operating Account		1,008,659.13
Petty Cash		500.00
Sensor Account		6,525.31
General Account		317,990.66
Plant Reconstruction/Replacement		1,840,018.80
Trust Account		3,269,310.94
Total Cash Position	\$	6,490,027.13

Treasurer Quinn reported that the bills submitted for payment today for the Operating Account total \$159,322.73. The Authority Chairperson and Secretary have checked the vouchers. The Operating Account has sufficient funds to cover these checks and approval of Resolution B is recommended. For the first seven months of 2012, revenues have exceeded expenses by \$419,306.11

The Treasurer stated that the monthly bank statements are available for review if anyone is interested.

RESOLUTION (2497) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Olbrich, seconded by Commissioner Edwards, carried unanimously at roll call.

RESOLUTION (2498) OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND, offered by Commissioner Jones, seconded by Commissioner Olbrich, carried unanimously at roll call.

Chairperson's Remarks

Chairperson Sungenis congratulated the Authority for the wonderful report of eleven years, accident free. She further stated that we have one of the best Authorities in the nation.

Commissioners

There were none.

Public

Mr. Kirstein, Freeholder Director stated that he was glad to hear about the report JIF submitted, as the County is considering using JIF also.

The meeting was adjourned on a motion from Commissioner Jones.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday, September 20, 2012 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 ESTABLISHING AN EMPLOYMENT AGREEMENT
FOR ANTHONY MICHAEL FERNANDEZ AS DEPUTY DIRECTOR
OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, the Cumberland County Utilities Authority employs Anthony Michael Fernandez as Deputy Director of the Authority; and

WHEREAS, the Commissioners are desirous of establishing an employment agreement with Mr. Fernandez; and

WHEREAS, the Employee Relations Committee and General Counsel have negotiated conditions of employment with Mr. Fernandez and unanimously support the agreement.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority to establish an Employment Agreement with Anthony Michael Fernandez, Deputy Director of the Authority, as follows:

1. The Agreement sets conditions of employment, salary and benefits for Anthony Michael Fernandez for a period effective January 1, 2012 through December 31, 2014.
2. The Agreement shall remain in force until the expiration date or as terminated by procedures established in said agreement.

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, August 16, 2012 at 4:30 p.m. prevailing time.

DATED: August 16, 2012

A RESOLUTION APPROVING LAND APPLICATION AGREEMENT WITH
CUMBERLAND NURSERIES L.L.C.

WHEREAS, the New Jersey Department of Environmental Protection requires the Cumberland County Utilities Authority to arrange for the disposal of sludge from the Authority's Wastewater Treatment Plant; and

WHEREAS, the Cumberland Nurseries L.L.C are willing to provide land for the purpose of receiving said sludge; and

WHEREAS, an Agreement between the parties has been reached permitting the Authority to utilize the farm for land application, and

WHEREAS, the Budget and Finance Committee and General Counsel have reviewed said Agreement and recommend approval.

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

1. That the Commissioners of this Authority approve and authorize the execution of an Agreement between the Authority and Cumberland Nurseries L.L.C for the disposal of sludge by land application into the soil of the Cumberland Nurseries L.L. C. in accordance with the agreement attached.
2. That the Chairperson is authorized to execute the necessary documents to carry out the purpose of this 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, August 16, 2012 at 4:30 p.m. prevailing time.

DATED: August 16, 2012