

AGENDA
CUMBERLAND COUNTY UTILITIES AUTHORITY
SEPTEMBER 20, 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 REGULAR MEETING AND EXECUTIVE SESSION OF AUGUST 16, 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. A RESOLUTION AUTHORIZING THE TRANSFER OF LINE ITEMS AND APPROVING ADJUSTMENTS IN THE 2012 BUDGET
 - B. A RESOLUTION TO AMEND THE UPPER DEERFIELD SEWER FORCE MAIN REPLACEMENT PROJECT CONTRACT TO INCLUDE CHANGE ORDER #2
 - C. A RESOLUTION AUTHORIZING REVISED USER AGREEMENTS
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. 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
September 20, 2012

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday, September 20, 2012 in the Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey.

Representing the CCUA:

Albert Jones, Vice Chairman
James Begley, Commissioner
Sam Boutros, Commissioner
James Crilley, Commissioner
Angelia Edwards, Commissioner
Harvey Friedman, Commissioner
Donald Olbrich, Commissioner
Keith Wasserman, Commissioner
Ronald Curcio, Engineer
James Quinn, Treasurer
Robert O'Donnell, General Counsel
Thelma D.Scott, Secretary
Theodore Propert, Director
Robert Rose, Public Relations
Sandy Acevedo, Business Administrator
Patti McAllister, Assistant Secretary – Treasurer

Vice Chairman Jones 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 is recorded as an excused absence.

Vice Chairman Jones called for a motion to approve the minutes of the Regular Monthly Meeting and Executive Session of August 16, 2012. It was motioned by Commissioner Friedman, seconded by Commissioner Olbrich and carried unanimously at roll call.

REPORTS

Director

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

Director Proper stated that the Employees Relations Committee met with the administrative employee representatives to discuss salaries and continued to talk about the proposals that are still on the table.

Director Propert reported that the CCIA (Cumberland County Improvement Authority) leachate delivery has been suspended. They bought in very toxic material that has upset the plant. The Authority suspects CCIA is cleaning out tanks in preparation of a new process start-up. The situation is being monitored and plans to levy penalties against CCIA, including any brought against the Authority by DEP, if we have a violation. The Authority has been hauling mixed liquor from Landis Sewage Authority to help revive the plant.

Cumberland Dairy and Bona Vita will also be receiving notices of violations for exceeding O & G (oil & grease) limits for the month. These should be minor violations.

Director Propert stated that he met with Leo Fischer of New Jersey Ethanol and City of Bridgeton Sewer and Water Superintendent, Mark Lavenberg to discuss fees and permits required for the ethanol plant being constructed in the Industrial Park, to come on line late 2013 or early 2014.

He also met again with the City of Bridgeton and their rate study consultants to discuss the possible impact of our new billing on their industrial users. It was expressed that the Authority would work with the City, but they would have to work out how to bill their customers and other logistics.

Director Propert stated that the AEA Annual Meeting in Atlantic City will be held the 13th & 14th of November. He received the dates, but no other agenda to date. If anyone plans to attend, please notify Patti as soon as possible.

In concluding his report, Director Propert briefly stated that Resolution "A" on tonight's agenda authorizes amendments to the 2012 Budget; Resolution "B" authorizes change order #2 to the Upper Deerfield Force Main Replacement Project contract, resulting in a decrease of \$3,193.71 and Resolution "C" authorizes the revised User Agreements. A copy of the Agreement is available for all to review and General Counsel has added a copy to the Commissioners meeting folders.

Commissioner Boutros inquired how long it will take for the situation caused by CCIA to clear. Director Propert explained the problem, of the bugs in the tanks dying off, but that it was caught early and the Authority has been working to correct the situation. Commissioner Boutros asked about the use of the respirometer for detecting these problems and was told that it was used initially to determine the amount allowed to be discharged, but it's a time consuming test and up to this point unnecessary to sample every load. CCIA changed the nature of the leachate and that caused the problem.

Commissioner Boutros asked if Director Propert could prepare an estimate of the cost of the damages by the next meeting and Director Propert stated he would.

Engineer

Mr. Curcio reported that the contractor on the Upper Deerfield Force Main Project, Perna & Finnigan has submitted his final payment documentation which includes a second (credit) Change Order. The final construction cost is less than the original contract value by \$4,897.36. He further stated that each Commissioner has a copy of the *Credit* Change Order #2.

Auditor

There was no report.

General Counsel

Mr. O'Donnell reported that the final draft of the new agreement for all Authority Users has been completed and sent to all customers. He only heard from Counsel for the City of Bridgeton with some minor changes, which were done. The final version of the contract has been provided to each Commissioner.

He further stated that he reviewed the Maintenance Bond from Perna & Finnigan, Inc., for the Upper Deerfield Force Main Replacement and found everything to be in order.

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

Committees

The Finance & Budget Committee, chaired by Commissioner Wasserman met on August 27th to discuss amendments to the 2012 Budget. Minutes of the meeting are included in the packages of the Commissioners.

The Employee Relations Committee, chaired by Vice-Chairman Albert Jones met with the Administrative Employee Representatives on September 6, 2012. Negotiations are still being discussed.

RESOLUTIONS

RESOLUTION (2499) AUTHORIZING THE TRANSFER OF LINE ITEMS AND APPROVING ADJUSTMENTS IN THE 2012 BUDGET, offered by Commissioner Olbrich, seconded by Commissioner Wasserman, and carried unanimously at roll call.

RESOLUTION (2500) TO AMEND THE UPPER DEERFIELD SEWER FORCE MAIN REPLACEMENT PROJECT CONTRACT TO INCLUDE CHANGE ORDER #2, offered by Commissioner Olbrich, seconded by Commissioner Crilley, and carried unanimously at roll call.

RESOLUTION (2501) AUTHORIZING REVISED USER AGREEMENTS, offered by Commissioner Edwards, seconded by Commissioner Olbrich, and carried unanimously at roll call.

Treasurers Report

Revenue Account	\$	1,531,129.24
Operating Account		660,372.82
Petty Cash		500.00
Sensor Account		6,527.19
General Account		317,992.25
Plant Reconstruction/Replacement		1,842,274.10
Trust Account		3,072,788.18
Total Cash Position	\$	7,431,583.78

Treasurer Quinn reported that the bills submitted for payment today for the Operating Account total \$152,392.88. The Authority Vice Chairman 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 eight months of 2012, revenues have exceeded expenses by \$390,034.06. The Treasurer stated that the monthly bank statements are available for review if anyone is interested.

RESOLUTION (2502) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Edwards and seconded by Commissioner Olbrich, carried unanimously at roll call.

RESOLUTION (2503) OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND, offered by Commissioner Boutros and seconded by Commissioner Edwards, carried unanimously at roll call.

Chairperson's Remarks

Vice Chairman Jones thanked all for a good meeting. He read a letter of resignation from Secretary Scott, effective October 1, 2012 and thanked her for her services rendered.

Commissioners

Acknowledgment was made of Mrs. Scott resignation and the Commissioners expressed their gratitude for her services.

Public

There being no comments, the meeting was adjourned on a motion from Commissioner Friedman.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday, October 18, 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 OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY
AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES
FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND

BE IT RESOLVED BY THE CUMBERLAND COUNTY UTILITIES AUTHORITY
(the "Authority"), as follows:

Section 1. The costs and expenses which are set forth in the certificate entitled "Requisition and Certification as to Payment of Costs and Expenses From the CCUA NJEIT 2010 Construction Fund" which is attached hereto as Exhibit A and which, by this reference, is made a part hereof as if set forth in full herein, are hereby authorized to be paid on September 20, 2012 from monies which are on deposit in the Cumberland County Utilities Authority NJEIT 2010 Construction Fund, which has been established and created in accordance with the provisions of a Resolution of the Authority, duly adopted August 19, 2010, entitled "Supplemental Resolution Authorizing the Issuance of Subordinate Sewer System Revenue Bonds of the Cumberland County Utilities Authority", as amended on January 20, 2011.

Section 2. TD BANK, NA, Cherry Hill, New Jersey, in its capacity as Trustee for the holders of the Authority's NJEIT 2010 Construction Fund, is hereby authorized to withdraw such monies from the Fund, and to make payment of same, in accordance with the terms hereof and the terms of the attached requisition.

Section 3. This Resolution shall take effect immediately.

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, September 20, 2012 at 4:30 p.m. prevailing time.

DATED: September 20, 2012

A RESOLUTION TO AMEND THE UPPER DEERFIELD SEWER FORCE
MAIN REPLACEMENT PROJECT CONTRACT TO INCLUDE CHANGE ORDER #2

WHEREAS, the Commissioners of the Cumberland County Utilities Authority authorized the contract of the Upper Deerfield Sewer Force Main Replacement Project and entered into a contract with Perna Finnigan, Inc. to perform such construction replacements; and

WHEREAS, during construction it was determined that there were adjusted project quantities needed and additional work scope adjustments made that resulted in an additional decrease of \$3,193.71 in the contract price; and

WHEREAS, the contract total including this Change Order #2 will be \$1,024,079.14 dollars; and

WHEREAS, the Authority Engineer recommends this change order;

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 to the contract for the Upper Deerfield Sewer Force Main Replacement Project.

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, September 20, 2012 at 4:30 p.m. prevailing time.

DATED: September 20, 2012

A RESOLUTION AUTHORIZING THE TRANSFER OF LINE ITEMS
AND APPROVING ADJUSTMENTS IN THE 2012 BUDGET

WHEREAS, the Cumberland County Utilities Authority's Finance and Budget Committee and Director have reviewed the 2012 Budget and have determined that certain line items contained therein require reclassification of budgeted amount among expense and revenue categories; and

WHEREAS, the Authority Members, after their review, have determined that certain Budget line items require an increase or decrease in the amount appropriated; and

WHEREAS, the Authority Members have determined that the funds for said adjustments are made available through transfers from among other budgeted categories as listed on the attached schedule.

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

That the attached "Schedule of Budget Adjustments" which are made part hereof, are hereby approved and ratified.

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, September 20, 2012 at 4:30 p.m. prevailing time.

DATED: September 20, 2012

A RESOLUTION TO REVISE USER SERVICE AGREEMENTS

WHEREAS, the Cumberland County Utilities Authority adopted Sewer Use Rules and Regulations on November 16, 1978; and

WHEREAS, the Authority is in the process of amending the Sewer Use Rules Regulations in order to revise the method of calculating Sewer Use charges to make them more uniform and equitable for all users; and

WHEREAS, the Authority's Rules and Regulations require that all customers enter into a Service Agreement with the Authority, which agreement sets forth each party's responsibilities and rights; and

WHEREAS, the Commissioners, Director and General Counsel of the Cumberland County Utilities Authority have reviewed the Service Agreements between the Authority and its Users and have determined that they need to be revised to reflect the new method of calculating charges; and

WHEREAS, General Counsel has drafted uniform Service Agreements incorporating the new method of calculation; and

WHEREAS, the Commissioners of the Authority desire that the revised Service Agreements between the Authority and its Users be executed and become effective January 1, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority approve the revised Service Agreement between the Authority and its Users and authorize the execution of the Service Agreements by the Chairman and Secretary of the Authority, to be effective January 1, 2013.

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, September 20, 2012 at 4:30 p.m. prevailing time.

DATED: September 20, 2012