

LEHMUA
Regular Meeting

December 12, 2017

The regular meeting of the Little Egg Harbor Municipal Utilities Authority was held on December 12, 2017 at 5:00 P.M. at the Authority headquarters, 823 Radio Road, Little Egg Harbor, New Jersey.

Members Present: Joseph Koptic, Chairman; Margaret DePergola, Vice Chair; Earl Miller, Secretary; Marie Skelly, Treasurer; Richard Crea, Richard Robins

Members Absent: Eugene Kobryn

Others present: Earl F. Sutton, Jr., Executive Director; Michael DiFrancia, Superintendent; Nicole Mezzina, Executive Secretary; Eric Rundstrom, Authority Engineer; Debra Rumpf, Authority Attorney; Brian Logan, Authority Auditor

Others in attendance per sign-in sheet: John Maffia, Al Cox, Linda Hubert, Jim Angle, Kim Angle, Dave Schlick

Mr. Koptic opened the meeting with the Pledge of Allegiance.

Ms. Mezzina read the following announcement:

In accordance with the Open Public Meeting Law, this meeting has been duly advertised in the Atlantic City Press and Asbury Park Press, posted on the Authority bulletin board, and posted and filed in the Office of the Little Egg Harbor Township Clerk.

PRIOR MINUTES

A motion was made by Mrs. DePergola, seconded by Mr. Robins to approve the minutes of the regular meeting held on November 13, 2017. Roll call vote, Earl Miller – yes, Richard Robins – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

TREASURER'S REPORT

A motion was made by Mr. Miller, seconded by Mrs. DePergola approving the Treasurer's Report. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

BILLS RESOLUTION

A motion was made by Mr. Robins, seconded by Mrs. DePergola to approve the operational account bills resolution. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

AUDIT REPORT

Mr. Sutton introduced Brian Logan, the Authority Auditor to address this year's Audit.

Mr. Logan stated that the Authority received an Unmodified Opinion on the Financial Statements for the Year Ended June 30, 2017. This is the highest and best type of opinion that one can receive on their financial statements.

Mr. Logan advised the Board that Supplementary Information was fairly presented in relation to the financial statements taken as a whole. During the audit we did not identify any deficiencies in the internal control over financial reporting that we consider to be material weaknesses, and that the results of our tests of compliance, and other matters disclosed, there were no instances of non-compliance or other matters that are required to be reported under Government Auditing Standards. The Audit contained no comments or recommendations.

Mr. Logan mentioned to the Board that the Authority finished the year in a better position than where it started the year. The cash and net position had both increased, as did the revenues.

Mr. Logan stated that he would be happy to answer any questions.

A motion was made by Mr. Robins, seconded by Mrs. DePergola to approve Resolution #2017-60 regarding the Authority's fiscal year ending June 30, 2017 audit report. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

EXECUTIVE DIRECTOR'S REPORT

1 – Mr. Sutton stated that as always it has been a pleasure working with Brian and that he has full access to all the Authority records. Our staff works cooperatively with him, and this year Brian brought a new person with him who really had an ability to learn the Authority and work with us for the first time. It was a pleasure working with the new staff member as well.

Mr. Sutton stated that Brian has always been responsive and a good listener when we talk about potential ways to save money and how to reduce our debt service situation. He has also been very helpful in the process of the CDL loan in which we are asking for major forgiveness of up to 1.3 million dollars, so thank you Brian for that.

Mr. Koptic thanked Brian for his services and advised him he was free to go. Mr. Logan wished everyone a Happy Holiday and stated that he looks forward to working with everyone in the New Year.

Mr. Sutton stated that first, and foremost, he wanted to mention tonight that he is happy to report that Colleen is a grandmother for the first time. The baby was born a little earlier than expected, but we have received pictures and messages, and everyone is doing well.

Mr. Sutton stated that Mrs. Kleinow and Ms. Mezzina have an unbelievable work ethic, and that even up until today, Nicole wasn't sure if she would be taking the minutes at tonight's meeting and inquired if she would be needed to fill in. She was thinking that Mrs. Kleinow would still show up even though her daughter was in the hospital with a new baby.

Mr. Sutton stated that he was glad she didn't come and should spend every moment with her new grandson. Mr. Sutton thanked Ms. Mezzina for filling in this evening.

2 – Mr. Sutton stated that as a point of information, the Authority received our second reimbursement draw in the amount of 1.2 million dollars from NJEIT for the Twin Lakes Boulevard Project. Mr. Sutton explained that the Authority pays the contractor then submits the invoice for approval and reimbursement for the project, which is based on how much work has been completed to date.

3 – Mr. Sutton stated that the annual Tax Sale is underway, and the Authority has been receiving payments. There is a draw schedule provided to us with dates of when monies will be paid to the Authority.

Mr. Sutton stated he would like to give a special thank you to Tonya Trettin, the Authority's Head Cashier, Dayna Wilson, the Township Tax Collector, and the entire staff at the Tax Office for all the efforts made during this process.

Mr. Sutton stated that he is happy to report that this year there were fewer items turned over to the Township for Tax Sale. We had about 1300 customers turned over due to the provisions of the Tax Sale. Some of that is to be credited to our automated phone system, where we notify customers that are delinquent about the upcoming situation. We also notify our residents of the potential of having their checks returned because they make their payments online through their banking institution. Sometimes it takes seven to ten days for their check to get to the Authority, and by that time it is already past the Tax Sale date and unfortunately has to be returned to them. We have made every effort to get that information out there to avoid these situations.

Mr. Sutton thanked the staff for their efforts in this process.

4 – Mr. Sutton stated that as mentioned before we have been working with Brian Logan regarding the loan forgiveness for the Community Disaster Loan. As stated before we were able to draw 1.3 million dollars to offset the revenue loss as a result of Super Storm Sandy. We took that a couple of years ago in phases to avoid having any major rate increase. At this point we are working on the forgiveness process.

Mr. Sutton thanked Ms. Mezzina for pursuing the information needed to provide to the 3rd party in order to get that closed out.

5 – Mr. Sutton stated that it is that time of year to ask for RFQs for professional services needed for the upcoming year. The Authority advertises and receives the qualifications in January and awards in February and will need authorization tonight.

A motion was made by Mrs. DePergola, seconded by Mr. Crea authorizing the Executive Director to go out for RFQs. All in favor.

6 – Mr. Sutton advised that there is a resolution on the agenda this evening appointing him as the Public Agency Compliance Officer for the upcoming year. It is a requirement to have a PACO to ensure that the Authority is in compliance with the regulations.

A motion was made by Mrs. DePergola, seconded by Mr. Crea to approve Resolution #2017-58, appointing Earl F. Sutton, Jr., as the Authority Public Agency Compliance Officer. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

7 – Mr. Sutton advised the Board that as a point of information, the Authority is due to receive our annual dividend check from JIF in the amount of \$7,408.09. JIF is the Joint Insurance Fund where we participate and save a lot in premiums.

8 – Mr. Sutton stated that he was happy there were no items to report on the Customer Committee this month for consideration.

9 – Mr. Sutton advised the Board that there is a recommendation from the Personnel Committee to appoint an individual as Clerk. There is a resolution on the agenda for consideration.

A motion was made by Mr. Miller, seconded by Mr. Crea to approve Resolution #2017-59 appointing Kimberly Ann Laney to the position of Clerk. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

10 – Mr. Sutton advised the Board that there are no performance or maintenance bonds set to expire as of this date. However, on the agenda tonight we have a final payment for Mathis Construction for Pump Station #3 Upgrades at which point we would authorize the conversion of the performance bond to a maintenance bond. This has been proposed by Remington and Vernick Engineers and is on the agenda for consideration tonight as well.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to approve Resolution #2017-61 authorizing change order #4 for the Pump Station #3 Rehabilitation Project. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

A motion was made by Mr. Robins, seconded by Mr. Crea approving Resolution #2017-62 authorizing the release of the performance bond conditioned upon the posting of the maintenance guarantee by Mathis Construction Company, Inc. in regard to the Pump Station #3 Rehabilitation Project. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

11 – Mr. Sutton stated that lastly there was an item for discussion that wasn't on the agenda, but there was some information included in the member's packets with some correspondence from residents with regard to the Twin Lakes Boulevard Project and the current road conditions. In the packet there was previous correspondence signed by both myself and the Superintendent that was disseminated as well as copies of emails from a resident in that area, with my replies to this particular individual.

Mr. Sutton stated that as the Board is aware the Authority is looking at each and every option available to provide a temporary solution to the poor paving conditions that exist because of the project. The work that the contractor is performing right now is up to the standard as required by the specifications which include restoration of the daily work that is done in terms of trenching.

Mr. Sutton asked Mr. Rundstrom if he could confirm this. Mr. Rundstrom stated that this is in fact the case.

Mr. Sutton explained that there seems to be concerns and in some cases allegations that the contractor is not performing up to standards. There are limitations with what they can do. First, they mill the actual trench area. Then after the work is completed for that day, they put the proper fill in the trench area, compact it down and it is required that they do an overlay. In this case it is 6 inches of overlay which is brought from an asphalt plant out of Berlin. At the end of each day, they put it in place and compact it down with a hand tamper and five-ton roller. A roller is used, on a non-vibratory setting due to the possibility of damage to the older infrastructure in the ground.

Mr. Sutton explained that he and Mr. DiFrancia recently met with one of the paving contractors that bid on this job originally. His bid was 3 million more than what this contractor got the award for. In the meeting we asked if being in the business themselves, would they do this job any differently with the trenching areas? The contractor informed us, that there isn't much more that we could be doing to improve the situation.

Mr. Sutton stated that he is aware that the conditions are not perfect, and some areas are very bad with regard to drivability, but there are limits on the process. Moving forward once project is completed, in cooperation with the Township, storm drains will be installed and final paving will be done. The Township's intent is to do the entire road.

Mr. Sutton explained that Twin Lakes has no grade on it and is a flat road, where most roads have pitch in the middle, so most likely the Township will mill all the way down to almost a dirt surface and reconstruct it. Any work that we are doing now, will be milled, removed, and that material will not be salvaged, unless it can be used in other locations.

Mr. Sutton stated that he has assured residents with concerns that we will continue to look at solutions. Right now, we are exploring milling a very slight area of the roadway, in the drivable areas and leveling it with temporary paving. We would not be looking at paving from curb to curb, as that would later be milled up and disposed of. To keep the cost as efficient as possible we are only doing the drivable area, milling, and then an overlay of top course paving that would be applied with a roller.

Mr. Sutton deferred to Mr. Rundstrom, and asked if he deemed this a good permanent solution.

Mr. Rundstrom stated that this is not a permanent solution. As mentioned before the Township is coming in to do additional repairs on the road and the storm infrastructure. Anything that is done with the paving is intended to be temporary until the work is completed, and the area is paved curb to curb. Any additional work we do on paving is going to be removed in a matter of months.

Mr. Rundstrom stated that at this time we are getting into December and the asphalt plants will be closing making it very difficult. This asphalt plant being in Berlin and being a decent drive, by the time it leaves the plant at a certain temperature and gets here, it's already cold. It has to be a minimum of 40 degrees and rising outside. Meaning that if it's 40 degrees out at 9 am, it has to be greater than 40 degrees beyond that.

Mr. Rundstrom stated that in regard to Mr. Sutton explaining that it would be a temporary fix, it would be a temporary fix and expensive. Once the Township comes in to repair the storm infrastructure, this would all have to be removed.

Mr. Sutton stated that even up until today, we are still looking at options and still inquiring about pricing from various paving contractors to get minimum mill and overlay. The total width we are looking at is about 24 feet wide. The reason for this is that the milling equipment would allow two (2) passes, 12 feet each, providing 24 feet of drivable areas. This would not include any shoulder area and will not fix any drainage issues or any other issue that already exists. In some cases it may make it worse with the water running off into the shoulder area and freezing temperatures. We are not going to address any of that and it is not our intention, or focus, with what we need to do. Our main objective was to come up with a better drivable area that would improve the ability for snow plowing, and improve some safety issues.

Mr. Sutton stated that we want to look at the best solution. The Board tonight can deem this as an emergency situation so the Authority would have the ability to move forward with awarding a contract to a paver without having to go through the bidding process. The bidding process can take two (2) months and at that point the asphalt plants would be closed and no work could be performed. Deeming it an emergent situation by the Board would give management the flexibility to ascertain what would be the best and most cost-effective solution.

Mr. Sutton advised the Board that if we pursue this, we would only be doing a 24-foot wide roadway, and we would only be addressing the area from Twin Lakes Boulevard and Calabreeze Way intersection, down Twin Lakes to, and including the Lake Champlain and Twin Lakes intersection. We know that intersection is very bad. This is our focus because this is where the work has been completed.

Mr. Sutton stated that only sewer has been completed in the roadway and water is off in the shoulder in the area going south towards Thames. We have limited connections that are there, so we would not be addressing that area.

Mr. Sutton stated that if we spend money at this point, which would be close to \$120,000, it would just address the areas mentioned. Other areas of Lake Champlain as it goes out to Mathistown Road would not be addressed. As far as Twin Lakes to Radio Road, there was only the water main extended to feed a fire hydrant. This will improve drivability and also improve conditions if plowing becomes necessary. We were advised that the Township did not drop plows in that area, but put down brine and salt because of the current road conditions. And we are cognizant of that and that is why we are looking into those areas that really need to be addressed. If the Board were to authorize any work to be done and approve the resolution that is on tonight's agenda, the work would be performed somewhere in the timeline of December 20, 2017 and December 23, 2017, after that the plants will be shut down.

Mr. Sutton stated that the Township is scheduled to begin by April 2018 with installing storm drainage and complete restoration of that road. If restoration were to be done where we are still working, it would be a waste. We are on schedule to complete our work by June of 2018.

Mr. Sutton stated that our measures now are to provide a more level driving surface, and it is only temporary. We will still get criticism for taking this step, but again, we are trying to come up with a plan for the current road conditions.

Mr. Sutton stated that as mentioned before, a letter went out to our residents in this area, and we received one of the letters back, where the resident wrote across the letter “Don’t give in, stay the course”. Again, the Authority is cognizant of the concerns of everyone. The dilemma is that management is trying to deal with an issue that is over 50 years old and the conditions have been deplorable for a very long time.

Mr. Sutton stated that this is why Twin Lakes Boulevard is first on the restoration. It is the longest roadway in Little Egg Harbor Township. Once we finish this, we will start work down the side streets. As we move into other areas we will continue to look at alternative ways with trenching restoration.

Mr. DiFrancia stated that as the Director said, we are doing the north end from Calabreeze up with Twin Lakes Boulevard itself.

Mr. DiFrancia stated that section right on Twin Lakes, there are homes on the boulevard itself. Once you get past the south side of Calabreeze there are homes on both sides up to Cranbury and Lake Singleton. Then you only have a few homes on the left side up to Thames. The rest of the roadway all the way down Twin Lakes, has really no homes directly onto the face of Twin Lakes. They all have side streets.

Mr. DiFrancia stated that this area itself and the impact the residents have seen is not just the water and sewer mains, but also the laterals coming off the water and sewer mains. There are horizontal and vertical lines going all the way down after the water main was put in. After the water main was put in, they dropped back and installed the sewer main to Cranbury, Singleton and Thames. They ended there and dropped back again because we knew with winter months coming, and the Township coming in behind us doing the storm drains, we had to start doing the sewer laterals.

Mr. DiFrancia stated that with the weather that is occurring, and plants normally shutting down, if they have to come back online, it’s going to be at a premium rate for them to run the plant for one job. But to get this job done MSP is working everyday until Christmas to get as many laterals installed as possible. A lot of the residents will see that if we go ahead and temporarily pave, after the Calabreeze and Champlain intersections are complete, unfortunately they are going to see the contractor go back and tear it up to install laterals.

Mr. Sutton stated that people have concerns whether we drive on these roads and use them. We absolutely use them, we are on them every day. We are also out there when the police are directing traffic and people don’t adhere to the speed limit, which is making the situation worse. This is creating a safety issue for the people working out there in addition to the people that do adhere to the speed limits.

Mr. Sutton stated that he wanted to share one last thought. In looking at the right solution for all involved, and looking at the pictures that will get passed around, the work that we are doing now is no worse than what was there when we started. We have pictures as far back as 2013 of the Twin Lakes Boulevard corridor. We went back to the same spots where the pictures were taken and took current pictures. We would be hard pressed to say it looks worse.

Mr. Sutton reiterated that we understand the conditions of the roadway and they are not good, and asked Mr. Rundstrom what happens when you start cutting and excavating a roadway that is alligatored.

Mr. Rundstrom stated that the condition of the road is poor, and when you have a poor sub-base you get alligator cracking, which is a failure of the sub-base. This means that the pavement put there and not getting picked up, or being at grade, plus the silty sand material along Twin Lakes, changing temperatures, high water table, you get all this cracking. It is almost inevitable but can be fixed with proper design. It hasn't been taken care of in quite some time, and with no program in place to take care and addressing it, it gets worse over time. It's a perfect time to come in and do some utility work, knowing that right behind us, there will be re-paving, re-design, proper crowning and drainage. And that was always the intention of this project.

Mr. Sutton stated that there was a lot of other utility work that had been previously done. For an example, gas mains, Verizon running lines underground which created another trench area that was restored years ago, and has since settled. Add to that, all the utilities are underground from Lake Champlain to Calabreeze, there is nothing overhead. A portion of that road has been opened and closed so many times that its due for restoration. Due to all the underground conditions that exist, and the mark out issues that the Board is aware of since the start of this project, the contractor is only able to do four services a day. He thought he would have moved along much faster.

Mr. DiFrancia stated that he is out on Twin Lakes Boulevard every day, especially with the situation with the mark out company and the underground conduit Verizon has that is not even being utilized. When starting the project there were situations when everything was miss marked causing the contractor to have to move to the right or left when installing mains.

Mr. DiFrancia passed the pictures around and stated that you can see the alligating in the pictures and also see the work that has been done by the contractor today and see where the ditches are still open.

Mr. DiFrancia stated that when installing the sewer main down the center of the street, depending on how deep, the contractor could be 12 feet down and five feet wide. When you look at what he has done and the previous conditions of the street, what happens is you can see the conditions where the street is alligatored and you can see where it is cracked all the way down Twin Lakes Boulevard. When the contractor goes five feet wide or three feet wide, when you start to excavate the ditch, because of the current cracks that exist, and when you peel up asphalt, it takes other asphalt with it because the sub-base is not good. That's why when you go down Twin Lakes Boulevard you don't see a straight line where mains have been installed. You see it going in and out, which makes it bumpy.

Mr. DiFrancia advised the Board that the first picture being passed around is from 2013. He stated that the second picture you can see that it has not been filled in with blacktop. This is important because what can be seen is different. Where there is overlay and some laterals were put in, the ditch is only three feet wide, and ends up wider in certain areas because the asphalt was alligatored in those areas. In the picture you can see where there is two (2) inches of blacktop missing because it was alligatored and it pulled away. The pictures will give a good idea of the situation that is occurring on Twin Lakes Boulevard.

Mr. Koptic asked the engineer that since all the utilities on Twin Lakes Boulevard, telephone, gas, electric and now water and sewer, have been run underground over the course of years, how he would classify the sub-surface we have to work with now?

Mr. Rundstrom stated that it's definitely a silty sand material that has been exposed to frost. As we dig the trench, it doesn't hold the soil wall and we get some soil and the pavement working itself into the excavation undermining some of the paving that is still there. When we go to restore, we will backfill and compact it down and then allow 60 days for it to find its compaction. If we came back in and compacted the soil that was in there and paved on top of that, it's going to find a way to settle through the water, moisture, weather changes, and vibration. That's why the contractor's documents give them 60 days from when they backfill and pave, and then come back and do a final pave.

Mr. Koptic stated that with the storms we have gone through, and the amount of flooding and water issues on Twin Lakes Boulevard, he is not surprised by the conditions.

Mr. Rundstrom confirmed that between the storms, high water table, variations with tidal flow and then during construction, there is heavy de-watering being performed and a lot of movement, so the road conditions are not ideal.

Mr. Crea asked the Director if we are over budget with this?

Mr. Sutton stated that we won't be over budget but we haven't budgeted for this type of work. If the Board moves ahead with doing this, it will be fully funded, but not through the NJEIT, rather with monies the Authority has.

Mr. Sutton asked if there were any additional questions from the Board, and stated that the public would have the opportunity to speak at the end of the meeting.

There were no questions from the Board.

Mr. Sutton stated that we have been wrestling with this dilemma and if based strictly on a business stand point and looking at the numbers, in good conscience, he would not recommend spending the money given the circumstances. The Authority is going to do this work and spend the money, and not reap any reward from it. We would much rather put that money towards other things we need to do such as painting the water towers. That being said, we are also willing and think that we should adopt the resolution for purposes of declaring this an emergency situation. From a management stand point it becomes the least expensive option, and we do only what has been recommended. We will be working in cooperation with what our engineer recommends as it relates to the work being performed. The resolution addresses that, and states that it will be within the limits as declared by the engineer.

Mr. Sutton stated that we are going to be criticized for spending the money only to go back and re-open the road again. It's going to be important that there is an out reach to the people in that area, which will be done through a mailing, global call, and put on our website. We want people to be aware of what we are doing.

Mr. Sutton stated that again we are aware and cognizant and listen to the people in that area and their concerns. And in the event that the Township can't do the work right away, it does buy some time.

Mr. Sutton stated that moving forward, when we do other sections off Twin Lakes Boulevard, we will look at the scope and have discussion at that time.

Mr. Sutton reiterated that this is the right thing to do at this moment.

Mr. Crea asked if the project will be complete by June?

Mr. Sutton confirmed that the Authority's portion will be done by the end of June and that has nothing to do with the paving and storm drainage restoration. This was all worked out cooperatively with the Township because it saves more money in professional fees, and a lot of other things. They will be able to bond for it accordingly. In their planning, the Township told the Authority what roads they were going to pave and we immediately said we will work in those areas first.

Mr. Sutton stated that's his recommendation and he hopes the Board takes that action as well.

Mr. Crea asked if there was another avenue we could take with this?

Mr. Sutton advised the Board that we have looked at overlay options and straight milling providing a more level surface. Unfortunately, that is ruled out right now due to the potential for plowing this time of year and issues with the manhole risers and issues like that. We looked at overlay without milling and the cost of that, and the roadway would still be uneven and bumpy.

Mr. Crea stated that no matter what, this would be an additional cost to the Authority.

Mr. Sutton confirmed that and stated that this would only be a temporary fix.

Mr. Koptic asked if there were any additional questions?

Mr. Sutton reiterated that we would need to do a resolution declaring it an emergency to take care of that small section along Twin Lakes Boulevard between Calabreeze and Lake Champlain. It's approximately 8,000 linear feet, and the whole project is around 14,500 linear feet, so this is over 50% of the project. It would include the intersection of Twin Lakes Boulevard and Calabreeze. There will be two (2) 12-foot lanes, double striping in the middle and white striping on the shoulder.

Mr. Koptic asked Mr. Rundstrom when we do the 24 feet of roadway, are the sides of the road going to be raised to the extent that if there is a heavy rainfall would the houses get flooded?

Mr. Rundstrom stated that it would be no worse than it is now. The road as it is now has very little crown and is not designed for drainage.

Mr. Rundstrom stated that what we would do first is remove some of the material, which if wasn't removed would fill up and create water to collect on the side. However, we are not doing just an overlay. First the road will be milled, taking about one to one and a half inches off and then come back with another surface course of the same. It would be a net zero. The height of the road surface would not change with what is being proposed.

Mr. Sutton stated that the temporary paving is not designed to address flooding issues, just the current road conditions. The manholes will only be raised one inch after the milling and then the road will be leveled off for a smoother more plowable road way surface until the next phase.

Mrs. Rumpf stated that in addition to the issues discussed by the Board, Superintendent, Executive Director, and engineer as it relates to drivability, there are some concerns with regard to the surface of the road and how it is creating unsafe conditions and issues with snow removal. The last thing we want is someone not being able to get out because the road hasn't been plowed. That creates an emergency situation. Also in the event of inclement weather, conditions make the road unsafe for travel. We always want to be concerned with the public and their safety.

Mrs. Rumpf stated that this is why this is an emergency situation and should be considered by the Board.

Mr. Koptic asked if there were anymore questions. There being none, Mr. Koptic asked for a motion to approve Resolution #2017-63 Declaring the Existence of an Emergency Pursuant to N.J.S.A. 40A:11-6.

A motion was made by Mr. Robins, seconded by Mrs. DePergola to approve Resolution #2017-63, Declaring the Existence of an Emergency Pursuant to N.J.S.A. 40A:11-6. Roll call vote, Earl Miller – yes, Richard Crea – no, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Sutton thanked everyone for their time with regard to the situation.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to accept the Executive Director's Report as submitted. All in favor.

SUPERINTENDENT'S REPORT

1 – Oak Lane Apartments – The water main has been activated and the developer is in the process of installing the water meters. A preliminary punch list has been drafted and forwarded to the developer and contractor. The punch list must be satisfied prior to the release of the performance guarantee.

2 – Pump Station #3 Rehabilitation Project – The project has been completed and final payment has been processed. There is a change order in the amount of \$57,172.10 for final as-built quantity adjustments. A recommendation was made by the engineer to release the performance bond upon posting of the maintenance guarantee. This item was addressed in Resolution #2017-62, already approved by the Board.

3 – Twin Lakes Boulevard – As of this date the sanitary sewer has been completed from Radio Road just short of East and West Thames intersection. The contractor is currently working on the installation of the sewer laterals and water services on individual properties north of Calabreeze.

4 – We received a thank you letter from a property owner on East Raritan Drive stating that the Authority did a great job working to perform the necessary work.

Mr. DiFrancia read the letter to the Board.

Mr. DiFrancia stated that it's nice when a customer reaches out and lets us know we have done a good job. Our employees next door and in the office continue to do a great job.

5 – Work Order Management Report – This past month we fixed ten water leaks. The most important item covered each month is the water and sewer disconnects and activations. This month there were only three homes that have been disconnected, and there have been nine (9) services activated. Each month more services come back on line.

Mr. DiFrancia stated that was all for his report unless there were any questions or comments.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to approve the Superintendent's Report as submitted. All in favor.

ENGINEER'S REPORT

Mr. Rundstrom advised that he prepared the written report this month for the Board's approval.

Mr. Rundstrom stated that the only thing he would like to note is the Well #10 application has been accepted by the NJDEP.

Mr. Sutton stated that Mr. Rundstrom has officially been delegated to the Authority and we look forward to working with him in the future. Mr. Rundstrom will be attending all the meetings from here on out. He's been behind the scenes doing all the work and not getting the glory, now he can get both.

Mr. Sutton thanked Mr. Rundstrom for his input this evening and his professionalism and expertise. It's been a pleasure working with him and we look forward to working together with him on upcoming projects.

Mr. Rundstrom thanked Mr. Sutton and the Board and stated that he looks forward to working on more projects with the Authority.

A motion was made by Mr. Miller, seconded by Mr. Crea to approve the Engineer's Report as submitted. All in favor.

PERSONNEL COMMITTEE

A motion was made by Mr. Miller, seconded by Mr. Crea to approve the Personnel Committee as submitted. All in favor.

ATTORNEY'S REPORT

Mrs. Rumpf advised the Board that she submitted a report for the Board's information. If there are any questions, she would be happy to answer them.

Mr. Sutton stated that we will be going into a brief Executive Session due to the litigation matter. There will be no action taken at this time. There is a resolution for Executive Session on the agenda tonight.

A motion was made by Mr. Miller, seconded by Mr. Crea to approve the Attorney's Report as submitted. All in favor.

A motion was made by Mrs. DePergola, seconded by Mr. Miller to open the meeting to the public. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

Mr. Koptic asked that whoever would like to address the Board to please stand up and give us your name.

Mr. Maffia introduced himself and stated that he had a couple of things he would like to comment on. He expressed his displeasure with the contractor and stated that the contractor is leaving the roadway in a ridiculous state. He has heard everyone here tonight speak about how the contractor has performed up to scale and how the work he has done is acceptable. He strongly disagrees.

Mr. Maffia asked the Board who dropped the ball and why in December with all the plants closing, why are we having an emergency meeting and why we weren't prepared? Taxpayers money is being wasted to try and solve this problem. Either the contractor we hired doesn't know what he is doing or we don't know what we are doing. He expressed that someone should be fired.

Mr. Maffia expressed again that he does not think this work is acceptable and that no one would have a project done like this.

Mr. Koptic asked Mr. Maffia what emergency meeting is he referring to?

Mr. Maffia replied the one we are having now.

Mr. Koptic informed Mr. Maffia that this is our regular monthly meeting, however, there is a resolution that was passed to take care of a section of the road, declaring it an emergency situation.

Mr. Maffia asked again if no one knew this would happen?

Mr. Koptic stated that no one knew it would happen, but with the road conditions and poor subbase, it did happen and that is why we are taking care of it now.

Mr. Maffia stated that we have given the contractor carte blanche on this project and apparently our attitude is whatever happens, happens. The Contractor is not a paving company and that if we got someone decent such as Earle Asphalt this wouldn't be an issue.

Mr. Koptic stated that we have a contractor that is laying the pipe and performing temporary paving and trench filling. The Authority is not going to have a paving company come in and pave what the Township is eventually going to tear up in order to restore the road.

There was continued discussion from Mr. Maffia regarding his displeasure of the Authority's handling of the project and the contractor's work.

Mr. Sutton stated that first and foremost, Mr. Maffia is entitled to his opinion about what he thinks is going on out there, but he disagrees.

Mr. Sutton stated that as the Executive Director, he could have sat here and taken no action tonight and let the conditions exist. With the few complaints we have gotten, we could have chosen to not even address this. However, we are aware of what's done in the industry and what the circumstances are. What matters is what's acceptable as far as the work that is being done for the Authority and what we are paying the contractor for, and he is fully satisfied with that.

Mr. Sutton stated that Mr. Maffia can question this process all he wants, but when you start accusing people of not doing what they are supposed to, you are questioning the integrity of our legal and engineering professionals who do and prepare the paperwork and payment requests, not to mention our inspectors that are on site every single day. We can have a difference in methodology and the Authority could sit here and do nothing at all and let people complain, but we haven't. We have taken action. An action that we believe is the right thing to do.

Mr. Sutton stated that the Superintendent and he met with a contractor about the current conditions and that paving contractor stated that there would be nothing more he would be doing if he was performing the job himself.

Mr. Maffia stated that if we had Earle Asphalt down here, this wouldn't be occurring, and if there was, they would have taken every precaution.

Mr. Sutton stated that we didn't deem it as a problem up until this point. But because we have had a couple people complaining, we are taking the steps necessary to rectify it.

Mr. Sutton stated that this would not be what he would recommend from a business stand point, and believes the Board wouldn't either, but they are adhering to his recommendation to do the right thing. We are going to pull the trigger and pay a company to put a temporary surface down, only to be ripped up at a later date. If we didn't do anything, there would be complaints that nothing was being done. We can't please everyone.

Mr. Maffia stated that his second issue is, we are handling Calabreeze up to Radio Road, heading north. All those people that live there have other exits to go out. When you live all the way down Twin Lakes, there is only one way in and one way out. Once you are passed Calabreeze, several blocks you can't even drive on that street, you have to go on the other side until a car comes and that's an accident coming.

Mr. Maffia asked why we haven't addressed this issue?

Mr. Sutton explained that there is still so much work to be done there and we would be wasting more money to fix that strip temporarily.

Mr. Maffia asked if he would have to just deal with that until June?

Mr. Sutton stated that we aren't sure what we are going to do but at this point we are not addressing that as of today. We know that work will continue and weather permitting, laterals will be done. Once we have completed our end, we can tell the Township to take over, working cooperatively.

Mr. Sutton stated that we have acted in good faith tonight and took action right away to rectify this issue, and Mr. Maffia should have faith that moving forward we will continue to do the right thing.

Mr. Sutton stated that we have told him what we are doing, nothing more, nothing less and he can't call us out until there is a time we don't deliver.

Mr. Maffia stated that he appreciates it.

Mr. DiFrancia stated that the sewer main itself is up to West Thames, so for us to do anything on the south side of Calabreeze would be a waste of money because as soon as we are done putting in the laterals, right after the new year, we are going to start back up on the sewer main which will be anywhere from 6-8 feet wide. At the center of the street we are looking at a 16 foot cut. If we started addressing the situation on the south side, which the water main has been installed down Twin Lakes all the way to the right, what you are dealing with is coming across the road and our wet taps and long side services go to the east side of Twin Lakes. We are addressing only the areas where ditches are opened.

Mr. Koptic asked if anyone else in the audience had any questions or comments?

Linda Hubert introduced herself and stated that the solution for Lake Champlain to Calabreeze is great, but people coming south to north, don't get that solution especially with the snow and the plowing. It's very unsafe.

Mr. Sutton stated that the Authority has talked to Public Works about the plowing and we were told that plowing on that section of the road is not an issue and they have no problem getting a plow down that section. If you look at the other section of road where there are so many openings, that's why there is concern there. If it becomes an issue in other sections, we will address it.

Mr. Koptic asked if there was anyone else that would like to comment?

Kim Angle of Lake Singleton introduced herself and stated that she comes out of collaboration and not complaint.

Mrs. Angle stated that she and Mr. Sutton have had correspondence back and forth and thanked Mr. Sutton and the Board for taking action and passing the emergent resolution. Although the situation isn't ideal, it is unsafe, but knows it's a necessary evil for the safety of those that travel the roadway.

The Board thanked Mrs. Angle.

Mr. Sutton addressed Mr. Maffia and stated that as a point of reference, one of the contractor's that bid this job was Earle Asphalt, and their bid was seven (7) million dollars. The contractor we have now was less than four (4) million dollars, so we saved the rate payers over three (3) million dollars. Even if Earle Asphalt could do better, the Authority cannot justify that price difference. As a matter of fact, Earle Asphalt was one of the contractors that came down to look at the situation we have now and said they wouldn't have done the trench work any different than what has been done by our current contractor.

Mr. Koptic asked if there were anymore comments or questions from the public.

Mr. Schlick introduced himself and thanked the Board for approving the emergency resolution and stated that he understands that we are under no obligation to do this and that the MUA is doing this work with our own money.

Mr. Schlick stated that it is not ideal to spend this type of money for it to be taken up, but he believes it is the right decision for the people. In speaking back and forth with the Superintendent and Executive Director, Mr. Schlick informed the Board that the Township is re-arranging some things because they didn't know the MUA would be so far ahead.

Mr. Schlick thanked the Board, and stated that it would be almost impossible to plow that section of road without this temporary paving. He has also spoken with Public Works and there will be no issue plowing the other sections of Twin Lakes.

Mr. Schlick thanked the Board again, and left the meeting.

Mr. Koptic asked if there was anyone else that would like to comment?

Mr. Cox of East Raritan Drive introduced himself. He stated that people that live north of Calabreeze can come in anywhere off Center Street and gain access to their homes. Unfortunately, from Calabreeze south there is only one area they can drive to reach their homes, and the area is really bad and wreaking havoc on the cars.

Mr. Cox stated that he is not suggesting we come rip it up, but maybe shave it down in certain areas to make it smoother.

Mr. Sutton stated that when coming north and you get up to the Calabreeze intersection, there is very little work that has been done.

Mr. Cox stated that there would only be about three blocks that would have to be done and that the conditions are horrible.

Mr. Sutton stated that when we are down there directing traffic, and inspecting the site, people disregard the speed limit.

Mr. Cox stated that we are not solving the problem and asked what would be so difficult about taking a snow plow with a sharp blade and shaving down the road.

Mr. Sutton stated that the Authority is aware of the concerns and will look into it if we need to address it in the future. Right now, we are only addressing the section as spoken about, and passed with the emergency resolution.

Mr. Cox reiterated his concerns.

Mr. Sutton stated that the Authority took the action tonight and we understand Mr. Cox's point. He is in our minutes and it's been made a matter of record, but there are limitations as to what we can do at this point.

Mr. Koptic asked if we could have a motion to close this portion of the meeting to the public. A motion was made by Mrs. DePergola, seconded by Mr. Miller to close this portion of the meeting to the public. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

A motion was made by Mr. Miller, seconded by Mrs. DePergola to enter into executive session regarding litigation matters and approve corresponding Resolution #2017-64. Roll call vote, Earl Miller – yes, Richard Crea – yes, Marie Skelly – yes, Margaret DePergola – yes, Joseph Koptic – yes.

After return from Executive Session and there being nothing further to come before the Board, a motion was made by Mrs. DePergola, seconded by Mr. Miller to adjourn. All in favor.

SECRETARY

Approved on (date)