

**MANCHESTER UTILITIES AUTHORITY  
MONTHLY MEETING JANUARY 9, 2012  
HALEDON MUNICIPAL COMPLEX –HALEDON, NJ  
7:30 P.M.**

**TIME: 7:33PM**

**• MEETING CALLED TO ORDER – OPEN PUBLIC MEETING NOTICE READ**

*IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS LAW, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY A NOTICE SENT TO THE NORTH JERSEY HERALD NEWS AND THE RECORD ON FEBRUARY 25, 2011 AND THE HAWTHORNE PRESS ON MARCH 1, 2011. THIS NOTICE WAS ALSO POSTED ON THE BULLETIN BOARD AT THE MUNICIPAL BUILDING ON FEBRUARY 25, 2011 AND HAS REMAINED CONTINUOUSLY POSTED AS REQUIRED BY STATUTE. IN ADDITION, A COPY OF THIS NOTICE IS AND HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK.*

Proper notice having been given, the Secretary is directed to include this statement in the minutes of this meeting.

**• FLAG SALUTE**

**• ROLL CALL ATTENDANCE**

**ROLL CALL**

Present: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

Absent: Jones, Zofrea

Other notable attendees: Casey Anne Cordes, Esq., Gerry Spiespach & Chuck Ferraioli, CPA

**TIME: 7:35PM**

**• PUBLIC HEARING- 2012 CONNECTION FEE INCREASE  
2012 RATE INCREASE AND SENIOR DISCOUNT**

Motion by Van Sickle seconded by Malgosh to open the public hearing.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0

John Block, 337 Morrissee Ave., Haledon

Mr. Block inquires how the 2012 Senior Citizen Discount will be implemented.

Mr. Block also asks about the 2012 Budget Hearing and asks why he cannot receive requests a copy of the 2012 Budget prior to the Hearing.

01/09/12

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Chairman D'Ambrosio advises Mr. Block that a list of residents who are eligible for the 2012 Senior Discount will come from the tax clerk from the respective Boroughs that the MUA services. He confirmed that the 2012 Budget Hearing was advertised and properly held at the last meeting. He advised that the Budget is discussed at that hearing and outlined by the Auditor. Once the Budget has been formally approved by the board it becomes a public document and may be requested by filling out an OPRA Request.

Motion by Van Sickle seconded by Malgosh to close the public hearing.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0

**• REVIEW OF MINUTES:**

Motion made by Van Sickle seconded by Chowdhury to approve Minutes and Executive Minutes for November 14, 2011 and December 12, 2011.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0

**• REPORTS AND DISCUSSION**

**CHAIRMAN**

Spoke on the following:

Wishes everyone a Happy and Healthy New Year.

The Water Operating Bills List shows a \$4,000 month savings for the payment to the Borough of Haledon. This reduction is due to the cost savings incurred by the Borough for the retirement of the Superintendent. Since the MUA paid a portion of his salary, the Borough payment is being reduced to reflect the elimination of that salary.

He has requested to be present and have input in the Borough's hiring of a new Superintendent.

RFQ's are due 01/10/12, which includes a request for Emergency and Repair Contractor as well as a Licensed Operator.

Malcolm Pirnie proposal for Design of the 2011 Water Main Improvement project is due in March 2012. He requests that a Resolution be added to authorize Malcolm Pirnie to finalize the application needed.

**TREASURER**

No report at this time.

01/09/12

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**ENGINEER**

Justin Mahon submitted report and is on file.

**ATTORNEY**

Casey Anne Cordes submitted report and is on file.

**AUDITOR**

Spoke on the following:

He commended Joanne VanHook for her collection efforts on behalf of the MUA. He reports that the MUA exceeded the project revenues set forth in the 2011 Budget by \$70,000.

He recommends paying down the Temporary Note in the amount of \$500,000, which will leave a balance of \$500,000. This amount will then be rolled over into a new Temporary Note in February 2012.

He will send the 2012 Budget, once approved, to the State for review.

• **CORRESPONDENCE**

1. NJEIT- Davis Bacon Correspondence
2. Planning Board- 350 Belmont Avenue, Haledon
3. State of NJ Board of Public Utilities- 2011
4. North Haledon correspondence

The listed Correspondence were reviewed and accepted by the MUA Board.

Motion made by Malgosh seconded by Chowdhury to Accept and File Correspondence.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0

• **COMMITTEE REPORTS AND DISCUSSION**

RULES AND REGULATION COMMITTEE- No report.

LITIGATION COMMITTEE- Discussed in Executive Session

• **OLD BUSINESS**

1. Water System Connection Application/965 Belmont Ave., NH\*
2. 350 Belmont Avenue, Haledon/ Water Connection Application\*

\*Both held until next meeting. Malcolm Pirnie has submitted letters which need to be reviewed.

• **NEW BUSINESS**

1. 2012 Introduced Budget and Supplemental Schedules
2. NJEIT- Contract 01 Change Order 001-Signature needed
3. Intralocal Service Agreement-Amendment No. 1

01/09/12

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**TIME 7:35PM**

**• PUBLIC COMMENT**

Motion made by Van Sickle seconded by Malgosh to open public hearing.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

Mary Mayor 635 Belmont Ave., Haledon

Mrs. Mayer questions what the Intralocal Agreement Amendment is.

Motion made by Van Sickle seconded by Chowdhury to close the public hearing.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0

**MUA COMMISSIONERS RESPONSES TO PUBLIC COMMENT/INQUIRIES**

The Chairman explains that Angelo Passafaro has retired as Superintendent and this reduces the MUA payment to Borough of Haledon by \$4,000 since that was the amount the MUA was contributing for his salary.

**RESOLUTIONS TO BE PASSED BY CONSENT**

**2011-66 ADOPTION OF THE 2012 CONNECTION FEE OF THE MANCHESTER UTILITIES AUTHORITY**

**2011-67 ADOPTION OF THE 2012 RATE INCREASE OF THE MANCHESTER UTILITIES AUTHORITY**

**2012-01 AUTHORIZATION TO APPROVE FOR PAYMENT THE WATER OPERATING BILLS AS SET FORTH IN THE WATER OPERATING BILLS LIST DATED JANUARY 9, 2012**

**2012-02 AUTHORIZATION TO APPROVE FOR PAYMENT THE NJEIT 2008 WATER MAIN IMPROVEMENTS PROJECT BILLS AS SET FORTH IN THE NJEIT 2008 WATER MAIN IMPROVEMENTS PROJECT BILLS LIST DATED JANUARY 9, 2012**

01/09/12

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**2012-03 APPROVAL OF AND AUTHORIZATION TO EXECUTE AMENDMENT NO. 1 TO THE INTRALOCAL SERVICE AGREEMENT BETWEEN THE MANCHESTER UTILITIES AUTHORITY AND THE BOROUGH OF HALEDON**

**2012-04 WATER CONNECTION 30 JOHN RYLE AVENUE, HALEDON**

**2012-05 APPROVAL OF 2012 BUDGET \$2,499,200**

**2012-06 A RESOLUTION OF THE MANCHESTER UTILITIES AUTHORITY (“MUA”) EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC, IF ANY, IN A SIX (6) FOOT WIDE WATERLINE EASEMENT LOCATED ON THE PROPERTY AT MORNINGSIDE AVENUE, KNOWN AS BLOCK 33, LOT 27 IN THE BOROUGH OF NORTH HALEDON**

Motion made by Van Sickle seconded by Malgosh to add Resolution 2012-07.

YES: D’Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

**2012-07 AUTHORIZATION TO APPROVE MALCOLM PIRNIE PROPOSAL TO COMPLETE DOCUMENTATION TO MEET MARCH 2012 DESIGN AND DOCUMENT DEADLINE FOR NJEIT**

Motion made by Van Sickle seconded by Chowdhury to revise Water Operating Bills List to modify payment to Borough of Haledon less \$4,000 to the amount of \$22,000 for January 2012.

YES: D’Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

Motion made by Van Sickle seconded by Chowdhury to revise Water Operating Bills List amount to \$177,612.12 reflecting payment to Borough of Haledon less \$4,000.

YES: D’Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

Motion made by Van Sickle seconded by Malgosh to pass Resolutions by Consent.

YES: D’Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

01/09/12

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**TIME 7:56PM**

**• EXECUTIVE SESSION FOR CERTAIN SPECIFIED PURPOSES: LITIGATION AND/OR CLAIMS, CONTRACT NEGOTIATIONS, PERSONNEL, OTHER**

WHEREAS, the MUA is a public body subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act requires a Resolution of this MUA in the event the MUA determines it has a need and is permitted by law to exclude the public from an executive session;

NOW, THEREFORE, BE IT RESOLVED by the MUA that the public be excluded from its meeting for the purpose of discussing matters covered under N.J.S.A. 10:4-12B, set forth as follows:

- A. LEGAL – Volpe v. MUA, et al. – Litigation Update
- B. LEGAL – APS v. MUA, et al. – Litigation Update

IT IS FURTHER RESOLVED, that the public shall not be admitted to the portion of the meeting at which time the foregoing matters will be discussed, and it is not known when or if the matters to be discussed in closed session can be disclosed to the public; and

IT IS FURTHER RESOLVED, that at the conclusion of Executive Session, formal action may be taken.

IT IS FURTHER RESOLVED, that the within shall take effect immediately upon passage and publication as provided by law.

Motion by Van Sickle seconded by Chowdhury to go into executive session as indicated above.

YES: D’Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

**TIME: 9:00PM**

Motion by Van Sickle seconded by Malgosh to reconvene the regular meeting.

YES: D’Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

01/09/12

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Motion by Van Sickle seconded by Malgosh to approve Resolution 2012-08 entitled:

**AUTHORIZATION TO EXECUTE A STIPULATION OF DISMISSAL  
AS TO DEFENDANT METRA INDUSTRIES ONLY IN THE MATTER OF APS  
CONTRACTORS, INC. v. MANCHESTER UTILITIES AUTHORITY and  
METRA INDUSTRIES, INC.**

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

**• MEETING ADJOURNED**

**TIME: 9:01 PM**

Motion made Van Sickle seconded by Chowdhury to adjourn meeting.

YES: D'Ambrosio, Chowdhury, Malgosh, Van Sickle

ABSTAIN:

NO: -0-

Respectfully Submitted,

Denise Wahad  
Recording Secretary

01/09/12