

**MANCHESTER UTILITIES AUTHORITY
MONTHLY MEETING FEBRUARY 13, 2012
HALEDON MUNICIPAL COMPLEX –HALEDON, NJ
7:30 P.M.**

TIME: 7:32 p.m.

• 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: Victor D’Ambrosio
Dewan Chowdhury
Muhammad Malgosh
James Van Sickle

Absent: Bernard Jones
Phil Zofrea

Other notable attendees: Justin Mahon, P.E., Malcolm Pirnie/ARCADIS
Chuck Ferraioli, CPA
Casey Anne Cordes, Esq.

ELECTION OF OFFICERS

The attorney will manage this portion of the meeting.

Motion to nominate and elect Victor D’Ambrosio as Chairman of the Authority by James Van Sickle seconded by Muhammad Malgosh.

ROLL CALL VOTE

D’Ambrosio	Chowdhury	Malgosh	Van Sickle
Abstain	Yes	Yes	Yes

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At this time, the meeting will be administered by the new Chairman.

Motion to nominate and elect Muhammad Malgosh as Vice-Chairman of the Authority by James Van Sickle seconded by Dewan Chowdhury.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Abstain	Yes

Motion to nominate and elect James Van Sickle as Treasurer of the Authority by Muhammad Malgosh seconded by Dewan Chowdhury.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

Motion to nominate and elect Dewan Chowdhury as Secretary of the Authority by James Van Sickle seconded by Muhammad Malgosh.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

REORGANIZATION RESOLUTIONS

**2012-09 QUALIFICATION OF THE RESPONSES RECEIVED FOR ITS
REQUEST FOR QUALIFIED PROFESSIONALS AND APPOINTMENT
THE MANCHESTER UTILITIES AUTHORITY PROFESSIONALS FOR
THE 2012 TERM**

Motion by Van Sickle seconded by Chowdhury to pass the Resolution 2012-09.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

**2012-10 ADOPTION OF THE OFFICIAL DEPOSITORIES OF MANCHESTER
UTILITIES AUTHORITY FOR 2012**

Motion by Van Sickle seconded by Malgosh to pass the Resolution 2012-10.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

**2012-11 DESIGNATING DENISE WAHAD AS THE ASSISTANT SECRETARY
AND CUSTODIAN OF RECORDS FOR THE MANCHESTER UTILITIES
AUTHORITY**

Motion by Van Sickle seconded by Malgosh to pass the Resolution 2012-11.

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ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

2012-12 ADOPTION OF THE FORM OF RESOLUTION FOR USE WHEN AN EXECUTIVE SESSION OF THE MANCHESTER UTILITIES AUTHORITY IS NEEDED

Motion by Van Sickle seconded by Chowdhury to pass the Resolution 2012-12.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

2012-13 ADOPTION OF THE MEETING DATES OF THE MANCHESTER UTILITIES AUTHORITY

Motion by Van Sickle seconded by Malgosh to pass the Resolution 2012-13.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

2012-14 ADOPTION OF THE OFFICIAL NEWSPAPERS FOR THE MANCHESTER UTILITIES AUTHORITY FOR 2012

Motion by Malgosh seconded by Chowdhury to pass the Resolution 2012-14.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

2012-15 ADOPTION OF THE OFFICIAL SIGNATORIES OF THE MANCHESTER UTILITIES AUTHORITY

Motion by Van Sickle seconded by Chowdhury to pass the Resolution 2012-15.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

• REVIEW OF MINUTES:

Motion to hold the Minutes and Executive Minutes for January of 2012 made by Van Sickle seconded by Chowdhury to approve.

ROLL CALL VOTE

D'Ambrosio	Chowdhury	Malgosh	Van Sickle
Yes	Yes	Yes	Yes

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• PROFESSIONAL REPORTS AND DISCUSSION

CHAIRMAN

Spoke on the following:

He thanks the Commissioners for electing him Chairman.

He expresses his condolences to Denise Wahad and her family on her mom's passing.

He explains that how the Senior Discount Program is being implemented. The MUA is working off of the respective Borough Clerk's information so that no other application will be needed from users. The MUA will write a letter to the Clerk's office and post an explanation on its website.

He advises that the MUA is obtaining quotes for new fencing at the Manchester Avenue pump station.

He states that the MUA has reduced the temporary Note to \$500,000.00, which he hopes to have the ability to pay in full next year when it is due.

He explains that there has been an inquiry from the user at 955 Haledon Avenue regarding the connection fees associated with a new tenant at the building, a dialysis center.

ENGINEER

Justin Mahon submitted report and is on file.

In addition, he advised that charges are outstanding for the tank inspection contractor.

He will send a letter to the user at 69 Hillside.

The valves appear to be okay after the Central Avenue tank was tested.

The new NJEIT application must be filed with the State by March; however, bids cannot be advertised until the State approves the plans and specification, which will likely be June/July 2012.

ATTORNEY

Casey Anne Cordes submitted report and is on file.

AUDITOR

Spoke on the following:

As discussed by the Chairman, the temporary Note was rolled over and reduced to \$500,000.00. The interest payment will be \$13,000, which is drastically lower than the \$25,000 budgeted for this line item in 2012.

The new NJEIT funding will likely be loans with 75% at 0% and 25% at market rate. There will likely be no principal forgiveness in this year's loan packages.

• CORRESPONDENCE

1. NJEIT Change Order No. 001
2. Water Distribution System Maintenance & Emergency Repair-J Fletcher Creamer wishes to be notified of new advertisement.
3. MP Letter/953-955 Belmont Avenue
4. MP Letter/350 Belmont Avenue

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5. NH Letter/Boil Water Notice
6. NJDEP Division of Land Use Regulation Application/Overlook Ave. over Molly Ann Brook
7. USDA/Outlay Report#30-Approved
8. USDA Annual Statement of Loan Account
9. Temp Fund Notes, Series 2012 Correspondence
10. Freshwater Wetlands Application-301 Sicomac Ave., Hawthorne
11. NJDEP/Submission of Drinking Water Compliance Data
12. 8 Hoxsey Place, Haledon/Notification & Public Outreach
13. RCAP Solutions/Vulnerability Assessment and Emergency Response Plan
14. NJDEP/Submission of OEO-002
15. 2012 LaMotte 1200 Chlorine Meters Calibration Schedule
16. Borough of Haledon Reso. #2012-028/Appointment of Dewan Chowdhury

Motion made by Van Sickle seconded by Chowdhury to Accept and File Correspondence.

YES: D'Ambrosio, Chowdhury, Malgosh, VanSickle

ABSTAIN: -0-

NO: -0-

• **COMMITTEE REPORTS AND DISCUSSION**

1. RULES AND REGULATION COMMITTEE- No report; however, the Chairman states that this will be a priority this year.
2. LITIGATION COMMITTEE- Discussed in Executive Session.

• **OLD BUSINESS**

1. Water System Connection Application/965 Belmont Ave., NH-MUA is awaiting information.
2. EXTECH Invoice-USDA –invoice with Bills List-Discussed and approved pending Justin Mahon's discussion with the diver.

• **NEW BUSINESS**

1. Service Renewal- Badger Meter, Inc. Effective 2/29/12-2/28/13
2. NJEIT/Level 1 Environmental Review of Planning Report – Denise Wahad to follow up with this.
3. BNY 2012 Schedule of Fees-Temporary Funding Note
4. NJDEP Budget and Finance/Annual Audit-Signature needed

• **PUBLIC COMMENT**

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

YES: D'Ambrosio, Chowdhury, Malgosh, VanSickle

ABSTAIN: -0-

NO: -0-

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**Betty & Stephanie Pashman
953-975 Belmont Avenue**

They requested a clarification and timeline for a two (2) inch dedicated line and meter for the portion of the work needed to be completed by the MUA; next steps for their application; what other permits are needed from them; information on the size of the current line from the curb to the structure; whether or not they are hooking into the eight (8) inch or twelve (12) inch main; and how the EDUs are calculated.

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

YES: D'Ambrosio, Chowdhury, Malgosh, VanSickle

ABSTAIN: -0-

NO: -0-

MUA COMMISSIONERS RESPONSES TO PUBLIC COMMENT/INQUIRIES

The Chairman explained how the EDUs are calculated.

The Chairman discussed a payment plan with the users as and for payment of the connection fee. The Chairman confirmed that there was probably a two week schedule; however, the engineer would advise them on the next steps and their own professionals need to determine, what additional permits are needed for the new use.

RESOLUTIONS TO BE PASSED BY CONSENT

- 2012-16 AUTHORIZATION TO APPROVE FOR PAYMENT THE WATER OPERATING BILLS AS SET FORTH IN THE WATER OPERATING BILLS LIST DATED FEBRUARY 13, 2012**
- 2012-17 AUTHORIZATION TO APPROVE FOR PAYMENT THE USDA 2-2 BILLS AS SET FORTH IN THE USDA 2-2 BILLS LIST DATED FEBRUARY 13, 2012 *With the exception of the ExTech payment – check is being held until Justin Mahon speaks with diver.**
- 2012-18 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 FEBRUARY 13, 2012**

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

YES: D'Ambrosio, Chowdhury, Malgosh, VanSickle

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ABSTAIN: -0-

NO: -0-

**• 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 – Pending matters of Volpe v. MUA, et al.; APS v. MUA, et al.

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, VanSickle

ABSTAIN: -0-

NO: -0-

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

YES: D'Ambrosio, Chowdhury, Malgosh, VanSickle

ABSTAIN: -0-

NO: -0-

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• MEETING ADJOURNED

TIME: 8:45 p.m.

Motion made by Van Sickle seconded by Malgosh to adjourn meeting.

YES: D'Ambrosio, Chowdhury, Malgosh, VanSickle

ABSTAIN: -0-

NO: -0-

Respectfully Submitted,

Denise Wahad
Recording Secretary

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