

**JERSEY CITY MUNICIPAL UTILITIES AUTHORITY
MINUTES OF THE REGULAR BOARD OF COMMISSIONERS MEETING
JULY 23, 2020**

CALL TO ORDER – 5:02 P.M.

In compliance with the Sunshine Laws, Chairwoman Hulings ordered and directed that a Notice of a Public Meeting of the Jersey City Municipal Utilities Authority be posted in the main lobby of the Jersey City Municipal Utilities Authority Administration Building and a copy of the notice be sent to The Jersey Journal, The Star Ledger and the City Clerk. Due to the COVID-19 global pandemic, this public meeting of the Board of Commissioners of the Jersey City Municipal Utilities Authority (“JCMUA”) is being conducted telephonically. As such, to enable members of the public to participate in this meeting, the dial-in information for this conference call was posted at the entrance to JCMUA’s Administrative Offices and was also posted on JCMUA’s website.

ROLL CALL OF MEMBERS PRESENT:

Chairwoman, Maureen C. Hulings
Vice Chairwoman, Jeannine Zampella
Commissioner, Vincent N. Mastria (joined meeting at 5:09 p.m.)
Commissioner, Maureen Nally
First Alternate Commissioner, Rahat A. Chatha

ALSO PRESENT:

Jose R. Cunha, Executive Director
Joseph Coviello, Deputy Director
John D. Folk, C.P.A., Director of Finance
Judy Rybka, Recording Secretary
Richard Haytas, PE, Senior Engineer/Infrastructure Maintenance Supervisor
LeKendrick Shaw, Assistant to Executive Director
Krystyna Pawlowska, Administrative Assistant
Francis J. Borin, Esquire, DeCotiis, FitzPatrick, Cole & Giblin, LLP
Michael J. McClelland, P.E., P.P., CME Associates
Ed Traina, CME Associates

FLAG SALUTE

PUBLIC COMMENT – No Public Comment

Prior to Approval of Minutes, Chairwoman Hulings announced that Second Alternate Commissioner Hartye has been appointed Commissioner (not alternate). Her term will expire January 2022.

APPROVAL OF MINUTES

Approval of minutes of the June 25, 2020 Commissioners Meeting

Motioned to approve by Commissioner Nally

Seconded by Vice Chairwoman Zampella

Roll call vote: Commissioner Mastria	Aye
Commissioner Nally	Aye
Vice Chairwoman Zampella	Aye
Commissioner Chatha	Aye
Chairwoman Hulings	Aye

RESOLUTIONS - CONSENT AGENCA

Resolution 7/20/1 authorizing transfer of funds for sewer operations

Resolution 7/20/2 authorizing payments of audited claims for sewer operations

Resolution 7/20/3 authorizing transfer of funds and payments of audited claims for water operations

Resolution 7/20/4 authorizing cash disbursements

Resolution 7/20/5 authorizing payments from the capital improvement, project and note funds

Resolution 7/20/6 authorizing an extension of a contract with Waste Management of New Jersey, Inc., pursuant to and in accordance with the Local Public Contracts Law, for removal and disposal of street excavation materials from JCMUA facilities; JCMUA contract number DSM-2018-33

Resolution 7/20/7 authorizing the extension of contract with Hudson Machinery, LLC, pursuant to and in accordance with the Local Public Contracts Law, for the provision of repair services and parts for combination sewer cleaning machines; JCMUA contract number RPSC-2018-33

Resolution 7/20/8 authorizing the extension of contract with William J. Guarini, Inc., pursuant to and in accordance with the Local Public Contracts Law, for the provision of emergency and non-emergency plumbing repair services; JCMUA contract number PRS-2019-22

Resolution 7/20/9 authorizing utilization of J. Fletcher Creamer & Son, Inc. as a drainage improvements contractor through Bid 19-71 of the Bergen County Cooperative Pricing System

Resolution 7/20/10 authorizing execution of a bulk water agreement with Township of Parsippany-Troy Hills for the sale and delivery of water by the Jersey City Municipal Utilities Authority

Resolution 7/20/11 authorizing amendment number 2 to contract for professional engineering services with Maser Consultants, P.A. for Phases 3 and 4 water main replacement

Resolution 7/20/13 amending the purchase of one double-wide, pre-engineered, and pre-fabricated building and associated hardware through the New Jersey State Cooperative Purchasing Program

Resolution 7/20/14 authorizing change order number 1 to J. Fletcher Creamer & Son, Inc. for cross-town force main rehabilitation; JCMUA contract number ESFMR-2017-17-C

Resolution 7/20/15 authorizing an amendment to contract for professional engineering services to Mott MacDonald for the development an inventory of water service lines

Resolution 7/20/16 authorizing an access and utility easement agreement with the Public Service Gas and Electric Company to cross Jersey City Municipal Utilities Authority's twin 72-inch water aqueducts in the Township of Little Falls

Resolution 7/20/17 authorizing amendment number 2 to contract for professional engineering services with Mott MacDonald for construction administration services for Phases 1 & 2 of the combined sewer capacity and condition assessment rehabilitation project

Resolution 7/20/18 authoring the execution of a License and Right of Entry Agreement with the Jersey City Redevelopment Agency in connection with the Carteret Avenue sewer rehabilitation project

Resolution 7/20/19 authorizing the execution of a License and Right of Entry Agreement with PPG Industries, Inc. in connection with Carteret Avenue sewer rehabilitation project

Resolution 7/20/20 authorizing award of a contract to Remington and Vernick Engineers for design and construction administration services for the Clendenny Avenue and Sip Avenue outfalls improvements project

Resolution 7/20/21 NO RESOLUTION

Resolution 7/20/22 awarding an emergency contract for the specialty stabilization of compromised pressure sewer pipe in imminent danger of failure to Spinello Worldwide

Resolution 7/20/23 authorizing change order number 1 to the Phases 1 & 2 sewer and water infrastructure rehabilitation project

Motioned to approve by Commissioner Nally

Seconded by Vice Chairwoman Zampella

Roll call vote: Commissioner Mastria Aye
 Commissioner Nally Aye
 Vice Chairwoman Zampella Aye
 Commissioner Chatha Aye
 Chairwoman Hulings Aye

OTHER RESOLUTION(S) CONSIDERED SEPARATELY

Resolution 7/20/12 RESOLUTION PULLED authorizing the award of a contract to Grant Engineering & Construction Group, LLC to provide on-call services

Resolution 7/20/24 authorizing advanced franchise payment to the City of Jersey City

Chairwoman Hulings noted that Mr. Folk's memo, contained in this evening's meeting package, effectively explains the matter but asked if anyone wished to comment further.

Mr. Cunha discussed the current difficult times, particularly the financial difficulty for the City of Jersey City. JCMUA is currently in a position to assist the City by making advance franchise payments to the City. This will be an effective instrument in assisting the City in this time of need. The total pre-payment sum of \$11 million will be disbursed over a period of time and will be done in a responsible manner. This will assist in reducing any "hardship on the City side." While this does not happen often, there is precedent for this action.

Counsel confirmed that this was previously done in 2009.

Motioned to approve by Commissioner Nally

Seconded by Vice Chairwoman Zampella

Roll call vote: Commissioner Mastria	Aye
Commissioner Nally	Aye
Vice Chairwoman Zampella	Aye
Commissioner Chatha	Aye
Chairwoman Hulings	Aye

EXECUTIVE DIRECTOR REPORT – Mr. Cunha reported on the following:

Drinking Water – remediation of water in schools is moving forward, and will continue as permitted by the pandemic and other factors. Water coolers in Ferris High School and P.S. 41 appear to have the most elevated lead levels. The Board of Education will supply a list of schools to be prioritized, and JCMUA will coordinate a “vital and viable solution” with the Board of Education and the City. JCMUA is scheduled to meet with the State next week regarding drinking water.

Commissioner Mastria asked how water in residences will be addressed.

Mr. Cunha explained only \$25 million is available through the State annually for drinking water, and there is always a great deal of competition for these funds. Jersey City is in the ranking system for this funding. JCMUA has entered into a contract with Suez and Mott MacDonald to create data base of properties with lead service which will then be changed out. The \$50 million bond will be used for schools, and more than \$50 million will be needed to remediate City-wide. The City of Newark is nearly done/done with remediation and has spent \$200 million. The hope is that the State will come forward with a funding solution.

COMMITTEE REPORTS – No Committee Reports

GENERAL COUNSEL REPORT – No General Counsel Report

ITEMS OF UNFINISHED BUSINESS – No Unfinished Business

ITEMS OF NEW BUSINESS – No New Business

EXECUTIVE SESSION – No Executive Session

ADJOURNMENT

The meeting adjourned at 5:18 p.m.

Motioned to approve by Commissioner Nally
Seconded by Commissioner Mastria
Unanimously approved by all Commissioners present.

The next Board of Commissioners meeting is scheduled for Thursday, August 27, 2020 at 5:00 p.m.

Respectfully submitted,

Judy Rybka

Judy Rybka
Recording Secretary

THE JERSEY CITY MUNICIPAL UTILITIES AUTHORITY

**RESOLUTION AUTHORIZING ADVANCE FRANCHISE PAYMENT TO THE CITY OF
JERSEY CITY**

MOTIONED BY: COMMISSIONER NALLY

SECONDED BY: COMMISSIONER ZAMPELLA

WHEREAS, the Jersey City Municipal Utilities Authority (hereinafter the "JCMUA") is a public body duly formed under the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq., and possesses the powers set forth therein;

and,

WHEREAS, the JCMUA is empowered to adopt the within Resolution pursuant to and under the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq.;

and,

WHEREAS, the City of Jersey City (the "City") and the JCMUA entered into a Franchise and Service Agreement that allows the JCMUA to operate the City's water system;

and,

WHEREAS, in exchange for the right to operate the City's water system the JCMUA has agreed to make annual monetary payments to the City;

and,

WHEREAS, the City has recently requested that the JCMUA make an advance franchise payment in the amount of \$11,000,000;

and,

WHEREAS, the JCMUA's Chief Financial Officer has certified that the required funds are available.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the JCMUA that the Executive Director and/or Chief Financial Officer be and hereby are authorized to make an advance franchise payment in the amount of \$11,000,000 to the City of Jersey City.

DATED: JULY 23, 2020

APPROVED AS TO LEGAL FORM



FRANCIS J. BORIN, ESQ.
DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP
GENERAL COUNSEL

THE JERSEY CITY MUNICIPAL UTILITIES AUTHORITY

RESOLUTION

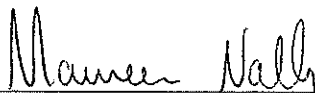
APPROVAL OF FUND AVAILABILITY



**JOHN D. FOLK, CPA
DIRECTOR OF FINANCE**

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Chairperson Maureen Hulings	X			
Vice-Chairperson Jeannine Zampella	X			
Secretary Maureen Nally	X			
Commissioner Vincent N. Mastria	X			
First Alternate Commissioner Rahat A. Chatha	X			
Second Alternate Commissioner Kathleen Hartye				

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE COMMISSIONERS PRESENT AT THE REGULAR MEETING OF THE JERSEY CITY MUNICIPAL UTILITIES AUTHORITY HELD ON JULY 23, 2020.



MAUREEN NALLY, SECRETARY