

Regular Meeting

Wednesday, July 18, 2012

5:30 PM

Mayor's Conference Room

Egg Harbor Township MUA
3515 Bargaintown Road
Egg Harbor Township, NJ 08234
(609) 926-2671

Agenda

Call meeting to order

Public Meeting Announcement

Roll Call: Nathan Davis, Chairman
 H. Chris Schwemm, Treasurer
 Theresa Prendergast, Secretary
 Michael Duffy, Commissioner
 Charles Pfrommer, Commissioner
 Theresa Moschetto, Alternate Commissioner

Open Meeting to the Public

Applications /Project Status

Ratification of Administrative Action

Resolution Memorialization

Authority Engineer

Treasurer's Report

Authority Clerk

New Business

Subcommittee Reports

Closed Session (If Necessary)

Adjournment

**Egg Harbor Township Municipal Utilities Authority
3515 Bargaintown Road
Egg Harbor Township, NJ 08234**

**Wednesday, July 18, 2012
5:30 PM – Mayor’s Conference Room**

Minutes

Chairman Davis called the meeting to order at 5:30 PM and read the Opening Statement pursuant to the Open Public Meetings Act.

Roll Call: Nathan Davis, Chairman – Present
H. Chris Schwemm, Treasurer – Present
Theresa Prendergast, Secretary – Absent
Michael Duffy, Commissioner – Present
Charles Pfrommer, Commissioner – Present
Theresa Moschetto, Alternate Commissioner – Present

Also in attendance: Engineer Vince Polistina, Attorney John Ridgway, and Authority Clerk Elaine Super. Mrs. Prendergast is expected later in the meeting.

Open Meeting to the Public

Mr. Duffy motioned to close the public portion of the meeting, seconded by Mr. Pfrommer as there was no public in attendance. All vote yes.

Applications/Project Status/Updates/Discussion

None

Resolution Memorialization

None

Engineer Report – The Engineer’s Report is attached and made a part of these minutes.

Mr. Polistina recapped the majority of the report, which included additional details on the storm events.

6:00 PM – Mark Wyman was in attendance in response to a Notice of Personnel Discussion. The discussion was in order to notify the Commissioners of a personnel matter. Mr. Wyman acknowledged that he wanted the hearing to proceed in open session and acknowledged that he did not want to proceed in closed session. A timeline of events had been previously distributed to the Board of Commissioners. Mr. Polistina began to recap the events relating to the response to a back up complaint called into the MUA office by Mr. Lenwood Cherry of 101 Martin Luther King Avenue on Friday, June 22nd at approximately 4:15pm. During this discussion, Mr. Polistina also explained the standard operating procedures of the Authority in response to a back up complaint.

6:15 PM – Mrs. Prendergast arrived. Mr. Ridgway suggested that Mrs. Prendergast recuse herself since she had already missed fifteen minutes of the presentation. She agreed and will not be acting as a voting member. Mrs. Moschetto remained acting as alternate commissioner.

Mr. Polistina continued with the details outlined in the time line which provided details and facts surrounding the response and investigation of the back up complaint.

Once Mr. Polistina completed recapping the details, Mr. Ridgway advised Mr. Wyman that he has the opportunity to speak, however he is not obligated to do so.

Mr. Wyman explained his version of the events. After Mr. Wyman finished with his explanation and after a brief discussion, Mr. Ridgway advised the Board of Commissioners that they could convene in closed session for the very limited purpose of obtaining legal advice and that no facts regarding the situation could be discussed in closed session. Motion Mr. Duffy second Mr. Pfrommer to enter into closed session at 6:45pm for the purpose of obtaining legal advice and opinion from the Authority Solicitor. All vote yes. No facts will be discussed, only the legal principles that may apply to the situation. Resoultion #37A-2012

7:05 PM – Return to open session. Mr. Ridgway put on the record that no action was taken during the closed session. He also stated that he neglected to properly swear in both Mark Wyman and Vincent Polistina prior to the start of the hearing at 6pm. At this time, Mr. Ridgway swore in both gentlemen, retroactively from the start of the discussion at 6pm and going forward with future discussions/statements during this meeting. They both swore that the testimony previously given and to be given was and will be true and accurate.

Mr. Davis addressed Mr. Wyman and shared his conclusions of the testimony provided. Mr. Davis stated that Mr. Wyman's statements lack veracity. Mr. Davis expressed his belief that the MUA Board is dependent upon their workers to take care of the community, do a professional job and be truthful in terms of what has been done as it is the Authority's reputation to do so.

Mr. Davis continued and stated that he did not believe Mr. Wyman went to the house even though he knew there was a problem with the cleanout. He states that his actions were unprofessional and it appears that Mr. Wyman lied in an attempt to cover up the situation. He further questioned the decision to contact the property owner via telephone to discuss the location of the cleanout when he had already been notified that the cleanout was unable to be located. He believes that veracity is the key to reliability.

Mr. Duffy expressed his concern over the inconsistency and inaccuracy with the reports.

Mr. Schwemm added that there were three different statements made regarding how and when the cleanout was identified, Mr. Wyman actions were not of the professional nature that is required of MUA employees and his job duties were not performed in a manner in which they were expected to be performed.

Mr. Pfrommer was concerned that the cleanout was left open in the yard even after Mr. Wyman's visit to the house on Monday, June 25th.

Mr. Schwemm made a motion, which was seconded by Mr. Duffy that there was a falsification of records, failure to perform job duties and an attempt to cover up the facts from the Authority. All

vote yes. Mr. Ridgway commented that since it has been determined that there is a situation of a workplace wrongdoing, the commissioners must evaluate the disciplinary action, if any, to be taken.

A brief discussion ensued, opened by Mr. Davis during which he reiterated the desire and necessity to have truthful and dependable employees. He stated the cover up is the root of the problem and this shows the integrity of the person. At this time, three commissioners offered supporting comments while Mrs. Moschetto offered her support for the findings, however, she stated she was uncertain as to what form of discipline would be appropriate. Mr. Wyman was given an opportunity to respond to the conclusions of the commissioners. Mr. Wyman stated that he was sticking with his original story and that he hopes his good record with the MUA will be taken into consideration. A motion was made by Mr. Duffy, seconded by Mr. Schwemm to terminate Mr. Wyman. All vote yes except for Mrs. Moschetto who voted no.

Mr. Wyman left the meeting.

Mr. Polistina continued with the engineer's report.

Attorney's Report

Mr. Ridgway reported that the FAA Agreement extension has been signed by FAA representatives and returned to the MUA.

Treasurer's Report

Motion Mr. Schwemm second Mr. Duffy to approve all vouchers presented for payment out of the Operating Account (\$436,325.65). All vote yes.

Motion Mr. Schwemm second Mr. Duffy to approve all vouchers presented for payment out of the Developer Account (\$14,987.75). All vote yes.

Motion Mr. Schwemm second Mr. Pfrommer to approve the Construction Fund voucher (\$202,822.40). All vote yes. Resolution #38-2012.

The Treasurer's report, provided by Mr. Schwemm, was accepted by the Authority.

Clerk's Report – The Clerk's report is attached and made a part of these minutes.

Motion Mr. Schwemm second Mr. Duffy to approve the June 2012 adjustments. All vote yes. Resolution #39-2012

Motion Mr. Schwemm second Mr. Pfrommer to approve the June 2012 minutes. All vote yes.

Motion Mr. Duffy second Mr. Pfrommer to adjourn the meeting at 7:30 PM. All vote yes.

July 18, 2012 Minutes
Approved at the August 15, 2012 Meeting

Engineer's Report
Egg Harbor Township MUA
July 18, 2012

Engineering Projects

1. Emergency Maintenance Contract

There was no work completed by Weco Construction within the last month. No billing is due at this time.

2. ACUA Contract Administration

The maintenance logs have been normal over the past month. There is currently only one pump out of service which is from the Front Street pump station. We are obtaining a price on a replacement pump.

A variable frequency drive from the Crystal Lakes station failed last week. It was replaced with the spare unit for the station by the ACUA.

During the early morning of June 30th a thunderstorm passed through the area with severe winds, with gusts approaching hurricane force rating. Due to the wind damage the Authority experienced power outages at all forty-nine (49) operated pumping stations at various times during the event. All twenty-six (26) of the stations with on-site emergency power were utilized during the power outage. The ACUA utilized the Authority portable generator for the first few hours of the storm maintaining the remaining stations. The storm event also severely limited cell phone service when several cell phone towers were damaged and created communication problems between our staff and the ACUA.

Once the extent of the damage from the storm was realized the following morning we arranged for the rental of two additional portable generators from Godwin Pumps. They were received at the MUA offices by 1 pm on June 30th. From the early morning on June 30th, Gary Auer and Bill Hiller spent extensive amount of time either transporting the rental generators or visually verifying the condition of stations. On July 1st, Mark Wyman, Bill Hiller and Gary Auer spent time filling the fuel tanks on the on-site generators, verifying station conditions and changing batteries in the Chatterbox dialers that had expired.

The generator at the Delancey station failed due to a broken water pump but was repaired by the middle of the following week.

Fortunately, there was only one spill occurrence during the aftermath of the storm resulting in an overflow of 100 gallons near the intersection of Central Avenue and Zion Road.

Our office sat down with the ACUA staff earlier this week and began an initial discussion on their performance and how to improve communication and coordination between the MUA and the ACUA during emergency storm events. We expect a more detailed meeting to occur in the future between the MUA, ACUA and the Atlantic County Emergency Management staff in order to prepare a more detailed emergency response plan to improve coordination and communication amongst all the parties involved.

3. Wet Well Cleaning Contract Administration

Over the last month Caprioni Family Septic completed their normal wet well and basket cleanings. They also completed the normal preventative jetting services at the typical problem locations.

We have recommended a final payment in the amount of \$10,509.00 from the Operating Account for the work completed in June.

4. Spills

The Authority experienced a single spill incident over the course of the past month and it was related to the power outages as a result of the storm on June 30th. The incident occurred near the intersection of Central Avenue and Zion Road on Sunday, July 1st. The overflow resulted from a power outage at the Old Zion pump station and the battery in the chatterbox dialer expired. We estimated that only 100 gallons accumulated along the edge of the roadway. Due to the excessive heat at that time all residual wastewater evaporated within an hour of the incident.

5. West Atlantic City Rehabilitation Phase II

The contractor has completed the final restoration on all of the affected roads where the sanitary mains were replaced in Phases I and II. We are working with the contractor to complete the final punchlist items and expect them to be completed within the next month.

We have recommended a payment in the amount of \$190,384.40 from the Operating Account for the work completed to date.

6. Cardiff Center Sanitary Main Replacement

The contractor is expected to have completed the replacement of all the asbestos concrete pipe and all temporary asphalt restoration by the end of this week. A small section of main is expected to be lined later this month.

We have recommended a payment in the amount of \$56,197.12 from the Operating Account for the work completed to date.

7. **Mobile Back-Up Pump Unit**

We are continuing to finalize the bid documents for the purchase of a back-up pump for emergency situations. We anticipate having the project ready for bid in the next few months.

8. **Brookside - Joanne Video Inspection**

We are completing the survey work necessary to prepare the plans to complete the video inspection of these two basin areas. We anticipate going to bid with the video inspection work within the next month.

9. **FAA PS Relocation and Gravity Main Extension**

The project scope has been modified due to the environmental concerns involving the dewatering for the gravity main extension. A revised project scope involves the construction of a new wet well and control building near the location of the existing facilities. We forwarded a conceptual plan to be reviewed by the FAA and are still waiting for comment.

10. **Miami Pump Station Improvements**

Due to the deteriorating condition of the dry pit at this location we have begun to investigate several design options to either extend the life of the existing dry pit or eliminating it altogether. The likely option at this point involves converting the existing station to utilize submersible pumps and relocating the control system to an above grade location. We are hopeful a finalized design scope will be prepared within the next few months.

12. **West Atlantic City Rehabilitation Phase III**

This project involves the replacement of the existing asbestos concrete mains located on the north side of the Black Horse Pike extending from Lyons Court to Palermo Avenue. We are currently working on the design plans and anticipate going to bid later this year.

In conjunction with this project we are also attempting to determine the condition of the sanitary mains located along the length of the Milan Avenue easement. We are hopeful a video inspection of these mains can be completed. The Authority landscape contractor cleared a significant portion of the Milan Avenue easement between the Brenta and Miami pump stations, but we are continuing to work on getting access to a portion of the easement west of the Brenta pump station.

13. **Brookside Odor Control**

The system has been installed at the Little Mill station and has been operating for the majority of the summer season. The application rates have been adjusted periodically to prevent odor spikes at the Brookside station based on the temperature forecast. We recently received a delivery of the odor control product that was deemed to be ineffective. The supplier has acknowledged the deficient product and has agreed to provide two containers of replacement product at no additional cost.

Since the product was originally introduced we are aware of only a single odor compliant.

Developer Projects

1. Next Generation Aviation

One minor issue remains prior to final acceptance of the station. We anticipate that being finalized shortly.

2. Pinelands Park Landfill

The owner of the landfill met with our office earlier this week to investigate the viability of connecting into the public sanitary system. They current use a trucking operation to transport the leachate from the landfill to the ACUA treatment plant in Atlantic City. Due to the transportation costs they are investigating the feasibility of connecting to the sanitary system via either a gravity or force main system. Once they have determined their routing method we can then discuss any off-site requirements.

Vince Polistina
Authority Engineer

**Egg Harbor Township MUA
Clerk's Report**

July 2012

Account / Billing Information

| Residential | 6/30/11 | 6/30/12 | Commercial | 6/30/11 | 6/30/12 |
|--------------------------|----------------|----------------|-----------------------------|----------------|----------------|
| Units | 11,692 | 12,821 | Units | 566 | 574 |
| Accounts | 11,230 | 11,358 | Accounts | 566 | 574 |
| Delinquent Accounts | 4,208 | 4,229 | Delinquent Accounts | 46 | 47 |
| Delinquent Amount* | \$ 504,268 | \$ 499,730 | Delinquent Amount** | \$ 40,636 | \$ 51,176 |
| <i>*bills due 6/1/12</i> | | | <i>** bills due 4/25/12</i> | | |

Connection Permits Issued – [June – 10] [FY To Date – 109]

Adjustment Request

- Resolution (June adjustments)

Administrative

- Minutes
 - June distributed
- Paygov – We began accepting credit cards on Tuesday, July 10th.
 - Received one payment through Paygov website and one payment at the front counter.
- Annual NJUAJIF Workmans Comp audit was conducted on July 3rd. The MUA was in compliance with all requirements.

Maintenance

- Markout Requests (June) – 271

*Elaine Super
Authority Clerk*