

**AGENDA  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
JANUARY 19, 2012**

- 1. CALL TO ORDER**
- 2. ANNOUNCEMENT THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN ACCORDANCE WITH CHAPTER 231, P.L. 1975 (THE OPEN PUBLIC MEETINGS ACT)**
- 3. FLAG SALUTE**
- 4. ROLL CALL**
- 5. MINUTES OF REGULAR MEETING OF DECEMBER 15, 2011 and SPECIAL MEETING OF DECEMBER 29, 2011.**
- 6. REPORTS**
  - A. DIRECTOR**
  - B. ENGINEER**
  - C. AUDITOR**
  - D. GENERAL COUNSEL**
  - E. COMMITTEES**
    - (1) COMMUNITY RELATIONS – Commissioner A. Edwards**
    - (2) EMPLOYEE RELATIONS – Vice Chairman Jones**
    - (3) FACILITIES EXPANSION/CONSTRUCTION – Commissioner Olbrich**
    - (4) FINANCE AND BUDGET – Commissioner Hill**
    - (5) INDUSTRIAL WASTE - Commissioner Friedman**
    - (6) INSURANCE – Commissioner T. Edwards**
    - (7) OPERATIONS - Commissioner Wasserman**
    - (8) AD HOC – Commissioner Boutros**
- 7. RESOLUTIONS**
  - A. A RESOLUTION APPROVING AMENDMENTS TO EXHIBIT B, USER RATE STRUCTURE OF THE SEWER USE RULES AND REGULATIONS**
  - B. RESOLUTION APPROVING AMENDMENTS TO THE SEWER USE RULES AND REGULATIONS, EXHIBIT A**
  - C. A RESOLUTION AUTHORIZING THE CUMBERLAND COUNTY UTILITIES AUTHORITY TO PURCHASE MATERIALS ACCORDING TO THE TERMS OF PERTINENT STATE CONTRACTS**
  - D. RESOLUTION TO UPDATE AUTHORIZING THE AUTHORITY'S DIRECTOR OR DEPUTY DIRECTOR TO CERTIFY NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DOCUMENTS**
  - E. RESOLUTION DESIGNATING CUMBERLAND ADVISORS AS THE AUTHORITY'S INVESTMENT ADVISORS**
  - F. RESOLUTION AMENDING AND UPDATING THE BY-LAWS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY**
  - G. RESOLUTION TO AMEND THE UPPER DEERFIELD SEWER FORCE MAIN REPLACEMENT PROJECT CONTRACT TO INCLUDE A CHANGE ORDER**
- 8. TREASURER'S REPORT**
  - A. CASH POSITION OF THE AUTHORITY**
  - B. RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS**
  - C. RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND**
- 9. CHAIRMAN'S REMARKS**
- 10. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS**
- 11. PUBLIC PORTION**
- 12. ADJOURNMENT**

REGULAR MEETING  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
January 19, 2012

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday, January 19, 2012, in the Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey.

Representing the CCUA:

Nancy Sungenis, Chairperson  
Albert Jones, Vice Chairman  
Sam Boutros, Commissioner  
Harvey Friedman, Commissioner  
Kenneth Hill, Commissioner  
Donald Olbrich, Commissioner  
Keith Wasserman, Commissioner  
Steve Testa, Auditor  
Ronald Curcio, Engineer  
Robert O'Donnell, General Counsel  
James Quinn, Treasurer  
Theodore Propert, Director  
Michael Fernandez, Deputy Director  
Robert Rose, Public Relations  
Sandy Acevedo, Business Administrator  
Patti McAllister, Assistant Secretary

Chairperson Sungenis called the meeting to order, announced that adequate notice of this meeting has been given in accordance with Chapter 231, P.L. (THE OPEN PUBLIC MEETING ACT) and led in the flag salute.

Assistant Secretary McAllister called the roll and a quorum was present.

Chairperson Sungenis called for a motion to approve the minutes of the Regular Monthly Meeting of December 15 2011 and Special Meeting of December 29, 2011. It was motioned by Commissioner Hill, seconded by Commissioner Olbrich, with Commissioner Boutros abstaining.

## **REPORTS**

### **Director**

Director Propert began his report by submitting the December Discharge Monitoring Report (DMR) for inclusion in the minutes of this meeting. He stated that all parameters were met.

Director Propert stated that he, staff and the Budget and Finance Committee met with Cumberland Advisors on January 11, 2012 to discuss a proposal for providing services to handle the Authority's investment accounts. This is Resolution E on the agenda this evening.

He briefly reviewed the rest of the resolutions on the agenda, stating that Resolution A is to amend the "Exhibit B" User Rate Structure of the Sewer Use Rules and Regulations that was adopted in December. Resolution B, approves the amendments to the Sewer Use Rules and Regulations "Exhibit A". Resolutions C and D are annual updates that authorize the Authority to purchase materials covered under State Contracts and authorizing the Director or Deputy Director to certify NJEP documents.

Director Proport further reported that the Ad Hoc Committee met on January 10<sup>th</sup> to review, discuss and recommend addendums to the Commissioners By-Laws. A copy of these additions is included in the Commissioners' folders and is covered under Resolution F on the agenda tonight.

He informed the Board that the final reports to FEMA, for last August storms, were signed and submitted last week. In thirty to sixty days, after final review at state level, the Authority will be reimbursed \$12,039 for its storm related expenses.

Director Proport also reported that he and Mike Fernandez met a few weeks ago with Steve Carnahan, from Rutgers Research and Antonio Bonfiglio, from Hydro Lunar Energy. They would like to meet with the Facilities Expansion Committee to present a proposal for using the Authority discharge pipes to generate electricity.

On that same note, Director Proport stated that he also needs to schedule a meeting with the Employee Relations Committee and the Employee Representatives to review some language clarifications in the Personnel Handbook.

He informed the Commissioners that copies of the upcoming Elected Official's Training Seminars and registration form were included in their folders. He encouraged all to attend and asked that they fill out the forms and return them, so that the Authority would receive credit.

Continuing with a report on activities, Director Proport stated that staff is working on the 2011 annual land application report to DEP and EPA. For the year, the Authority produced just over 100 tons less sludge than in 2010. The amount that was land applied remained about the same 316 tons. The reduced sludge taken for incineration resulted in an estimated savings of \$40,000. The decreased sludge production is attributed to improved pretreatment at both Buona Vita and Cumberland Dairy and the reduced quantity of landfill leachate.

We are continuing to take sludge cake to ACUA while Gloucester is shut down. Unfortunately, this is more expensive. The average bin taken to ACUA cost \$800 more than at GCUA.

Industrial permit fees have been mailed out and are slowly coming in. Buona Vita was assessed an \$8,000 penalty for COD and TSS violations in December, which has been paid.

Commissioner Olbrich asked if Buona Vita has been better since they put in the pretreatment. Mr. Proport indicated that they were.

### **Engineer**

Mr. Curcio reported that he submitted a recommendation for approval of a credit Change Order to Perna & Finnigan's contract on the Upper Deerfield Force Main Replacement in the amount of \$1,703.65. This is Resolution G on the agenda. Based on the work that remains, he expects the final contract amount to be equal to or less than the original bid of \$1,028,976.50. The contract value will be finalized in a second Change Order, prepared at the end of the project.

### **Auditor**

Mr. Testa reported that they have reviewed the User Charge letters and related data sheets that were sent out to the users, as well as the Authority's calculation of User Charges for the year 2012.

He further stated that they anticipated beginning fieldwork on the 2011 Audit, next week.

## General Counsel

Mr. O'Donnell stated that he reviewed the proposed changes to the Personnel Handbook with the Director and discussed some employee relations issues. He also stated that he was available for any questions or comments from the Commissioners and staff.

## Committees

The Facilities Expansion Committee met on December 21, 2011 for further discussion on the Solar Energy PPA exploration prior to the special meeting held December 29, 2011. Minutes are in folders for review.

The Ad Hoc Committee met on January 10, 2012 to discuss addendums to the By-laws. Minutes are in folders for review.

The Finance and Budget Committee met on January 11, 2012 to meet with and discuss the Cumberland Advisors proposal for the Authority's investment interests. Minutes are in the folder for review. Committee Chairman Hill stated that the committee recommends passing Resolution E, appointing Cumberland Advisors.

## **RESOLUTIONS**

RESOLUTION (2458), APPROVING AMENDMENTS TO EXHIBIT B, USER RATE STRUCTURE OF THE SEWER USE RULES AND REGULATIONS offered by Commissioner Jones, seconded by Commissioner Friedman and carried unanimously at roll call.

RESOLUTION (2459) APPROVING AMENDMENTS TO THE SEWER USE RULES AND REGULATIONS, EXHIBIT A, offered by Commissioner Olbrich, seconded by Commissioner Wasserman and carried unanimously at roll call.

RESOLUTION (2460) AUTHORIZING THE CUMBERLAND COUNTY UTILITIES AUTHORITY TO PURCHASE MATERIALS ACCORDING TO THE TERMS OF PERTINENT STATE CONTRACTS, offered by Commissioner Hill, seconded by Commissioner Boutros and carried unanimously at roll call.

RESOLUTION (2461) TO UPDATE AUTHORIZING THE AUTHORITY'S DIRECTOR OR DEPUTY DIRECTOR TO CERTIFY NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DOCUMENTS, offered by Commissioner Jones, seconded by Commissioner Boutros and carried unanimously at roll call.

RESOLUTION (2462) DESIGNATING CUMBERLAND ADVISORS AS THE AUTHORITY'S INVESTMENT ADVISORS, offered by Commissioner Hill, seconded by Commissioner Friedman and carried unanimously at roll call.

RESOLUTION (2463) AMENDING AND UPDATING THE BY-LAWS OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY, offered by Commissioner Jones, seconded by Commissioner Friedman and carried unanimously at roll call.

RESOLUTION (2464) TO AMEND THE UPPER DEERFIELD SEWER FORCE MAIN REPLACEMENT PROJECT CONTRACT TO INCLUDE A CHANGE ORDER, offered by Commissioner Olbrich, seconded by Commissioner Hill and carried unanimously at roll call.

**Treasurers Report**

Revenue Account	\$ 939.44
Operating Account	391,878.47
Petty Cash	500.00
Sensor Account	6,209.42
General Account	387,833.66
Plant Reconstruction/Replacement	1,833,862.07
Trust Account	4,011,308.84
Total Cash Position	\$ 6,632,531.90

Treasurer Quinn reported that the bills submitted for payment today for the Operating Account total \$254,134.70. The Authority Chairperson and Assistant Secretary have checked the vouchers. The Operating Account has sufficient funds to cover these checks and approval of Resolution B is recommended. For the year 2011, revenues have exceeded expenses by \$328,460.18. The monthly bank statements are available for review if anyone is interested.

RESOLUTION (2465) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Wasserman, seconded by Commissioner Hill and carried unanimously at roll call.

RESOLUTION (2466) OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY AUTHORIZING PAYMENT OF CERTAIN COSTS AND EXPENSES FROM THE CCUA NJEIT 2010 CONSTRUCTION FUND, offered by Commissioner Olbrich, seconded by Commissioner Jones and carried unanimously at roll call.

**Chairperson's Remarks**

Chairperson Sungenis noted that there was an article in the News (in December) about the bicycles and helmets donations made by CCUA employees and friends to the Salvation Army during the holidays. She further expressed the Board's appreciation to John Healy for motivating the annual bicycle drive. It was recommended that John's endeavors be entered as a nomination for the Wave Award with AEA.

Chairperson opened the floor to the Commissioners and Public. There were no comments made.

The meeting was then adjourned on a motion from Commissioner Olbrich.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday, February 16, 2012 in the Public Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey at 4:30 pm.

Respectfully submitted,

Patti McAllister, Assistant Secretary

**Note: Advertise in Oct or Nov to approve before the end of the year**  
**A RESOLUTION AUTHORIZING AMENDMENTS TO THE SEWER  
USE RULES AND REGULATIONS, EXHIBIT A**

WHEREAS, the Cumberland County Utilities Authority adopted Sewer Use Rules and Regulations on November 16, 1978; and

WHEREAS, by Resolution of the Authority, said Rules and Regulations have been revised periodically and were last amended on January 20, 2011; and

WHEREAS, a public hearing was held on November 17, 2011 to review proposed changes to the Sewer Use Rules and Regulations, Exhibit A; and

WHEREAS, the intent of the proposed revisions to Exhibit A are made to increase the allowable connection fee to the Cumberland County Utilities Authority facility in accordance with N.J.S.A. 40:14B-22; and

WHEREAS, it is the determination of the Authority to amend the Sewer Use Rules and Regulations as outlined above.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the CCUA Commissioners do approve the amended Sewer Use Rules and Regulations which are attached hereto and made a part hereof.
2. That the Sewer Use Rules and Regulations as amended shall become effective January 1, 2012.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012

A RESOLUTION TO AMEND THE UPPER DEERFIELD SEWER FORCE  
MAIN REPLACEMENT PROJECT CONTRACT TO INCLUDE A CHANGE ORDER

WHEREAS, the Commissioners of the Cumberland County Utilities Authority authorized the contract of the Upper Deerfield Sewer Force Main Replacement Project and entered into a contract with Perna Finnigan, Inc. to perform such construction replacements; and

WHEREAS, during construction it was determined that there were adjusted project quantities needed and additional work scope adjustments made that resulted in an overall decrease of \$1,703.65 in the contract price; and

WHEREAS, the contract total including this Change Order will be \$1,027,272.85 dollars; and

WHEREAS, the Authority Engineer recommends this change order;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority that the Director of the Authority be and is hereby authorized to execute the attached change order to the contract for the Upper Deerfield Sewer Force Main Replacement Project.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012

RESOLUTION TO UPDATE AUTHORIZING  
THE AUTHORITY'S DIRECTOR OR DEPUTY DIRECTOR TO CERTIFY  
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION DOCUMENTS

WHEREAS, the Cumberland County Utilities Authority receives, from time to time as required by permit applicants to the New Jersey Department of Environmental Protection (NJDEP), requests for project approval endorsement, or conformance certification; and

WHEREAS, the Cumberland County Utilities Authority's Director and/or Deputy Director is charged with reviewing all such requests and determining whether or not said requests are in conformance with the applicable Sewer Use Rules and Regulations, Wastewater Management Plan, or 201 Facilities Plan adopted by the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority, as follows:

1. That the Director and/or Deputy Director of the Cumberland County Utilities Authority is authorized to receive and review all applications to the New Jersey Department of Environmental Protection for project endorsement, certification, or approval and is further authorized, on behalf of the Cumberland County Utilities Authority, to sign appropriate endorsements or certifications when said applications are in compliance with the Wastewater Management Plan, 201 Facilities Plan, and/or Sewer Use Rules and Regulations.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012



RESOLUTION AMENDING AND UPDATING THE BY-LAWS OF  
THE CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, the Cumberland County Utilities Authority adopted By-Laws for the Authority by Resolution #53, dated November 16, 1978; and

WHEREAS, the By-Laws were last amended by Resolution #2328 on April 15, 2010; and

WHEREAS, it has been determined that amendments are necessary to the By-Laws; and

WHEREAS, the Ad Hoc Committee, Chairperson and Director of the Authority have reviewed said amendments and recommend the Commissioners adopt the revisions.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the present By-Laws be amended, with the following additions as attached.

**Article 2: Section 9a Absences,  
Section 10 Cell Phones and  
Section 11 Soliciting.**
2. That the By-Laws, as amended, be adopted as the official By-Laws of the Cumberland County Utilities Authority for the conduct of its business and meetings.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012

RESOLUTION DESIGNATING CUMBERLAND ADVISORS AS THE  
AUTHORITY'S INVESTMENT ADVISORS

WHEREAS, the need exists for an Investment Advisor registered with the SEC;  
and

WHEREAS, proposals were accepted and reviewed by the Authority's Finance  
and Budget Committee; and

WHEREAS, it is in the best interest of the Cumberland County Utilities  
Authority to have this position filled; and

WHEREAS, the Finance and Budget Committee has recommended Cumberland  
Advisors be appointed to fill this position

Passed and adopted at the regular meeting of the Cumberland County Utilities  
Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New  
Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012

A RESOLUTION APPROVING AMENDMENTS TO EXHIBIT B,  
USER RATE STRUCTURE OF THE SEWER  
USE RULES AND REGULATIONS

WHEREAS, P.L. 1977, Chapter 384 (N.J.S.A. 40:14B-1et seq.) and Article V, Section 502 of its Service Agreements permit the Cumberland County Utilities Authority to amend its Sewer Use Rules and Regulations; and

WHEREAS, N.J.S.A. 40:14B-22 permits the Cumberland County Utilities Authority to charge its Customers pursuant to their Service Agreement; and

WHEREAS, a public meeting was held December 15, 2011 and amendments to Exhibit B, User Rate Structure of the Sewer Use Rules and Regulations were approved by Resolution #2442; and

WHEREAS, the Authority finds it necessary to amend the individual item rates in the rate structure "Exhibit B" to reflect phasing out of the Chlorine Demand Charge, although the overall rates charged to the User, remains the same for the year 2012.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That the CCUA Commissioners do approve the amended Sewer Use Rules and Regulations set forth in **Exhibit B** which is attached hereto and made a part hereof.
2. That the Sewer Use Rules and Regulations set forth in **Exhibit B, User Rate Structure** as amended shall become effective January 1, 2012.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012

RESOLUTION AUTHORIZING THE CUMBERLAND COUNTY  
UTILITIES AUTHORITY TO PURCHASE MATERIALS ACCORDING TO  
THE TERMS OF PERTINENT STATE CONTRACTS

WHEREAS, the Cumberland County Utilities Authority in the course of conducting its operation is in need of purchasing materials; and

WHEREAS, the State of New Jersey has entered into contracts with suppliers of materials under the terms of said contracts, the Cumberland County Utilities Authority can purchase materials at the same costs as would be paid by the State of New Jersey; and

WHEREAS, it has been the experience of the Authority that purchase of materials pursuant to the terms of the State contracts is often more economical than attempting to purchase many items directly from suppliers of materials.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority to purchase materials pursuant to the terms of pertinent State contracts for the purchase of specific materials.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, January 19, 2012 at 4:30 p.m. prevailing time.

DATED: January 19, 2012