

AGENDA
CUMBERLAND COUNTY UTILITIES AUTHORITY
JUNE 17, 2021

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 THE REGULAR MEETING OF MAY 20, 2021
6. OPEN FLOOR FOR PUBLIC COMMENTS
7. **REPORTS**
 - A. DIRECTOR
 - B. ENGINEER
 - C. AUDITOR
 - D. GENERAL COUNSEL
 - E. COMMITTEES
 - (1) COMMUNITY/INDUSTRIAL RELATIONS – Commissioner Andre
 - (2) EMPLOYEE RELATIONS – Commissioner Rajacich
 - (3) FACILITIES EXPANSION/CONSTRUCTION - Commissioner Smith-Bey
 - (4) FINANCE AND BUDGET – Commissioner T. Edwards
 - (5) OPERATIONS/INSURANCE – Vice-Chairperson Dawson
 - (6) AD HOC – Commissioner A. Edwards
8. **RESOLUTIONS**
 - # 3171 – RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH ZEFF LAW FIRM, LLC AS GENERAL COUNSEL TO INCLUDE A CHANGE ORDER
9. **TREASURER'S REPORT**
 - A. CASH POSITION OF THE AUTHORITY
 - B. RESOLUTION #3172 - APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS
10. CHAIRMAN'S REMARKS
11. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
12. PUBLIC PORTION
13. ADJOURNMENT

Have a Safe and Happy 4th of July
Our next regular monthly board meeting is scheduled for July 15, 2021

CUMBERLAND COUNTY UTILITIES AUTHORITY

June 17, 2021

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday June 17, 2021 in the Meeting Room of the Operations Building 333 Water Street, Bridgeton, New Jersey. The meeting was also attended by several persons via Zoom.

Representing the CCUA:

Albert Jones, Chairperson

Rick Dawson, Vice Chairperson

William Andre, Commissioner

Angelia Edwards, Commissioner

Zarko Rajacich, Commissioner

Kenny Smith-Bey, Commissioner

Todd Edwards, Commissioner

John Fuqua, Secretary

G. Steven Errickson, Executive Director

Donald Olbrich, Treasurer

Gregg L. Zeff, General Counsel

Steve Testa, Auditor

Michael Cannan, Engineer

Stephanie Mick, Assistant Secretary/Treasurer

Bob Carlson, Resident Engineer

Dominic Buirch, Business Administrator

Daniel Jefferson, Executive Deputy Director

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

Secretary Fuqua called the roll, and quorum was present.

Chairperson Jones called for a motion to approve the minutes of the Regular Monthly Meeting of May 20, 2021. Motion was made by Commissioner Edwards and seconded by Commissioner Andre and carried unanimously at roll call.

Chairperson Jones opened the floor for public comments

Resident Sandra Acevedo stated "Be responsible and do not allow a hostile takeover. It's the responsibility of the county commissioners to find money for broadband. If this plan goes through the only thing residents here will be on the internet doing is looking for somewhere else to live."

Resident Nancy Ridgway stated "I been attending these meetings for years and ever since February these meetings have been getting bad. The last meeting was horrible. I can't believe you are approving these minutes on paper. You guys acted like a bunch of drunks in a bar!"

Resident Bob Widdifield stated "The Authority does not need a bailout! Keep control local."

Resident Blake Maloney stated, "One question, why isn't the CCIA looking for funds for the project?"

Council Zeff, "There is no plan to monetize. There is an RFQ to look into the issue. We have not gotten to monetization. Broadband under law can be done but we have not discussed in detail. Under the law the Utilities Authority can do sewer and electricity. None of those issues have been fully explored yet. Should we look at all the options? It is legal but we are a way away."

Resident Carmine Catalana stated "As a stakeholder my company has contributed millions of dollars to the CCUA over our long history here in the city of Bridgeton. Who would be impacted by this deal? Rate payers. Why investigate a sale of this entity? As a stakeholder in CCUA, we should have direct contact. We

spoke to mayors, County Commissioners and other stakeholders. I'm a businessman that leans on experts when it comes to things I don't understand, and I don't think anyone sitting on this board is an expert on the current situation.

CWA's Michael Blaszyk stated "This is worse than a pyramid scheme. I represent current workers and retirees. The RFQ was rushed and sloppy. Our poorest people won't be able to afford the rate hikes. My main concern is our workers. What's the value of the Authority? Did you do an independent evaluation? Will money go back to the CCUA?"

General Council Zeff stated "This is not Bayonne. Control will be maintained by CCUA. We don't know the answer to the value. We should listen to every offer that can improve the county. The only morally correct thing that needs to be done is to protect the Authority. We have not committed to anything. We are exploring our options and all matters will be in the open.

Resident Sam Elwell stated "Mr. Zeff you blow my mind, and it takes a lot to blow my mind. This situation is a solution looking for a problem.

Food & Water Watch Organizer Jocelyn Sawyer stated "We have serious concerns about RFQ, and the way things have been rushed. You guys are trying to create a private entity and that's not good. High Risk Loans and rate hikes are inevitable. Please reject all forms of privatization".

Bob Carlson stated "Clear and open process. Broadband cannot be legally done with rates from sewer. (Read the law) How did Bernhardt find out Mr. Edwards was the finance chair? Did Barnhardt contact Mr. Edwards, or did he contact them? Mr. Edwards position was not posted on the website so how did Bernhardt find out?"

Resident Gus Maier stated "I don't know broadband, but I know radio. How do we know so much about broadband?"

Resident Carol Wert Maier stated, "The timeline of the meetings seem confusing." The dates keep changing. Why did you keep changing the dates? This does not fly. What was the rush? I find it hard to believe that you are only exploring.

Resident Helen Elwell stated, "I don't know how you can trust a company with a picture of a chess board on their website?"

Chairperson Jones states, "I am looking out for the Authority and rate payers.

Director Erickson, "I still have my concerns. Rate payers, using taxpayer money. We saw this before with Kimble Glass. We know this does not work. I don't trust anyone that does this type of work. We need to research it carefully. We are working together now. I'm looking out for Cumberland County because places like Lawrence township are in bad shape. Why can't we get a Bridge to Nowhere funded? I know cream will rise to the top."

Chairperson Jones called for Directors' report.

REPORTS

Director

Director Erickson submitted Discharge Monitoring Report (DMR) for May 2021 inclusions into the minutes of this meeting. The activities for the month.

Activities

Thank you to everyone for coming out tonight, it is always good to have the rate payers here and know what is going on at the Authority.

Labor Negotiation – Opening session with the CWA and CCUA was held May 12, 2021. Some progress was achieved, and things went well for a first meeting. The committee plan to meet again June 23 and 24, 2021 to further negotiations. Things are processing slow but steady.

COVID-19 – Cumberland County is at a moderate level for COVID-19 according to the Cumberland County are down to a moderate level. Governor Murphy has lifted all mandates with concern to Covid-19 and restrictions. Caution is still recommended, there have been 40 break thru cases the last few months with COVID and some have died. We urge all of our employees and everyone to continue to practice good hygiene.

Sludge Disposal – The Authority is currently hauling two loads a day to DECORA with C&H and Franc Environmental providing assistance when needed. The sludge storage tank level is decreasing at this time.

Plant discharge. The plant is operating well, and we are meeting our effluent discharge limits, in some cases we are meeting those limits in the single digits.

The Director noted the following as to Operations and Maintenance:

Operations has taken the north secondary clarifier out of service at this time. The south clarifier is now in service.

The Authority has hired a new operator, Ralph Gardner, and he will begin the training process next week. He will be working with both the maintenance and operations staff before being placed in rotation.

Hall & Associates is finalizing the new headworks analysis and we are expecting a draft report on July 30th.

Maintenance and operations staff are working on cleaning out the west equalization tank. When completed the tank will be placed in service and the plant will be operating with flow equalization.

The facility received an inspection from PEOSH on 5/27/2021. All reported issues are currently being corrected at this time.

Collection System

Pennoni Engineering has continued working on the planned Glass Street Station up-grade as well as the laboratory fume hood replacement.

Miscellaneous

The Authority has had Personal Protective Equipment training this month with all applicable employee's being trained.

Anthony Pierce the Authority's staff electrician has resigned this month and his last day will be 6/22/2021

Committee Reports: Finance and Budget Committee, Todd Edwards, Chairman to report.

Director Errickson reported there is one resolution tonight. #3171 Authorizing an amendment to the professional service contract with Zeff Law Firm

Mr. Errickson stated there is no Closed session planned tonight.

In conclusion, the Director offered his thanks to the staff, engineer, and Legal Counsel for their help with preparing his report.

Engineer

Headworks Grit and Screen Replacement:

The Hydro-Dyne Engineering Inc's grit and screening equipment was placed on order by the Authority in March 2021. The equipment lead time is 20 weeks.

MBE Mark III Electric Inc. of Madison, NJ was awarded the project April 15th in the contract amount of \$1,771,000 to install equipment.

Contracts Documents were forwarded to the Authority May 7th for review and signature.

Pennoni received, and currently reviewing, Contractor's equipment submittals.

Anticipated start of construction September 2021 with pre-construction meetings before and after delivery of equipment.

Replacement of Laboratory Fume Hood: Pennoni to begin the design and construction services in replacing the existing lab hood

Regarding Glass Street Pump Station and Force Main Upgrade: Pennoni to begin the design upgrade the pump station. Permitting/I-Bank funding is anticipated to be submitted this year; The construction anticipated in 2022. The estimated project cost is \$3.3million dollars.

EQ Tank Structure: Pennoni to preparing technical specifications for structure repair and rehabilitation.

Primary Digester: Pennoni to perform requested structural and welding inspections.

Plant Structure Coating: Pennoni in discussion with Authority for the repair and recoating of various plant structures.

Other project issues:

Request to receive backwash water from Upper Deerfield Township (UDT). Pennoni assisting the Authority, as needed.

Upper Deerfield Sewer Pipe Rehab: Pennoni to assist the Authority once the project begins, as needed.

Solar System: Pennoni assisted Authority, as needed,, with the mandatory Annual Electric Generator Report.

Maps/Plans

On request by the Authority , Pennoni performs site surveys at the Plant. The last Plant survey was performed at the Primary and Secondary clarifiers.

Upper Deerfield Sewer Pipe Rehab: We anticipate work 2021/2022

Solar System: Pennoni assisting Authority, as needed, with the mandatory Annual Electrical Generator Report.

Pennoni to perform on site plant surveys on request of the Authority the primary and secondary clarifiers were the latest to be performed.

Auditor

Mr. Testa reported they provided staff assistance as requested. We are continuing to work on 2020 Audit(remotely) The GASB 68 Pension Reports from the State of New Jersey, and the GASB 75 Other-Employment Benefits report from the State of New Jersey(health benefits)have yet to be completed. These will be needed for us to be able to complete the Audit. We will keep the Authority informed as to progress of the Audit and the financial statement.

General Council

Upper Deerfield still going on.

Labor and employment day to day issues.

Monetization RFQ issues

Broadband-a meeting was held of the Finance Committee in which I was asked to research whether the CCUA may be involved in helping bring broadband to the county.

Committee Reports

Finance & Budget Committee Chairperson T. Edwards stated “That committee wanted to look into Broadband. We it comes to broadband there are the haves and have nots and Cumberland County is the have nots. We need to grow our footprint. For the past 20 years this board has been doing the same thing we need to expand and move forward with a broadband study. We can grow our footprint”.

Resolutions

Resolution (#3171)-Resolution authorizing an amendment to the professional service contract with Zeff Law Firm, LLC as general counsel to include a change order, offered by Vice-Chairman Dawson, seconded by Commissioner Andre, and carried unanimously at roll call with a No vote offered by Commissioner Rajacich.

Treasures Report

Revenue Account	\$687,146.06
Operating Account	\$1,272,667.72
Petty Cash	\$500.00
Sensor Cash	\$8,633.09
General Account	\$5,217,913.78
Plant Reconstruction/Replacement	\$4,851,141.69
User Revenue Reserve	\$687,288.38
Trust Account	\$1,870,408.32
Total Cash Position	\$14,595,699.04

Resolution (#3172)-Resolution approving and authorizing the payment of certain operating account vouchers, offered by Vice-Chairman Dawson, seconded by Commissioner Andre, and carried unanimously at roll call.

Chairperson Remarks

Thanks for coming out. It is good to see people read the things we post because our staff work hard. A divided house can't stand. Let's continue to work together. Please continue to stay safe. Wash your hands and social distance.

Commissioners-Public Remarks

Public remarks

Director Errickson stated “He wrote this statement weeks ago when it seemed impossible for me to do my job. I made a commitment to this Authority when I took the position and I lived up to that. As a result of secret deals and meetings behind my back it has become hard for me to do my job. As of June 30, 2021, I will be resigning.

Commissioner Zarko stated, “ Hopefully we can work out of this”

Vice Chairperson Dawson said” This board has young blood with youthful new ideas and enthusiasm, and we welcome that. We need to figure out the details we skipped over and left out. I applaud all of you for showing up.

Deputy County Commissioner Darlene Barber stated “ Thanks to the Director and Vice Chair for such a great meeting. On behalf of the Commissioner Director J. Derella thanks all for listening. We recognize the seriousness of a

veto vote, and it would be a shame if we ever had to use it. Let's create a plan for Cumberland County and let's do that by looking at all the possibilities.

(Commissioner Edwards left meeting at 6pm)

Public Comments

Director Errickson stated, "He wrote this letter weeks ago and its unfortunate that he has to read it. When I took this job, I decided to dedicate myself to the task of improving the Authority. I did that. I enjoyed the work. As a result of secret meetings and other dealings behind my back those things have made it impossible for me to do my job. I am resigning as of June 30,2021. Thanks for allowing me to serve, As I leaving the Authority is in good shape."

Commissioner Dawson spoke about the idea of learning about broad band based on studies through the county commissioner office and other routes. Dawson believes that broad band is a real opportunity.

Deputy County Commissioner Barber stated " We have a lack of broad band towers and lack of connectivity. We are exploring some avenues with the American Recovery Act Funds. We are currently in the planning stages. We are working forward."

Meg Jespersen asked Director Errickson "where would she go to get help since he is leaving?"

Director Errickson stated" There is good staff in the office. You can call and Stephanie and other staff will help you.

Nancy Ridgeway stated "Thanks Commissioner Barber. Sorry and disappointed that you are leaving Steve.

Commissioner Zarko stated " I don't trust the board. There is a hidden agenda!"

Rich Brown stated, " Commissioner Edwards said something that bothered me. He said there is money in broad band. I'm trying to figure that out. Does anybody on the Finance Committee have an answer?

Commissioner Dawson stated," On the short time I served on this board with the director it has been remarkable. I am thankful for the learning experience. He has been open and honest with me. His resignation or retirement is an absolute lose to this entity. Will the director work with the Chairperson to work the hiring process to find your successor? Moving forward we would need someone with an education level that will keep us on the right track."

Chairperson Jones stated, " The Chairperson will be working with the Director because it is my job to get a committee together to find out qualifications."

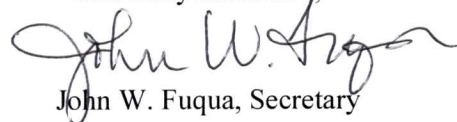
Director Errickson said" Thanks for all the kind words but all the credit should go to the staff. It has been a team effort. Whatever success we had has been due to all the workers that are here. Everybody pulling together which has me concerned. Change is sometimes hard.

There were several public remarks made by numerous residents that spoke during the first public speaking session and many of them had follow up questions and statements.

The next regular Monthly Meeting of the Cumberland County Utilities Authority will be held Thursday July 2021 in the Public Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey at 4:30 pm.

The meeting was adjourned on a motion form Chairperson Jones.

Gratefully submitted,



John W. Fuqua, Secretary

CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS	X				RESOLUTION # <u>3171</u>
WILLIAM ANDRE	X				Offered By <u>Dawson</u>
ZARKO RAJACICH		X			Seconded By <u>Andre'</u>
KENNY SMITH-BEY JR	X				Dated <u>June 17, 2021</u>
R. TODD EDWARDS			X		
RICHARD DAWSON	X				
ALBERT JONES	X				

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH ZEFF LAW FIRM, LLC AS GENERAL COUNSEL TO INCLUDE A CHANGE ORDER

WHEREAS, pursuant to Resolution 3126, the Cumberland County Utilities Authority entered into a Professional Service Contract for General Counsel services with Zell Law Firm, LLC in the amount of \$37,000 for 2021; and

WHEREAS, per Exhibit A of the aforementioned contract, the Authority has requested additional services to be provided that were not included in the original cost, and as a result, it has been determined that services rendered by the General Counsel will exceed the original contract amount; and

WHEREAS, the Executive Director and Business Administrator have determined that the incurred additional costs are within the scope of the contract and recommend approval of an increase to the contract, in the amount of \$37,000.00; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority that the Chairperson and Secretary of the Authority are hereby authorized and directed to execute the attached change order #1 to the contract of Zeff Law Firm, LLC for General Counsel services to the Cumberland County Utilities Authority increasing the amount to "not to exceed" \$74,000.00.

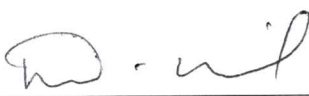
Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, June 17, 2021, at 4:30 p.m. prevailing time.

DATED: JUNE 17, 2021

CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT

I, Dominic Buirch, Business Administrator and Certifying Finance Officer of the Cumberland County Utilities Authority, do hereby certify pursuant to the rules of the Local Finance Board that there are available adequate funds for the proposed agreement between the Cumberland County Utilities Authority and Zeff Law Firm, LLC, for Professional General Counsel Services 2021. Money necessary to fund said contract has been projected in the amount of \$74,000.00 per year. Money necessary to fund said contract has been provided for and shall be charged to the following Line-Item Appropriation or Account No. 01-510-6101. These funds will not be certified as being for more than one (1) pending contract.

DATE: JUNE 17, 2021


Dominic Buirch, Business Administrator
Certifying Finance Officer

CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	RESOLUTION # <u>3172</u>
ANGELIA EDWARDS	X				Offered By <u>Dawson</u>
WILLIAM ANDRE	X				Seconded By <u>Andre'</u>
ZARKO RAJACICH	X				Dated <u>June 17, 2021</u>
KENNY SMITH-BEY JR	X				
R. TODD EDWARDS	X				
RICHARD DAWSON	X				
ALBERT JONES	X				

A RESOLUTION APPROVING AND AUTHORIZING
THE PAYMENT OF CERTAIN OPERATING ACCOUNT
VOUCHERS

WHEREAS, certain operating account vouchers have been received, reviewed, approved and recommended for payment by the Cumberland County Utilities Authority’s Finance Committee,

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Cumberland County Utilities Authority that, subject to the availability of funds, the vouchers listed herein in the total sum of \$384,674.34 be and the same are hereby approved for payment and that the Chairman and Treasurer are authorized and directed to issue checks against the Operating Account in payment of the same.

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, June 17, 2021, at 4:30 p.m. prevailing time.

DATED: JUNE 17, 2021