

BOROUGH OF BUENA  
MUNICIPAL UTILITIES AUTHORITY  
P. O. BOX 696  
MINOTOLA, NEW JERSEY 08341

The regular meeting of the BBMUA was held on March 13, 2019 at 7 p.m. This meeting notice was provided to The Daily Journal and the Atlantic County Record which are the BBMUA's official newspapers. Notices are also posted on the bulletin boards within the Municipal Building as well as the Borough of Buena and BBMUA's websites. The meeting took place in the large meeting room located in the Municipal Building, Minotola.

The meeting was called to order by Chairman Joseph Santagata.

Those present were:

R. Baker  
R. Delano  
J. Johnston  
J. Santagata

C. Santore

Secretary Cheryl Santore provided a copy of the letter she sent to Joshua Sewald and Kyle Kavinski of Dynamic Engineering Consultants in response to their letter regarding the proposed Tractor Supply in Buena Vista Township. She notified them that at this time we do not have the sanitary sewer capacity to supply their project. This letter also notified them that the water capacity is available and there are water and sewer lines that front that piece of property on the opposite side of the street from the proposed site.

Plant Superintendent, Alan Zorzi received a letter from The AEA Awards Committee notifying Mr. Zorzi that the BBMUA was chosen to receive a 2018 Wave Award in the forward thinking category. The awards were presented at a luncheon on Wednesday, March 13, 2019, however Mr. Zorzi was unable to attend. The AEA will make sure the award is forwarded on to the BBMUA.

An Email was sent by Mayor David Zappariello to Robert Smith of Remington & Vernick asking if the Pinelands CMP (Comprehensive Management Plan) was amended to include projects in Pinelands towns, would we qualify for money through the Pinelands Infrastructure Fund. Chairman Santagata stated he responded to Mayor Zappariello and told him that as far as he knows this is only for high density areas in the Pinelands. The Chairman stated that if they were to amend the Plan things may be different, however, he doesn't see the Pinelands Commission doing this any time soon.

Mayor Zappariello sent an additional email to Robert Smith of Remington & Vernick regarding the March 2019 Seminar Series for the NJ I-Bank Financing Program.

Wes Barber of Barber Consulting Services who handles our IT emailed Plant Superintendent Alan Zorzi to let him know that his server PC will be 8 years old in July and that he should think about replacing that later this year or next year. Alan asked Mr. Barber for a price and he was going to obtain a quote from Dell and forward that to us. The Board asked why he is recommending the replacement and if they are having any problems with the computer and Secretary Santore could not answer that question.

Robert Smith of Remington & Vernick provided a copy of the letter transmitting 5 sets of contract documents for the Furnishing of Mechanical & Plumbing Repair and Maintenance Services to our office for execution by the BBMUA and the Borough of Buena.

m/Baker s/Delano to approve the treasurer's report as presented.

m/passed

A letter was received from Richard Grouser Jr., President of Scalfo Electric, Inc. protesting the bid for the Furnishing of Electrical Repair & Maintenance Services for the BBMUA & Borough of Buena that was submitted on December 27, 2018 and awarded to Electron Services on January 23, 2019. Mr. Grouser feels that the bid from Electron Services should be considered non-responsive since it named KRS as a subcontractor who was not qualified at the time of the bid with OSHA 10 training. Mr. Grouser takes issue with the bid results and requests the bids be evaluated and Electron Services' bid be rejected and awarded to Scalfo Electric, Inc. as the lowest responsible bidder. This letter was forwarded to the BBMUA's engineer, Robert Smith of Remington & Vernick as well as the Solicitor. Mr. Smith then reached out to the BBMUA Solicitor, Michael Testa Jr. as well as the Borough Solicitor, Angela Costigan providing them with a copy of the bid received from Electron Services as well as the letter from Scalfo Electric asking them to review the bid again. Mr. Smith stated as part of the bid submission, the contractor and all named subcontractors are required to submit a Contractor Responsibility Certification. Electron and their named electrical subcontractor both provided the required signed form. The form requires the contractor to certify to various things, one being employee training. Prior to award of the contract by the Borough, the Borough questioned whether the contractor provided everything that was certified on the form. Mr. Smith reached out to Electron and requested that they provide documentation of the required OSHA 10 construction safety and health course. Electron provided me with a copy of a certification card for the owner, Ray Chapman, dated November 3, 1995. Mr. Smith spoke to a representative from OSHA and she indicated that the 10 hour training cards do not expire. In addition, the certificate that was provided for his subcontractor, Richard Shaw of KRS Services for an OSHA 10-Hour Hazard Recognition for the General Industry

Course is dated February 3, 2019. Mr. Smith sent an e-mail to Electron Services on February 26, 2019 questioning if this certificate was for a refresher/renewal or the original certificate. To date, Mr. Smith has not heard back from Electron. Ms. Costigan and Mr. Testa both agreed the service contract should be rebid. Mr. Smith asked if it should be rebid or awarded to the lowest responsible bidder and Ms. Costigan said rebid. Therefore since the BBMUA already awarded the bid the MUA will have to rescind the award resolution and authorize advertising and rebidding again. Mr. Smith then received a phone call from Ray Chapman from Electron Services Saturday morning, March 9, 2019, who stated he was out of state visiting with a sick relative and he just received the e-mail requesting information on his subcontractor's OSHA 10-hour training certification. Mr. Chapman indicated that he would have a copy of their certification sent to him. Mr. Smith has not received it yet. Mr. Smith asked the attorneys if Electron Services provides a copy of his subcontractor's OSHA certification dated prior to the date he signed the Contractor Responsibility Certification, does the project still have to be rebid. Mr. Smith spoke with Richard Shaw of KRS Services, Electron Services subcontractor, regarding his OSHA training certification. Mr. Shaw indicated that he had the 30 hour OSHA training but could not provide a copy of the certificate because he had the training many years ago. Mr. Shaw tried to get a copy but apparently records are only kept for six (6) years. Mr. Smith then confirmed with the Solicitors that the project needed to be rebid and they agreed it should. Mr. Smith stated since the project needs to be rebid, the BBMUA needs to authorize the re-advertisement for bids. In addition, Remington & Vernick's fee for re-bidding the project is a not to exceed fee of \$750.00. Mr. Smith also asked who the BBMUA should contact should they need Electrical services performed since they have to rescind their award. The Solicitor stated they should call the company they had a contract with prior to this bid which is Scalfio Electric.

m/Baker s/Johnston to approve Remington & Vernick to rebid and re-advertise the bid for the furnishing of Electrical Repair and Maintenance Services for a cost not to exceed \$750.00. m/passed

m/Baker s/Johnston to adopt resolution R-16-2019 rescinding the bid awarded by the Borough of Buena Municipal Utilities Authority for the Furnishing of Electrical Repair and Maintenance Services. m/passed

At the last regular meeting held on February 27, 2019 the BBMUA board approved the proposal for Remington & Vernick to provide Engineering Planning & Design Phase Services related to the Sanitary Sewer Pump Stations #1, #2 & #3 & Grit System Improvements and for Remington & Vernick to submit the project to the New Jersey Infrastructure Bank (NJIB) for funding through the Clean Water Project Fund. Jason Capizzi of Winne Banta Basralian & Kahn, the BBMUA's Bond Counsel reached out to Dennis Yoder of Remington & Vernick to verify the all in estimated cost of the project of \$1,250,000.00 and the project description to be inserted into the Bond Resolution that is required to be adopted for the NJIB H2O loans application. Mr. Capizzi stated he spoke

with the NJIB and they stated if we can get the initial application submitted by the beginning of April, the I-Bank will be able to include the BBMUA's project on their priority list for publication in the upcoming May report. Dennis Yoder stated he will have everything ready to be uploaded and submitted by mid-March. Once this is submitted the NJIB will determine which projects they have funding available for. Mr. Capizzi will also be reaching out to the Borough of Buena's Bond Counsel with a consent resolution that he would like the Borough to consider adopting at their next regular meeting. Due to the service agreement that was entered into with the Borough of Buena and the BBMUA, the Borough needs to consent to any of the Authority's proposed financing.

m/Baker s/Delano to adopt the Bond Resolution R-15-2019 determining to undertake the sanitary sewer pump station improvements project; the estimated cost thereof; and to issue bonds and project notes to finance the cost thereof. m/passed

m/Baker s/Johnston to accept the minutes of the last regular meeting held on February 27, 2019. m/passed

m/Baker s/Delano to file all correspondence sent out for review without reading number 1 through number 16. m/passed

m/Baker s/Delano to pay all bills presented for the month of March 2019. m/passed

The next regular meeting is scheduled for March 27, 2019 at 7:00 p.m.

m/Delano s/Johnston to adjourn the meeting 7:29 p.m. m/passed

Submitted by  
Cheryl Santore-BBMUA Secretary