

THE BRICK TOWNSHIP MUNICIPAL  
UTILITIES AUTHORITY

IN RE: PUBLIC HEARING  
TRANSCRIPT OF PROCEEDINGS

Brick Township Municipal Utilities Authority  
Brick, New Jersey  
Monday, September 27, 2010  
7:00 p.m.

MELISSA J. LUMI, C.C.R.  
Certified Court Reporter  
2260 Church Road  
Toms River, New Jersey 08753  
(732) 255-8476  
Melissa J. Lumi, C.S.R.

CHAIRMAN BOTTAZZI: This meeting is being conducted pursuant to the Open Public Meetings Act, being Chapter 231 of the Laws of 1975. In accordance with the requirements of this law, a Meeting Notice was published on February 10, 2010 in the Asbury Park Press and Brick Communicator. Similar notice was given to the Clerk of the Township of Brick and placed on the bulletin board maintained for this purpose by the Authority.

Roll call, please.

MS. SYLVESTER: Commissioner Catalano?

COMM. CATALANO: Yes. Present.

MS. SYLVESTER: Commissioner Buttacavoli?

COMM. BUTTACAVOLI: Here.

MS. SYLVESTER: Commissioner Veni?

COMM. VENI: Here.

MS. SYLVESTER: Commissioner Cartine?

COMM. CARTINE: Here.

MS. SYLVESTER: Commissioner McBride?

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BOARD OF COMMISSIONERS:  
PATRICK L. BOTTAZZI - Chairman  
JOSEPH M. VENI, PE - Vice Chairman  
ALLAN E. CARTINE - Treasurer  
JOSEPH P. BUTTACAVOLI, DMD - Secretary  
JOHN A. CATALANO - Asst. Sect/Treasurer  
JOHN M. CIOCCO - Alternate  
EDWARD J. McBRIDE - Alternate

CONSULTANTS:

CHRISTOPHER KOUTSOURIS, ESQ. - Attorney  
JOHN TRUHAN - Consulting Engineer  
FRANK HOLMAN - Consulting Accountant

STAFF:

JAMES LACEY, CPWM - Executive Director  
STEVE SPECHT - Director of Engineering and Operations  
FRANK PLANKO - Chief Financial Officer  
MARIE SYLVESTER - Executive Supervisor  
FRANK PANNUCCI, JR. - Director of Customer Accounts  
SCOTT BUNDY - Director of Field Operations  
JOE MAGGIO - Director of Water Quality

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COMM. McBRIDE: Here.  
MS. SYLVESTER: Commissioner Ciocco?

COMM. CIOCCO: Here.

MS. SYLVESTER: And Chairman Bottazzi?

CHAIRMAN BOTTAZZI: Here. I'd like to introduce our new Commissioner, John Catalano. I have the different committees that you will be going on. Okay?

COMM. CATALANO: Yes, sir.

CHAIRMAN BOTTAZZI: I'll give them to you after the meeting.

Approval of the minutes of August 23, 2010.

COMM. BUTTACAVOLI: I'd like to make a motion.

COMM. VENI: I'll second.

CHAIRMAN BOTTAZZI: Roll call, please.

MS. SYLVESTER: Commissioner Catalano?

COMM. CATALANO: I need to abstain. I wasn't here.

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1 MS. SYLVESTER: Commissioner  
 2 Buttacavoli?  
 3 COMM. BUTTACAVOLI: Yes.  
 4 MS. SYLVESTER: Commissioner Veni?  
 5 COMM. VENI: Yes.  
 6 MS. SYLVESTER: Commissioner  
 7 Cartine?  
 8 COMM. CARTINE: Abstain.  
 9 MS. SYLVESTER: Chairman Bottazzi?  
 10 CHAIRMAN BOTTAZZI: Yes.  
 11 Approval of the Bill Resolution,  
 12 Commissioner Buttacavoli?  
 13 COMM. BUTTACAVOLI: Resolution,  
 14 September 27, 2010. Whereas the attached  
 15 vouchers totaling \$1,308,496.52 have been  
 16 examined and certified by the Members of  
 17 the Brick Township Municipal Utilities  
 18 Authority and found to be reasonable and  
 19 necessary; now, therefore, be it resolved  
 20 that said vouchers be and hereby are  
 21 approved for payment and the Treasurer is  
 22 authorized to make payment thereof.  
 23 Total Operating Vouchers,  
 24 \$361,797.85. Total Payroll, \$874,093.54.  
 25 Total Capital Vouchers, \$70,135.16.  
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1 Escrow, \$2,469.97. Total Bill Resolution,  
 2 \$1,308,496.52.  
 3 Sufficient funds are available for  
 4 payment of all the vouchers. I'd like to  
 5 make a motion.  
 6 COMM. VENI: I'll second it.  
 7 CHAIRMAN BOTTAZZI: Roll call,  
 8 please.  
 9 MS. SYLVESTER: Commissioner  
 10 Catalano?  
 11 COMM. CATALANO: Yes.  
 12 MS. SYLVESTER: Commissioner  
 13 Buttacavoli?  
 14 COMM. BUTTACAVOLI: Yes.  
 15 MS. SYLVESTER: Commissioner Veni?  
 16 COMM. VENI: Yes.  
 17 MS. SYLVESTER: Commissioner  
 18 Cartine?  
 19 COMM. CARTINE: Yes.  
 20 MS. SYLVESTER: Chairman Bottazzi?  
 21 CHAIRMAN BOTTAZZI: Yes.  
 22 Treasurer's Report, please,  
 23 Commissioner Cartine.  
 24 COMM. CARTINE: This is the  
 25 Treasurer's Report for the month ending  
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1 August 31, 2010.  
 2 Total Revenue Funds,  
 3 \$10,275,674.68. Total General Funds,  
 4 \$253,347.17. Total Unrestricted Funds,  
 5 \$10,529,021.85.  
 6 Under Restricted Funds, we had  
 7 Series 2002 Construction Fund,  
 8 \$1,445,923.57. Rate Projection Maintenance  
 9 Fund, \$3,591,000. Future Capital  
 10 Requirements Fund, \$2,433,577.69. Working  
 11 Capital Fund, \$1,621,464.21. NJEIT  
 12 Processing Fund, \$3,346,852.57. Bond  
 13 Funds, Total Bond Funds were  
 14 \$12,637,116.98.  
 15 Under Other Restricted Funds, we  
 16 had a total of \$1,818,742.71. Total  
 17 Restricted Funds are \$26,894,677.73.  
 18 Total of All Fund Accounts, \$37,423,699.58.  
 19 This has been submitted by Frank  
 20 Planko, Chief Financial Officer. I move  
 21 that we accept the Treasurer's Report, Mr.  
 22 Chairman.  
 23 CHAIRMAN BOTTAZZI: Thank you.  
 24 Second, please.  
 25 COMM. VENI: I'll second.  
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1 CHAIRMAN BOTTAZZI: Roll call.  
 2 MS. SYLVESTER: Commissioner  
 3 Catalano?  
 4 COMM. CATALANO: Yes.  
 5 MS. SYLVESTER: Commissioner  
 6 Buttacavoli?  
 7 COMM. BUTTACAVOLI: Yes.  
 8 MS. SYLVESTER: Commissioner Veni?  
 9 COMM. VENI: Yes.  
 10 MS. SYLVESTER: Commissioner  
 11 Cartine?  
 12 COMM. CARTINE: Yes.  
 13 MS. SYLVESTER: Chairman Bottazzi?  
 14 CHAIRMAN BOTTAZZI: Yes. Before  
 15 we get into our agenda, I just want to  
 16 introduce a lady, Anjanette, who's sitting  
 17 right there.  
 18 Anjanette started her career with  
 19 the Authority in 1997 as a temporary data  
 20 entry clerk. She worked for approximately  
 21 one year as office resource clerk. A year  
 22 later, she was promoted to a position as  
 23 clerk in the finance department.  
 24 Upon retirement of Ethlam Borsky  
 25 in 2000, Anjanette was promoted to the  
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1 purchasing/AP clerk position. She was  
2 responsible for handling purchase  
3 requisitions, the accounts payable  
financial system, preparation of voucher  
packets and bill resolutions.

6 Anjanette and her husband Jeff  
7 reside in Brick and have one daughter  
8 Shelly. They very much enjoy the  
9 outdoors, spending much of their vacation  
10 time camping and hiking.

11 Anjanette, on behalf of the Board  
12 of Commissioners of the Brick Utilities, we  
13 would like to present this small token to  
14 you for appreciation of many years  
15 dedicated to Brick Utilities and the hard  
16 work and dedication and enthusiastic  
17 employee.

18 Would you please come up.  
19 Anjanette is retiring.

20 (Applause).

21 Stand up there and get a picture.

22 COMM. CARTINE: This is for you.

23 MS. COYTE: Thank you. Well, as  
24 everybody knows, this is not the way I  
25 wanted to leave, and I do appreciation each

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1 and every one of you for giving me the  
2 chance to work here, and I've enjoyed it.

3 COMM. BUTTACAVOLI: We wish you  
4 good health, God speed recovery, and we'll  
5 have you back here any time you want.

6 MS. COYTE: I hope so. Maybe in  
7 the future I can fill in a little bit.

8 COMM. CARTINE: Don't be a  
9 stranger. Come on back.

10 MR. PLANKO: Mr. Chairman? I  
11 just want you to know, Anjanette worked in  
12 my department for 12 years. She started  
13 here as the office research clerk. She  
14 worked with me as a finance clerk in AP for  
15 12 years. In her job, she worked a lot of  
16 people and a lot of departments. I've got  
17 nothing but good remarks from her and she's  
18 been a great worker and we just want to  
19 wish her the best of luck.

20 MS. COYTE: Thank you.

21 COMM. BUTTACAVOLI: Commissioner  
22 Veni, we have two preliminary applications  
23 and we have other applications. You're  
24 going to handle all of them?

25 COMM. VENI: Sure. Why not.

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1 CHAIRMAN BOTTAZZI: Okay. 2077.

2 COMM. VENI: Application 2077,  
3 it's the Paramount Realty Services. It's  
4 a major site plan. It's on Fischer Avenue  
5 and Route 70.

6 This is -- there is an existing  
7 four-inch diameter PVC sanitary sewer  
8 lateral which will be used to provide sewer  
9 service to the building, commercial  
10 building. There is also an existing one  
11 and one half inch diameter water service  
12 line which will be used to provide water  
13 service for the existing commercial  
14 building also.

15 It is noted that on the major site  
16 plan, it does not show the proposed  
17 separate fire protection water service line  
18 to be installed to the new commercial  
19 building. It will be the applicant's  
20 responsibility to verify with the township  
21 building construction office plumbing  
22 department that a separate fire protection  
23 water service line is not required.

24 With that I'll make a  
25 recommendation that we accept this

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1 application.

2 CHAIRMAN BOTTAZZI: Okay. Why  
3 don't we do the other one and do them both  
4 together.

5 COMM. VENI: Okay. The next one  
6 I have is --

7 CHAIRMAN BOTTAZZI: 2075.

8 COMM. VENI: Yes. I'm looking  
9 for it. There's a bunch of them here.

10 CHAIRMAN BOTTAZZI: Do you have  
11 it?

12 MR. SPECHT: It's at the bottom of  
13 the first page.

14 COMM. VENI: Oh, I see it now.  
15 2075, this is a minor site plan for  
16 Automotive Repair Shop on Route 88 West.  
17 There is an existing four-inch diameter PVC  
18 sanitary sewer lateral and the Brick  
19 Utilities has already installed a new  
20 one-inch diameter water service line for  
21 the existing eight-inch diameter water main  
22 on Route 88 to provide water service  
23 through this building.

24 The applicant will be responsible  
25 for all costs for the installation of the

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1 new water service. I recommend that we  
 2 approve this application.  
 3 CHAIRMAN BOTTAZZI: Okay.  
 4 COMM. VENI: Number 2038 and 2075.  
 5 2077 and 2075.  
 6 CHAIRMAN BOTTAZZI: Go ahead.  
 7 Read the other one. Who's going to do  
 8 that one?  
 9 COMM. VENI: I did both of them.  
 10 CHAIRMAN BOTTAZZI: No, the other  
 11 applications.  
 12 COMM. VENI: You want to do all of  
 13 them? Okay.  
 14 CHAIRMAN BOTTAZZI: 2038.  
 15 COMM. VENI: 2038, Tinali Wines.  
 16 It's a major site plan on Hooper Avenue.  
 17 For the record, the Board had previously  
 18 approved, on August 27, 2007, the proposed  
 19 Royal Arms Apartments at this same  
 20 location. Under this new application,  
 21 there will be an extension of 192 linear  
 22 feet of eight-inch diameter PVC sanitary  
 23 sewer line, an extension of a 350 linear  
 24 feet of six-inch diameter water main, and  
 25 it is noted that the major site plan does

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1 not show the proposed separate fire  
 2 protection water service line to be  
 3 installed for this commercial building, and  
 4 it has been revised on the site plan to  
 5 show the approximate 20-foot wide Brick  
 6 Utilities easement. Okay?  
 7 The next one is 2074, Jarome  
 8 Street and Seattle Avenue. This is three  
 9 new residential units proposed to be  
 10 subdivided from the existing property  
 11 located out on Seattle Avenue and Jarome  
 12 Street. There will be an extension of 185  
 13 linear feet of eight-inch diameter PVC  
 14 sanitary sewer line, proposed 21-inch  
 15 diameter water service lines to be  
 16 installed, and it has been revised under  
 17 the BTMUA utility plan to show the location  
 18 of the proposed four-inch diameter PVC  
 19 sanitary sewer lateral and sewer clean-out.  
 20 This proposed subdivided property  
 21 at the corner of Seattle and Jarome Street  
 22 has previously installed four-inch diameter  
 23 PVC sanitary sewer lateral and previously  
 24 installed one inch diameter water service  
 25 line.

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1 The last one on our agenda is --  
 2 CHAIRMAN BOTTAZZI: 2079.  
 3 COMM. VENI: 2079. This is  
 4 Greentree Investment Group. It's on Brick  
 5 Boulevard and Hooper Avenue. It's called  
 6 The Boulevard at Brick. Amended major site  
 7 plan proposal is 120 condominium units,  
 8 two-bedroom and one-bedroom units and one  
 9 clubhouse. The site plan shows that there  
 10 are four proposed three-story buildings  
 11 with 30 condominium units in each, and one  
 12 proposed 5,479-square foot clubhouse. The  
 13 proposed development is an age-restricted  
 14 type development.  
 15 There will be an extension of  
 16 805 linear feet of eight-inch diameter PVC  
 17 sanitary sewer line. The site plan shows  
 18 that there are to be two 6-inch diameter  
 19 PVC sanitary laterals extended. The site  
 20 plan also shows that there is one 16-inch  
 21 diameter PVC sanitary sewer lateral  
 22 extended to the clubhouse. There will be  
 23 an extension of 1,318 linear feet of  
 24 12-inch diameter water main and 629 linear  
 25 feet of eight-inch diameter water main with

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1 two fire hydrants. The site plan shows  
 2 that there are five 6-inch diameter water  
 3 service lines shown to be installed from  
 4 each on-site -- yeah, new on-site water  
 5 mains and there are proposed six diameter  
 6 water service lines with individual water  
 7 service curb valve -- curb boxes shown to  
 8 be installed for each service to provide  
 9 water service to each of the condominiums.  
 10 With that I recommend the five  
 11 applications be approved.  
 12 CHAIRMAN BOTTAZZI: Okay. So I  
 13 have a motion on 2077, 2075, 2038, 2074 and  
 14 2079. Can I have a second?  
 15 COMM. CARTINE: Second.  
 16 CHAIRMAN BOTTAZZI: Roll call,  
 17 please.  
 18 MS. SYLVESTER: Commissioner  
 19 Catalano?  
 20 COMM. CATALANO: Yes.  
 21 MS. SYLVESTER: Commissioner  
 22 Buttacavoli?  
 23 COMM. BUTTACAVOLI: Yes.  
 24 MS. SYLVESTER: Commissioner Veni?  
 25 COMM. VENI: Yes.

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1 MS. SYLVESTER: Commissioner  
 2 Cartine?  
 3 COMM. CARTINE: Yes.  
 4 MS. SYLVESTER: Chairman Bottazzi?  
 5 CHAIRMAN BOTTAZZI: Yes.  
 6 Director Specht, we have release  
 7 of a performance bond.  
 8 MR. SPECHT: Yes, Mr. Chairman.  
 9 It is for Developer Application 1986,  
 10 Viraj, Incorporated, the Yogi Plaza on  
 11 Church Road and Drum Point Road.  
 12 The applicant has met all of the  
 13 requirements of the Authority and it is  
 14 recommended that we release the performance  
 15 bond and allow them to go on their two-year  
 16 maintenance bond.  
 17 CHAIRMAN BOTTAZZI: I'll entertain  
 18 a motion.  
 19 COMM. CARTINE: I'll make a  
 20 motion.  
 21 COMM. CATALANO: Second.  
 22 CHAIRMAN BOTTAZZI: Roll call,  
 23 please.  
 24 MS. SYLVESTER: Commissioner  
 25 Catalano?  
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1 COMM. CATALANO: Yes.  
 2 MS. SYLVESTER: Commissioner  
 3 Buttacavoli?  
 4 COMM. BUTTACAVOLI: Yes.  
 5 MS. SYLVESTER: Commissioner Veni?  
 6 COMM. VENI: Yes.  
 7 MS. SYLVESTER: Commissioner  
 8 Cartine?  
 9 COMM. CARTINE: Yes.  
 10 MS. SYLVESTER: Chairman Bottazzi?  
 11 CHAIRMAN BOTTAZZI: Yes. Director  
 12 Pannucci, can you give us just the names,  
 13 the account numbers for the record?  
 14 MR. PANNUCCI: Yes, sir, Mr.  
 15 Chairman.  
 16 CHAIRMAN BOTTAZZI: And basis for  
 17 what we want, and we'll go right down as  
 18 one.  
 19 MR. PANNUCCI: Yes, sir, Mr.  
 20 Chairman.  
 21 Item A, Account 18347785-0, 2  
 22 Whitney Court, Rita Cunningham. A one-time  
 23 water sewer credit in the amount of  
 24 \$678.60. Average usage, 2,000 gallons.  
 25 Quarter in question rose to 118,000.  
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1 Item B, Account 5785605-0, 17 Paul  
 2 Jones Drive, Chalid Sawaged. A sewer  
 3 credit in the amount of \$2,321.06,  
 4 recommended due to broken pipes. Average  
 5 usage is 5,000 gallons, and the quarter in  
 6 question rose to 386,000. He is  
 7 responsible for the remaining \$1,661.52  
 8 portion of the bill.  
 9 Item C, Account 14454403-2, 788  
 10 South Drive, Steven Tumminello.  
 11 Recommended one-time water sewer credit in  
 12 the amount of \$708.50. Average usage is  
 13 12,000 gallons, and the quarter in question  
 14 rose to 275,000.  
 15 Item D, Account 3316002, 31 Brower  
 16 Drive, Paul Condouris. Recommended sewer  
 17 credit in the amount of \$837.50 due to a  
 18 leak at the dock. Average usage is  
 19 29,000 gallons and the quarter in question  
 20 rose to 163,000.  
 21 Item E, Account 3 407201-0, 19  
 22 Nejecho Drive, Kathleen Willenbacher.  
 23 Recommended sewer credit in the amount of  
 24 \$434.72. Average usage is 12,000 gallons,  
 25 quarter in question rose to 86,000 gallons.  
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1 Item F, Account 1937407-0, 3951  
 2 Herbertsville Road, Tamara Baile.  
 3 Recommended sewer credit in the amount of  
 4 \$526.85. Average usage is 13,000 gallons  
 5 and the quarter in question rose to  
 6 101,000 gallons.  
 7 And Item G, Account 2438209-0, 301  
 8 Dutchman's Point Road, Gennaro Matera.  
 9 Recommended one-time water sewer credit in  
 10 the amount of \$668.98.  
 11 CHAIRMAN BOTTAZZI: Is there any  
 12 questions from the Commissioners they have  
 13 for the director on these items?  
 14 COMM. VENI: I'll make a  
 15 recommendation then.  
 16 CHAIRMAN BOTTAZZI: You make a  
 17 motion to approve?  
 18 COMM. VENI: I'll make a motion to  
 19 approve.  
 20 CHAIRMAN BOTTAZZI: Second?  
 21 COMM. CARTINE: Second.  
 22 CHAIRMAN BOTTAZZI: Roll call,  
 23 please.  
 24 MS. SYLVESTER: Commissioner  
 25 Catalano?  
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1 COMM. CATALANO: Yes.  
 2 MS. SYLVESTER: Commissioner  
 3 Buttacavoli?  
 4 COMM. BUTTACAVOLI: Yes.  
 5 MS. SYLVESTER: Commissioner Veni?  
 6 COMM. VENI: Yes.  
 7 MS. SYLVESTER: Commissioner  
 8 Cartine?  
 9 COMM. CARTINE: Yes.  
 10 MS. SYLVESTER: Chairman Bottazzi?  
 11 CHAIRMAN BOTTAZZI: Yes. Down to  
 12 reports, Executive Director's monthly  
 13 report. Can we have a motion to accept his  
 14 report?  
 15 COMM. VENI: I'll make that  
 16 motion.  
 17 COMM. BUTTACAVOLI: Second.  
 18 CHAIRMAN BOTTAZZI: This would be  
 19 a motion to approve that, go into  
 20 executive, come out and vote on that.  
 21 COMM. BUTTACAVOLI: Second it.  
 22 CHAIRMAN BOTTAZZI: You second it?  
 23 Roll call, please.  
 24 MS. SYLVESTER: Commissioner  
 25 Catalano?

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1 COMM. CATALANO: Yes.  
 2 MS. SYLVESTER: Commissioner  
 3 Buttacavoli?  
 4 COMM. BUTTACAVOLI: Yes.  
 5 MS. SYLVESTER: Commissioner Veni?  
 6 COMM. VENI: Yes.  
 7 MS. SYLVESTER: Commissioner  
 8 Cartine?  
 9 COMM. CARTINE: Yes.  
 10 MS. SYLVESTER: Chairman Bottazzi?  
 11 CHAIRMAN BOTTAZZI: Yes. No new  
 12 business.  
 13 Resolutions, Director Planko,  
 14 could you do 65-10?  
 15 MR. PLANKO: Sure, Mr. Chairman.  
 16 Number 65-10 is our usual declaration for  
 17 surplus property. Several times per year  
 18 as necessary, the finance department puts  
 19 together a declaration listing for the  
 20 Board's consideration. Once we declare  
 21 these items no longer useful to the  
 22 Authority, we put them out for sale on the  
 23 Govdeals website. We don't sell them, or  
 24 if they're useless, then we discard of  
 25 them.

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1 So far our sales on Govdeals,  
 2 since we started this program, is almost  
 3 \$13,000.  
 4 CHAIRMAN BOTTAZZI: Good. Okay.  
 5 Any questions of the director on this?  
 6 COMM. VENI: You want  
 7 individual --  
 8 CHAIRMAN BOTTAZZI: Yes.  
 9 COMM. VENI: Make a motion to  
 10 approve Item 65-10.  
 11 COMM. BUTTACAVOLI: I'll second  
 12 it.  
 13 CHAIRMAN BOTTAZZI: Roll call.  
 14 MS. SYLVESTER: Commissioner  
 15 Catalano?  
 16 COMM. CATALANO: Yes.  
 17 MS. SYLVESTER: Commissioner  
 18 Buttacavoli?  
 19 COMM. BUTTACAVOLI: Yes.  
 20 MS. SYLVESTER: Commissioner Veni?  
 21 COMM. VENI: Yes.  
 22 MS. SYLVESTER: Commissioner  
 23 Cartine?  
 24 COMM. CARTINE: Yes.  
 25 MS. SYLVESTER: Chairman Bottazzi?

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1 CHAIRMAN BOTTAZZI: Yes. 66-10,  
 2 Director Specht?  
 3 MR. SPECHT: Yes, Mr. Chairman.  
 4 This is for Change Order Number 1 for an  
 5 increase in the contract amount of  
 6 \$19,678.80 for Contract Number 805001, a  
 7 parallel gravity sewer underneath the  
 8 Garden State Parkway, New Jersey  
 9 Environmental Infrastructure Project Number  
 10 S340448-08.  
 11 What this change order entails,  
 12 it's a two-part change order. PCO Number  
 13 1 was the deletion of the grout material in  
 14 the annular space between our casing pipe,  
 15 our 36-inch casing pipe and our 12-inch  
 16 carrier sewer pipe for a credit of \$7,850.  
 17 PCO Number 2 was the addition of  
 18 an eight-inch PVC carrier pipe and custom  
 19 casing spacers for a temporary bypass if  
 20 required, if we had any issues with our  
 21 12-inch pipe, for an additional amount of  
 22 \$27,528.88.  
 23 Again, the net change order amount  
 24 was, or is, \$19,678.80. Once approved by  
 25 the Board of Commissioners, this change

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1 order will be forwarded to the NJDEP for  
2 their approval.

3 COMM. VENI: I have a comment.  
CHAIRMAN BOTTAZZI: Go ahead.  
COMM. VENI: Steve, in reference

6 to that email I got today, are we going to  
7 include the second 8-inch?

8 MR. SPECHT: I have not discussed  
9 that with anyone except I sent that to you  
10 with Mr. Veni and Mr. Buttacavoli today.  
11 I only got that information today. I know  
12 you were looking for it earlier, last week.  
13 It would be an additional \$13,000.

14 The way the pipe is designed right  
15 now, it's a 36-inch casing pipe. In that  
16 right now we have the 12-inch sewer main  
17 which eats up only a portion of the space.  
18 We decided, let's install an eight-inch  
19 pipe as a temporary bypass pipe in the  
20 event we needed it down in the future so we  
21 wouldn't have to climb back in that pipe  
22 down in the future.

23 We also, based on the  
24 configuration of that pipe, we can add an  
25 additional eight-inch pipe, so we would

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1 have two spare pipes in that casing pipe  
2 for an additional \$13,000 for that second  
3 8-inch pipe. It's up to the Board, if they  
4 want to move ahead with this. I would  
5 think I would probably be able to get  
6 approval from the NJDEP also for that.

7 CHAIRMAN BOTTAZZI: How do we know  
8 we're going to be able to get our money  
9 back, that \$13,000? We have to be looking  
10 for more business on that side of the  
11 Parkway or what?

12 MR. SPECHT: That would -- it  
13 would serve two things, Mr. Chairman. Like  
14 I said, if we ever had problems with the  
15 sewer crossings that we have underneath the  
16 Parkway, we would be able to tie in a  
17 temporary bypass pumping system to pump the  
18 wastewater from the west of the Parkway to  
19 the east side of the Parkway so we could  
20 use those pipes.

21 CHAIRMAN BOTTAZZI: That's around  
22 \$13,000?

23 MR. SPECHT: It would be another  
24 \$13,000. So the whole entire change order  
25 would now be about \$25,000.

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1 CHAIRMAN BOTTAZZI: So it's a  
2 back-up. And if we happened to have an  
3 emergency break, what we have to spend  
4 would be a lot more than \$13,000.

5 MR. SPECHT: That is correct, and  
6 again, the original design was for the  
7 entire space between the carrier pipe with  
8 the 12-inch pipe and the casing pipe, that  
9 was supposed to be filled with grout. If  
10 we pump grout in there, we would never get  
11 another pipe in there. So it's recommended  
12 that we use that space right now, put these  
13 two extra carrier pipes in there in the  
14 event we need them down the road.

15 COMM. VENI: If I may say, during  
16 our Construction Committee meeting, this  
17 was discussed and we all kind of agreed  
18 that it should be two pipes instead of just  
19 the 12 and the 8. So we got two 8's and  
20 one 12.

21 CHAIRMAN BOTTAZZI: Is there any  
22 other questions from the other  
23 Commissioners to the Director?

24 Okay. Hearing and seeing none,  
25 I'll entertain a motion for approval of

**Melissa J. Lumi, C.S.R.**

1 66-10.

2 COMM. VENI: I make the  
3 recommendation.

4 COMM. BUTTACAVOLI: I'll second.

5 CHAIRMAN BOTTAZZI: Roll call.

6 MS. SYLVESTER: Commissioner  
7 Catalano?

8 COMM. CATALANO: Yes.

9 MS. SYLVESTER: Commissioner  
10 Buttacavoli?

11 COMM. BUTTACAVOLI: Yes.

12 MS. SYLVESTER: Commissioner Veni?

13 COMM. VENI: Yes.

14 MS. SYLVESTER: Commissioner  
15 Cartine?

16 COMM. CARTINE: Yes.

17 MS. SYLVESTER: Chairman Bottazzi?

18 CHAIRMAN BOTTAZZI: Yes.

19 MR. SPECHT: Just to be clear, Mr.  
20 Chairman, you want to go with the two  
21 additional pipes?

22 CHAIRMAN BOTTAZZI: Yes.

23 MR. SPECHT: Thank you.

24 COMM. VENI: You're welcome.

25 CHAIRMAN BOTTAZZI: He's doing  
**Melissa J. Lumi, C.S.R.**

1 67-10?

2 MR. SPECHT: I will take that  
3 also, Mr. Chairman. It's Change Order 1  
4 for an increase in the contract amount of  
5 \$10,006 to Stacey Contracting, Incorporated  
6 for Contract Number 897087K, Sanitary Sewer  
7 Replacement, Phase 6 Contract, and also  
8 it's part of the New Jersey Environmental  
9 Infrastructure Financing Program Project  
10 Number S340448-06, Contract 3B.

11 What this change order entails,  
12 it's a point repair, 30-foot point repair  
13 on an existing sewer main on Brower Lane,  
14 Brower Drive. Originally this pipe was  
15 supposed to be included in our Phase 7  
16 rehabilitation project. However, based on  
17 additional closed circuit TV inspection, it  
18 was determined that we could not repair  
19 this internally, we would have to excavate  
20 the pipe and perform an external repair.

21 That's why I'm recommending that  
22 we utilize our Phase 6 contractor on this  
23 change order. Again, it's for \$10,006.

24 CHAIRMAN BOTTAZZI: Okay.  
25 Questions of the Director?

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1 COMM. VENI: No, I'll make that  
2 recommendation.

3 CHAIRMAN BOTTAZZI: Make the  
4 motion?

5 COMM. VENI: Make the motion.

6 COMM. BUTTACAVOLI: I'll second.

7 CHAIRMAN BOTTAZZI: Roll call,  
8 please.

9 MS. SYLVESTER: Commissioner  
10 Catalano?

11 COMM. CATALANO: Yes.

12 MS. SYLVESTER: Commissioner  
13 Buttacavoli?

14 COMM. BUTTACAVOLI: Yes.

15 MS. SYLVESTER: Commissioner Veni?

16 COMM. VENI: Yes.

17 MS. SYLVESTER: Commissioner  
18 Cartine?

19 COMM. CARTINE: Yes.

20 MS. SYLVESTER: Chairman Bottazzi?

21 CHAIRMAN BOTTAZZI: Yes. 68-10,  
22 Director Planko, you have some people here  
23 to make comments on the next one?

24 MR. PLANKO: Sure. Just to give  
25 you a brief introduction on this, before I

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1 introduce Noreen, this is for a  
2 \$16.3 million refund we'd like to approach  
3 the Local Finance Board on. It's for our  
4 1998 issue and the remainder of our Series  
5 2002 issue, but before I go into any  
6 details, I'd like to introduce Noreen  
7 White, who is our financial advisor for  
8 Acacia.

9 MS. WHITE: Hello. Very nice to  
10 be here.

11 CHAIRMAN BOTTAZZI: Thank you.  
12 COMM. VENI: Does she want to  
13 talk?

14 MS. WHITE: You can either go  
15 through the issue, or if you want me to go  
16 through it.

17 CHAIRMAN BOTTAZZI: Why don't we  
18 wait until the other resolution.

19 MR. PLANKO: This is the only one  
20 that has to do with the refunding, so --

21 MS. WHITE: Okay. As Mr. Planko  
22 indicated, there are two series of bonds  
23 that you have outstanding, a Series 1998  
24 bond and Series 2002, which based on the  
25 interest rates which they currently carry

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1 can be refinanced at lower interest rates.

2 The first step in that process is  
3 to submit an application to the Local  
4 Finance Board, and we did submit on the  
5 MUA's behalf such an application.  
6 However, we do need the Board to take  
7 official action to make application to the  
8 Local Finance Board.

9 The savings that are associated  
10 with the transaction are in excess of the  
11 threshold that is established by the Local  
12 Finance Board, which is three percent,  
13 present value savings of the paramount of  
14 bonds set that we're refunding. In this  
15 particular instance, the amount of those  
16 savings are approximately \$563,000 in  
17 total. On a cash basis, you will have  
18 gross savings of over \$900,000, and those  
19 savings are being taken on what's called a  
20 level basis, meaning we're just going to  
21 reduce the amount of debt service in each  
22 of the coming years on a proportionate  
23 basis, and for the next fiscal year that  
24 would be in excess of \$100,000.

25 So needless to say, everything is  
**Melissa J. Lumi, C.S.R.**



1 subject to market conditions. Assuming  
2 interest rates continue to hold, we would  
3 hope to be able to complete the transaction  
4 before the end of this calendar year  
5 thereby locking into savings that you would  
6 have for the upcoming year.

7 Mr. Planko did a covering memo  
8 which he shared with me which outlines some  
9 other additional details of the  
10 transaction. However, if there's any  
11 other questions you might have about the  
12 issuance of the refunding bonds or the  
13 market at this time, I'd be happy to go  
14 into that. Thank you.

15 CHAIRMAN BOTTAZZI: We're going to  
16 save \$900,000?

17 MS. WHITE: Over the life of the  
18 issue, yes, sir.

19 COMM. VENI: What is the life?

20 MS. WHITE: The bonds go out to --  
21 the 2002 go out to 2032. So you have  
22 approximately -- in the first two years you  
23 have approximately \$107,000 in the first  
24 year and \$110,000 in the second year, and  
25 thereafter the savings are approximately

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1 \$34,000 a year.

2 MR. HOLMAN: What Noreen is  
3 recommending is the same debt service  
4 schedule to be paid off in the same time as  
5 previous.

6 MS. WHITE: Correct. We're not  
7 extending the life or shortening it.

8 CHAIRMAN BOTTAZZI: We're not  
9 adding years to it.

10 MS. WHITE: No, not adding any  
11 years, because that would be a no-no for  
12 the Local Finance Board. Your application  
13 conforms to the criteria.

14 CHAIRMAN BOTTAZZI: Is it all  
15 prepared? You just need this resolution?

16 MS. WHITE: We need this  
17 resolution which is your official  
18 authorizing action. The Local Finance  
19 Board is very strict about the deadlines in  
20 terms of submitting applications. So given  
21 when you're doing the refinancing and how  
22 quickly the markets can change, we worked  
23 with Mr. Planko to be able to submit the  
24 application last week so it will be on the  
25 October 13th Local Finance Board agenda,

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1 assuming the Board, the Authority tonight,  
2 authorizes the application.

3 MR. PLANKO: Mr. Chairman, no  
4 money will be spent, Noreen. Right?  
5 Unless --

6 MS. WHITE: No one gets paid  
7 anything unless the deal goes through and  
8 closes.

9 CHAIRMAN BOTTAZZI: All these  
10 people that get a percentage of our profit  
11 won't get anything if we don't --

12 MS. WHITE: We're working on spec,  
13 sir. So as long as the markets hold, I'll  
14 make some money, if it doesn't, we're out  
15 of luck.

16 CHAIRMAN BOTTAZZI: Thank you, we  
17 appreciate your guidance.

18 MR. PLANKO: I'd just like to add  
19 a comment, especially for the newer  
20 Commissioners.

21 Back in 2002, I worked with Noreen  
22 and her group and we did a significantly  
23 larger refund, we did a refund in 2006 of  
24 over \$52 million. With that refund, we're  
25 saving about \$285,000 a year. So when you

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1 combine the 2006 with this one, with the  
2 upcoming budget I'm working on '11-'12,  
3 we'll save over \$400,000 of debt service  
4 between the two issues.

5 CHAIRMAN BOTTAZZI: Thank you.  
6 Thank you for making mention of that.

7 Okay. Do you have any questions  
8 of the director or Mrs. White?

9 COMM. CATALANO: Mr. Chairman,  
10 what's the existing interest rate now?

11 MS. WHITE: The existing interest  
12 rate range from a little over four percent  
13 to a little -- let's see. Let me just  
14 find it.

15 We're substituting interest rates  
16 of between two percent to four percent.  
17 The old bonds, the Series 2002 are 5.4  
18 percent interest rate beginning in 2013 out  
19 to a five percent at the long end on the  
20 2032 bonds, and the 1998 bonds have  
21 interest rates of 4.25 and 4.3 percent.

22 We forget at the time back when we  
23 did those, we thought that was a bargain,  
24 but we are seeing interest rates that are  
25 at levels that we haven't seen before, and

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1 I would just give as an example of the  
2 one-year rate on municipal bonds is in the  
3 area of .3 percent for one year. In fact,  
4 the first three years of the municipal  
5 curve are under one percent at this time  
6 for a triple A rated. So you'd be a  
7 little higher than that, but you can see  
8 that you're getting some significant  
9 savings on that end in terms of where the  
10 interest rates are right now.

11 CHAIRMAN BOTTAZZI: Thank you.  
12 Any other questions of any of our experts  
13 here?

14 COMM. CARTINE: Mr. Chairman, I'll  
15 move Resolution 68-10.

16 CHAIRMAN BOTTAZZI: A second,  
17 please.

18 COMM. BUTTACAVOLI: I'll second  
19 it.

20 CHAIRMAN BOTTAZZI: Roll call.

21 MS. SYLVESTER: Commissioner  
22 Catalano?

23 COMM. CATALANO: Yes.

24 MS. SYLVESTER: Commissioner  
25 Buttacavoli?

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1 COMM. BUTTACAVOLI: Yes.

2 MS. SYLVESTER: Commissioner Veni?

3 COMM. VENI: Yes.

4 MS. SYLVESTER: Commissioner  
5 Cartine?

6 COMM. CARTINE: Yes.

7 MS. SYLVESTER: Chairman Bottazzi?

8 CHAIRMAN BOTTAZZI: Yes. Director  
9 Planko, you have another one?

10 MR. PLANKO: Yes, Resolution 69-10  
11 basically memorializes what we talked about  
12 in closed session last month.

13 Just to give a little background,  
14 back in late July I got approached by a  
15 representative from TD Bank. They wanted  
16 to start charging us on our checking  
17 accounts on a per transaction basis for  
18 deposited items and for deposited checks.  
19 Together with the 10,000 to 12,000 deposits  
20 that we have per month and the 600 checks  
21 that we have cashed either through AP for  
22 our vendors or for payroll, it would amount  
23 to about over \$2,000 a month in fees.

24 We talked to Crown Bank, which I  
25 have dealt with in the past, they've

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1 handled some of our investments, I find  
2 their representative very competent. They  
3 offered us a deal with no charges for the  
4 deposits or the cashing of checks.

5 So we've come to an agreement with  
6 them. In the Resolution it states four  
7 accounts. I was at Crown Bank last week,  
8 I set up all four of these accounts. Two  
9 of the accounts, the Recreation Account and  
10 Reservoir Sponsorship Account, I already  
11 closed at TD Bank. Matter of fact, I  
12 expect those checks in the mail tomorrow  
13 and I'll take them right down to Crown Bank  
14 and deposit, we'll have two accounts done.

15 As far as our operating checking,  
16 we're waiting for our new checks and we'll  
17 get that account going. And finally, the  
18 Revenue Repository Account, we're waiting  
19 for the check scanners which Crown Bank  
20 will install in customer accounts and then  
21 we'll be in full roll.

22 In the near future we want to  
23 switch other over our payroll checking  
24 account as well. These costs aren't as  
25 steep, so we're just going to keep that

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1 with TD Bank for right now, but we expect  
2 in six months or so, there's some approvals  
3 that Crown Bank has to get, we're going to  
4 move over our payroll checking as well.

5 CHAIRMAN BOTTAZZI: Okay. And  
6 they are a local bank and their  
7 headquarters are here in Brick?

8 MR. PLANKO: Their headquarters  
9 are here in Brick, they're right around the  
10 corner. I have been dealing with them for  
11 some time with our investments. I know  
12 the representative there even before we  
13 consider these checking accounts.

14 CHAIRMAN BOTTAZZI: All right.  
15 Thank you. I entertain a motion to  
16 approve that.

17 COMM. CARTINE: I'll move 69-10,  
18 Mr. Chairman.

19 CHAIRMAN BOTTAZZI: Okay. I'll  
20 entertain a second.

21 COMM. VENI: Second.

22 CHAIRMAN BOTTAZZI: Thank you.  
23 Roll call, please.

24 MS. SYLVESTER: Commissioner  
25 Catalano?

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1 COMM. CATALANO: Yes.  
 2 MS. SYLVESTER: Commissioner  
 3 Buttacavoli?  
 4 COMM. BUTTACAVOLI: Yes.  
 5 MS. SYLVESTER: Commissioner Veni?  
 6 COMM. VENI: Yes.  
 7 MS. SYLVESTER: Commissioner  
 8 Cartine?  
 9 COMM. CARTINE: Yes.  
 10 MS. SYLVESTER: Chairman Bottazzi?  
 11 CHAIRMAN BOTTAZZI: I'll abstain.  
 12 We're back with you, Director Specht.  
 13 MR. SPECHT: Yes, Mr. Chairman.  
 14 Resolution 70-10 is the authorization for  
 15 Task Order Number 2 with Owen, Little and  
 16 Associates in the not-to-exceed amount of  
 17 \$25,000 for additional professional  
 18 engineering design and permitting services  
 19 for the reservoir parking lot final design  
 20 for Contract Number 708002, formally  
 21 Contract Number 796042.

22 During the CAFRA approval process,  
 23 it was brought to our attention that we  
 24 needed additional design calculations on  
 25 the stormwater management up at the  
**Melissa J. Lumi, C.S.R.**

1 reservoir. Owen Little, being our design  
 2 engineer, is tasked with that and we're  
 3 looking to -- we need to get the  
 4 information into DEP by September 30th of  
 5 this month, 2010, to meet their deadline,  
 6 otherwise they're going to reject our  
 7 permit and we'll have to resubmit the  
 8 entire permit next year.

9 So we recommend again that we  
 10 approve this to get those calculations and  
 11 the design modifications into the NJDEP.

12 COMM. VENI: I move to make  
 13 Application Number 7010.

14 COMM. BUTTACAVOLI: Second.

15 CHAIRMAN BOTTAZZI: We're going  
 16 through -- before I call the vote on this,  
 17 we have spent money the design of this and  
 18 the State DEP, CAFRA, just keeps coming  
 19 back, they must get a new guy in office  
 20 over there, and he comes back and they say,  
 21 we don't like this anymore, put this in,  
 22 and they're the one causing us to go for  
 23 \$25,000 more in additional engineering.

24 Our site plan, everything has all  
 25 be done and completed, ready for approval.  
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1 and we've been sitting there with them for  
 2 a year waiting for it. Now they come back  
 3 and tell us that we have to change it and  
 4 spend \$25,000 for the extra work.

5 COMM. CARTINE: Through the Chair,  
 6 question of Steve, what did they find fault  
 7 with our application?

8 MR. SPECHT: Back in 2004, the  
 9 stormwater regulations changed.

10 COMM. CARTINE: 2004?

11 MR. SPECHT: From what we  
 12 originally designed our reservoir to be at,  
 13 and we went in with the understanding that  
 14 we would still be covered under the 2002  
 15 guidelines since it's an existing facility.  
 16 All right?

17 They came back to us and said, no,  
 18 you cannot basically get tied into that  
 19 existing CAFRA permit, you have to submit a  
 20 whole new CAFRA application and now you're  
 21 under the 2004 guidelines.

22 Based on their preliminary review,  
 23 we thought we met all of the requirements,  
 24 they indicated that we need some more  
 25 design calculations, we had to look at the  
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1 existing stormwater infiltration basins a  
 2 little harder and make some design  
 3 modifications to that.

4 So that's what the brunt of the  
 5 changes are. It has to do with our  
 6 stormwater management on site.

7 COMM. CARTINE: Again, through the  
 8 Chair, the -- when did we find this out?

9 MR. SPECHT: We found this out in  
 10 June of this year, took a look at it, got  
 11 some input from Owen Little. I got an  
 12 extension on the existing application to  
 13 September 9th.

14 We've been in discussion with Owen  
 15 Little prior to that and just to get all of  
 16 the information together, we're going to  
 17 just about make our September 30th  
 18 deadline. So it's been a couple of  
 19 months.

20 COMM. CARTINE: So the review has  
 21 been done, completed and it will be  
 22 submitted to the DEP -- what do we have?  
 23 Two days left?

24 MR. SPECHT: It will be submitted  
 25 by tomorrow. I will have it submitted by  
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1 tomorrow.  
 2 COMM. CARTINE: Okay.  
 3 CHAIRMAN BOTTAZZI: Any other  
 4 questions? Hearing none, I'll ask for --  
 5 COMM. CATALANO: Mr. Chairman,  
 6 Steve, what's the additional expense to  
 7 Owens Little?  
 8 MR. SPECHT: It's a not-to-exceed  
 9 \$25,000. That's what it is.  
 10 COMM. CATALANO: Okay.  
 11 CHAIRMAN BOTTAZZI: Roll call,  
 12 please.  
 13 MS. SYLVESTER: Commissioner  
 14 Catalano?  
 15 COMM. CATALANO: Yes.  
 16 MS. SYLVESTER: Commissioner  
 17 Buttacavoli?  
 18 COMM. BUTTACAVOLI: Yes.  
 19 MS. SYLVESTER: Commissioner Veni?  
 20 COMM. VENI: Yes.  
 21 MS. SYLVESTER: Commissioner  
 22 Cartine?  
 23 COMM. CARTINE: Yes.  
 24 MS. SYLVESTER: Chairman Bottazzi?  
 25 CHAIRMAN BOTTAZZI: Yes. Director  
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1 Bundy, you have 71-10.  
 2 MR. BUNDY: Yes. This is the  
 3 authorization for a purchase of a 2011 Ford  
 4 F450 utility body truck. The purchase  
 5 would be from ditch Ditschman Flemington  
 6 Ford. It's a State contract purchase in  
 7 the amount of \$33,366 and it is funded  
 8 under Project Number 810007, and this has  
 9 been reviewed with the Construction  
 10 Committee.  
 11 CHAIRMAN BOTTAZZI: Is this  
 12 replacing an older truck or --  
 13 CHAIRMAN BOTTAZZI: It is. It's  
 14 replacing Vehicle 585, which has  
 15 110,000 miles on it.  
 16 CHAIRMAN BOTTAZZI: That's all?  
 17 That's pretty good for us.  
 18 MR. SPECHT: It's 110,000 hard  
 19 miles.  
 20 CHAIRMAN BOTTAZZI: I'll entertain  
 21 a motion for approval.  
 22 COMM. BUTTACAVOLI: I'll make a  
 23 motion.  
 24 COMM. CATALANO: Second.  
 25 CHAIRMAN BOTTAZZI: Roll call,  
**Melissa J. Lumi, C.S.R.**

1 please.  
 2 MS. SYLVESTER: Commissioner  
 3 Catalano?  
 4 COMM. CATALANO: Yes.  
 5 MS. SYLVESTER: Commissioner  
 6 Buttacavoli?  
 7 COMM. BUTTACAVOLI: Yes.  
 8 MS. SYLVESTER: Commissioner Veni?  
 9 COMM. VENI: Yes.  
 10 MS. SYLVESTER: Commissioner  
 11 Cartine?  
 12 COMM. CARTINE: Yes.  
 13 MS. SYLVESTER: Chairman Bottazzi?  
 14 CHAIRMAN BOTTAZZI: Yes. Director  
 15 Bundy, 72-10.  
 16 MR. BUNDY: Yes, this is similarly  
 17 a resolution authorizing the purchase of a  
 18 2011 Ford F450 utility body to, again,  
 19 Ditschman Flemington Ford on State contract  
 20 in the amount of \$37,953. This has been  
 21 budgeted under Project 710005. It is  
 22 replacing another vehicle and it was  
 23 reviewed with the Construction Committee.  
 24 COMM. VENI: Through the --  
 25 CHAIRMAN BOTTAZZI: Entertain a  
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1 motion.  
 2 COMM. VENI: I'll make that  
 3 motion.  
 4 COMM. BUTTACAVOLI: Second.  
 5 CHAIRMAN BOTTAZZI: Roll call,  
 6 please.  
 7 MS. SYLVESTER: Commissioner  
 8 Catalano?  
 9 COMM. CATALANO: Yes.  
 10 MS. SYLVESTER: Commissioner  
 11 Buttacavoli?  
 12 COMM. BUTTACAVOLI: Yes.  
 13 MS. SYLVESTER: Commissioner Veni?  
 14 COMM. VENI: Yes.  
 15 MS. SYLVESTER: Commissioner  
 16 Cartine?  
 17 COMM. CARTINE: Yes.  
 18 MS. SYLVESTER: Chairman Bottazzi?  
 19 CHAIRMAN BOTTAZZI: Yes. This is  
 20 the time we open our portion of the meeting  
 21 to the public. If there's anyone wishing  
 22 to speak, please raise your hand, I'll  
 23 recognize you, come up and give us your  
 24 name.  
 25 Yes, Mrs. Briggs.  
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1 MRS. BRIGGS: I just have a little  
2 question.

3 CHAIRMAN BOTTAZZI: Sure.

4 MRS. BRIGGS: And it's nothing  
5 personal, Mr. Catalano, I'm just wondering  
6 why an alternate wasn't moved up to the  
7 Commissioner's seat.

8 CHAIRMAN BOTTAZZI: I can't hear  
9 you.

10 MRS. BRIGGS: Why an alternate  
11 didn't get moved up to fill the vacant  
12 seat.

13 CHAIRMAN BOTTAZZI: Why he got  
14 moved to this commission?

15 COMM. BUTTACAVOLI: Why an  
16 alternate wasn't moved up.

17 CHAIRMAN BOTTAZZI: I don't know.  
18 The alternates weren't asked to. The  
19 alternates are happy right where they're at  
20 at this point in time.

21 COMM. CARTINE: Mr. Chairman,  
22 isn't that the Township Council's decision?

23 CHAIRMAN BOTTAZZI: Yes, but I  
24 don't know who and why. That wouldn't be  
25 a question that I could answer you. No  
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1 alternate had come to me and asked to be  
2 recognized to fill the vacancy, and the  
3 name comes and is voted on by the Township  
4 Council. Thank you for reminding me,  
5 Commissioner. So I can't answer your  
6 question.

7 MRS. BRIGGS: Okay.

8 CHAIRMAN BOTTAZZI: Anyone else?  
9 Yes, Mr. Lamm.

10 MR. LAMB: Good evening. Looking  
11 at the budget --

12 CHAIRMAN BOTTAZZI: Could you give  
13 us your name and address, please.

14 MR. LAMB: Joe Lamb, 386 Wisteria  
15 Drive, Brick. Looking at P and L for the  
16 last two years, the out going exceeded  
17 revenues by \$9.6, million and there are  
18 some factors in there like a million  
19 dollars a year you send over to Brick.

20 I was wondering if the rate  
21 increase on April 1st, if that was going to  
22 compensate for the deficit that you had  
23 over the last two years moving forward.

24 CHAIRMAN BOTTAZZI: Did you  
25 understand that, Commissioner?

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1 MR. PLANKO: The rate adjustment  
2 that we made for this year solely had to do  
3 with two things, the increases and expenses  
4 that we had for the year and the  
5 significant decrease in our interest  
6 income. It didn't have to do with giving  
7 a million dollars to the Township.

8 The million given to the Township  
9 impacted our income statement, if you  
10 looked at our financials on Page 13, it  
11 decreased our net income, but that wasn't  
12 the reason for the rate increase.

13 MR. LAMB: Okay. I was just  
14 asking if the rate increase was going to  
15 cover the deficit that you've had for 2009  
16 and 2010 moving forward.

17 In other words, like I said, over  
18 the last two years you've had a deficit of  
19 more than \$9.6 million. So let's say on  
20 average --

21 CHAIRMAN BOTTAZZI: First of all,  
22 I can't agree with you there. You're  
23 rattling off a number and I don't see any  
24 confirmation to that number.

25 MR. PLANKO: I'm not sure where  
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1 you got the \$9.6 million from, Mr. Lamb,  
2 but the million dollars that was taken from  
3 the township came out of our returned  
4 earnings. They weren't built into the  
5 rate structure for the fiscal year.

6 MR. LAMB: I didn't say that. I  
7 think we're talking about two different  
8 things. You're close, but the thing is  
9 semantics are very important, and I'm not  
10 trying to in any way, you know, denigrate  
11 you or anything else, I'm just saying, I  
12 was just looking to see if it was going to  
13 cover the deficit moving forward, because  
14 it has like you have a deficit of  
15 \$4.8 million each year and in that deficit  
16 is naturally the million dollars you're  
17 sending over to Brick Township every year,  
18 that's what's contributing to that  
19 \$4.8 million as well as the other  
20 post-employment benefits of \$2.8 million,  
21 and other factors are involved, like you  
22 pointed out, the interest, but you  
23 weren't -- and naturally I'm probably  
24 catching you off guard right now, you  
25 didn't anticipate a question like this, so

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1 I can understand, I can take it up, maybe  
2 call you.

3 MR. PLANKO: Basically I can tell  
4 you between the two years -- you're talking  
5 about 2008 and 2009. Right?

6 MR. LAMB: The year ending  
7 March 31, 2009 and March 31, 2010.

8 MR. PLANKO: First of all, in 2008  
9 we actually had a net income of  
10 \$1.1 million.

11 MR. LAMB: And you were in a  
12 positive side, I agree with you. I'm not  
13 talking about that.

14 MR. PLANKO: Now we have  
15 \$4.1 million deficit in 2009, and there was  
16 various reasons, one was the OPEB liability  
17 that we reflected in the income statement  
18 of \$2.8 million. That's a non-cash flow,  
19 number one, as you know. We had the  
20 million dollars to the Township, and the  
21 summer of 2009 was the wettest summer that  
22 we had. Our revenues were down, our one  
23 accounts alone were down about 3 or  
24 \$400,000, plus the significant drop in our  
25 interest income, as I mentioned.

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1 So those are the contributal  
2 factors, and I believe it's on Page 13 of  
3 our audit report, those issues, and I also  
4 talked about it in the management  
5 discussion and analysis that is in the  
6 beginning of the audit as well. I  
7 discussed those same issues.

8 MR. LAMB: Okay. Getting back to  
9 the OPEB obligations, you said it was a  
10 non-cash factor. That may be now, but  
11 it's still a liability. Is that correct?

12 MR. PLANKO: It's a liability on  
13 the balance sheet and it's a deficit on the  
14 income statement on Page 13, but it's not a  
15 cash outflow.

16 MR. LAMB: Maybe not right now,  
17 but can you tell me what's involved in that  
18 \$2.8 million where you set up the deficit?

19 MR. PLANKO: It's an OPEB  
20 liability that we had a -- what's the term  
21 for them, Frank, that they're called?

22 MR. PLANKO: Post-employment  
23 benefits.

24 MR. PLANKO: Who did the  
25 calculations?

**Melissa J. Lumi, C.S.R.**

1 MR. HOLMAN: Actuary.

2 MR. PLANKO: The actuary did the  
3 calculations by year, and I think we have  
4 to recalculate that every three or  
5 four years. Right now it's \$2.8 million  
6 per year, which Frank Holman as the auditor  
7 has to reflect on the income statement.

8 However, we calculate our benefits  
9 on pay-as-you-go basis. Whatever our  
10 increase is, those benefits, we include  
11 them in the rates for those years.

12 MR. LAMB: Can you tell me what  
13 type of benefits would be included in that?

14 MR. PLANKO: What type of  
15 benefits?

16 MR. LAMB: Yes.

17 MR. PLANKO: It would be all of  
18 our benefits, health, prescription.

19 MR. LAMB: So it covers the  
20 employees who are on the retirement basis  
21 who are covered for health?

22 MR. PLANKO: Yes, the OPEB looks  
23 forward and says, what's going to be your  
24 liability --

25 MR. LAMB: I understand. I asked  
**Melissa J. Lumi, C.S.R.**

1 you --

2 MR. KOUTSOURIS: First of all, Mr.  
3 Lamb, he doesn't need to engage in a  
4 question and answer basis for you. This  
5 is a public comment portion. He's  
6 attempting to answer your question.

7 Allow him to answer, if you're not  
8 happy with it, and you'd like to ask him  
9 additional questions, ask him, but allow  
10 him to answer the question.

11 MR. LAMB: He's not answering it  
12 directly, that's my problem.

13 MR. KOUTSOURIS: Okay. He can  
14 answer the question --

15 CHAIRMAN BOTTAZZI: We're showing  
16 you a courtesy. You have a one-on-one  
17 back and forth. You should spend your  
18 time, instead of out playing golf in the  
19 afternoon, come in here and sit down with  
20 Mr. Planko and he'll give you all of the  
21 information you want.

22 MR. PLANKO: First of all, the  
23 question about over \$9 million in two  
24 years, it looking at the audit, I don't see  
25 where you got those numbers. So I

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1 explained to you in 2009 we had a \$4  
2 million deficit, and the key reasons why  
3 they had that, so I'm not sure why I didn't  
answer your question.

MR. LAMB: Getting back to the --

6 MR. PLANKO: What statement did  
7 you get \$9.6 million? What statement?

8 MR. LAMB: On the one that you  
9 have on the website, but the last question,  
10 which --

11 COMM. CARTINE: Excuse me, excuse  
12 me. You know, I've heard you before, Mr.  
13 Lamb, at Township Council meetings. Your  
14 fuzzy mathematics, you come in here as you  
15 do with Township Council meetings with all  
16 kinds of crazy numbers, and the numbers  
17 don't even exist. You make up these  
18 numbers, you can't tell us where exactly  
19 you're getting these numbers from, but you  
20 still come up here and cite them.

21 Now, the media is not here  
22 tonight, so you're not playing before the  
23 media. So I just want to know, where the  
24 heck are you coming from? What is your  
25 point? What are you trying to tell us?

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1 What are you saying?

2 MR. LAMB: I'm trying to get  
3 knowledge as a Brick resident --

4 COMM. CARTINE: I want to know  
5 what your point is. What is your point?

6 MR. LAMB: And you shouldn't be  
7 making statements that are incorrect and  
8 you don't know about finance because you  
9 don't understand.

10 COMM. CARTINE: They are not  
11 incorrect. They are not incorrect. You  
12 have never, ever presented an accurate  
13 dollar amount, whether you're talking to  
14 the Township Council or you're talking to  
15 this body right now.

16 MR. LAMB: This fellow said it's  
17 supposed to be civil in here and you're not  
18 being civil.

19 CHAIRMAN BOTTAZZI: Okay. I have  
20 never used this in 12 years.

21 MR. LAMB: I'm not bringing it on.

22 CHAIRMAN BOTTAZZI: I think we  
23 gave you enough time for questions.

24 MR. LAMB: I don't think so.

25 MR. PLANKO: The questions were

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1 answered relative to our auditor financial  
2 report.

3 MR. LAMB: That was on the website  
4 as I mentioned to you. One other  
5 question, on the OPEB application, what  
6 makes up the other post-employment  
7 benefits? What makes that up? I know  
8 you said healthcare for retirees. What  
9 else is in there? That's all I'm asking.

10 MR. PLANKO: It would be all of  
11 the benefits, right, Frank, when they do an  
12 OPEB calculation?

13 MR. HOLMAN: Yes, but I don't  
14 know -- my name is Frank Holman, I'm the  
15 auditor for the Authority. I think as Mr.  
16 Planko explained, we have an actuary that  
17 performs that calculation. It's primarily  
18 health benefits, is my understanding.

19 We can give you the name of the  
20 actuary that did the work, maybe they'd be  
21 the best one to explain it to you.

22 MR. LAMB: And Frank, in all due  
23 respect, I can understand what you're  
24 saying, that the actuary comes up with  
25 this, but I'm asking what's in -- what

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1 constitutes the benefits. You said  
2 healthcare. What else is in there.

3 MR. HOLMAN: Unless somebody else  
4 knows, I don't know. But I can get the  
5 answer for you.

6 MR. LAMB: Do you know, Frank?

7 MR. PLANKO: No. I don't know all  
8 the items. Our actuary would know that.

9 MR. LAMB: All right. Thank you  
10 very much.

11 CHAIRMAN BOTTAZZI: Is there  
12 anyone else who wishes to say anything?

13 MR. KOUTSOURIS: Mr. Chairman, can  
14 I just point out, as a matter of law, that  
15 this entity exists as an alter ego of Brick  
16 Township. The municipality exists because  
17 Brick Township has chosen to allow it to  
18 exist, and under Municipal Utilities  
19 Authority Law, this entity is permitted to  
20 donate, to give to Brick Township up to  
21 five percent of its operating budget each  
22 and every operating year, and in fact, this  
23 Brick Township Municipal Utilities  
24 Authority, as I understand it, in its --

25 CHAIRMAN BOTTAZZI: Counselor,  
**Melissa J. Lumi, C.S.R.**

1 you're right. We only go up to four  
 2 percent to the town, but we are, by law, we  
 3 can give to the Township five percent.  
 4 We're not giving it to so much of the  
 5 township or we're a bunch of cronies over  
 6 here, as Mr. Lamb has pointed out a year or  
 7 so ago in the newspapers, taking care of  
 8 the Mayor and the Council. We look at it  
 9 that we're helping the taxpayers, because  
 10 what we give to the Township and what they  
 11 can use and absorb in that \$1 million is  
 12 less money that a taxpayer has to pay.

13 Is there anything else?

14 COMM. CARTINE: Mr. Chairman, I  
 15 have a question to Mr. Planko and probably  
 16 to our guest, our financial advisor. What  
 17 is our bond rating today?

18 MR. PLANKO: I believe our bond  
 19 rating is an A1 right now. Isn't it,  
 20 Noreen?

21 MS. WHITE: Yes, correct.

22 MR. PLANKO: A1.

23 COMM. CARTINE: In the financial  
 24 field, is that good, different, bad?

25 MR. PLANKO: It's above average.

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1 It's good, very good. Above average.

2 COMM. CARTINE: Very good. Are  
 3 our bonds in demand?

4 MS. WHITE: The Brick MUA has a  
 5 very good credit rating and the bonds are  
 6 very attractive because of the management  
 7 of the Utility Authority and how it  
 8 conducts itself and also its other  
 9 financial-related factors.

10 COMM. CARTINE: As our financial  
 11 advisor, would you say that we're  
 12 financially a healthy utility?

13 MS. WHITE: Yes, you are.

14 COMM. CARTINE: Very healthy?

15 MS. WHITE: Very healthy.

16 COMM. CARTINE: There would be a  
 17 lot of utilities that would like to have  
 18 our credit rating?

19 MS. WHITE: A lot of the utilities  
 20 would like to have all of the stuff that  
 21 you have, because there's four different  
 22 factors that go into a credit rating;  
 23 there's the debt, the amount of debt that  
 24 you have, there's your bond structure in  
 25 terms of how the legal covenants are

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1 structured around your bonds, which are  
 2 very conservative and very strong, there's  
 3 the economic demographic area that you  
 4 serve, and finally, which is the fourth  
 5 factor, which is something that is often  
 6 neglected by a lot of people, but is an  
 7 incredibly important factor of the ratings  
 8 is the management and oversight of the  
 9 Board as well as senior staff of any either  
 10 municipal entity or authority. So it's  
 11 those four things that all contribute to  
 12 the rating that you enjoy.

13 COMM. CARTINE: Thank you.

14 CHAIRMAN BOTTAZZI: Thank you.

15 COMM. CARTINE: That says quite a  
 16 bit about this organization, doesn't it?

17 MS. WHITE: Yes, sir.

18 CHAIRMAN BOTTAZZI: Thank you, Mr.  
 19 Commissioner. Very good. Good  
 20 questions.

21 MR. PLANKO: Mr. Chairman, just in  
 22 closing on this comment, the two years that  
 23 Mr. Lamb brought up, number one, we had a  
 24 net income of \$1.1 million in 2008, and the  
 25 loss I talked about, \$4.1 in 2009 was

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1 either due to extraordinary items and  
 2 whether conditions.

3 CHAIRMAN BOTTAZZI: Weather  
 4 conditions, we didn't have any --

5 MR. PLANKO: We had the rainy  
 6 summer.

7 CHAIRMAN BOTTAZZI: All the rain  
 8 and no one needed to water their gardens.

9 MR. PLANKO: That's correct.

10 CHAIRMAN BOTTAZZI: I think there  
 11 was like a \$2 million loss of revenue,  
 12 wasn't that about it?

13 MR. PLANKO: Yes.

14 CHAIRMAN BOTTAZZI: Okay.

15 COMM. CARTINE: This year should  
 16 make up for that loss.

17 CHAIRMAN BOTTAZZI: Okay. At  
 18 this time we're going to go into closed  
 19 session to go over some hiring and  
 20 personnel matters, and then we come out and  
 21 that will be the only thing we're going to  
 22 vote on.

23 If anyone wants to wait, you're  
 24 welcome to come back, but that's all we're  
 25 going to do. So I say thank you, to all

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1 those --

2 MR. KOUTSOURIS: Mr. Chairman, you  
3 need a resolution to enter into closed  
4 session to consider matters of personnel,  
5 the minutes of that session will remain  
6 private until the need for privacy no  
7 longer exists.

8 CHAIRMAN BOTTAZZI: Okay. All in  
9 favor?

10 ALL MEMBERS: Aye.  
11 (Whereupon meeting was concluded  
12 at 7:58 p.m.)  
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1 C E R T I F I C A T E

2  
3 I, MELISSA LUMI, a Certified Shorthand  
4 Reporter and Notary Public of the State of New  
5 Jersey certify that the foregoing is a true and  
6 accurate Computerized Transcript of the Meeting.

7 I further certify that I am neither  
8 attorney, of counsel for, nor related to or  
9 employed by any of the parties to the action in  
10 which the Depositions are taken, and further that  
11 I am not a relative or employee of any attorney  
12 or counsel employed in this case, nor am I  
13 financially interested in the action.  
14

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MELISSA LUMI, C.S.R.

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**September 27, 2010 Public Meeting Addendum**

Following discussions in open session, the group reconvened in open session at 8:20 p.m.

**Personnel**

Commissioner Cartine made a motion to accept the personnel as indicated in Director Lacey's September 2010 monthly report, seconded by Comm. Veni.

Ayes: Commissioners Catalano, Buttacavoli, Veni, Cartine Bottazzi  
Nays: None  
Abstain: None

**Participation in the Touch a Truck Program – Autoimmune Information Network**

Motion was made by Comm. Veni to approve the participation in the Touch a Truck program as requested by the Autoimmune Information Network. Seconded by Commissioner Buttacavoli.

AYES: Commissioners Buttacavoli, Veni, Bottazzi  
NAYS: Commissioners Catalano, Cartine  
ABSTAIN: None

There being no further business to discuss and on motion duly made and seconded the meeting was adjourned at 8:45 pm.

/mas

**CERTIFICATION**

I hereby certify that the foregoing transcript prepared by Melissa J. Lumi, CSR, along with any addendums prepared by the Executive Supervisor, and/or Authority Legal Counsel, attached hereto, represents the minutes of the Meeting of The Brick Township Municipal Utilities Authority, County of Ocean, State of New Jersey, held on Monday, September 27, 2010.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joseph P. Buttacavoli", written over a horizontal line.

Joseph P. Buttacavoli, DMD, Secretary