Minutes of a meeting of The Brick Township Municipal Utilities Authority held on November 22, 2010

1. SALUTE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. CHAIRMAN'S OPENING STATEMENT

Chairman Bottazzi called the meeting to order and read the following statement: 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."

3. ROLL CALL

<u>Present</u>	Also Present
Joseph Buttacavoli, DMD	James F. Lacey
Allan E. Cartine	Stephen T. Specht
Joseph M. Veni, P.E.	Frank Planko
John A. Catalano	Scott Bundy
John Ciocco	Joseph Maggio
Edward J. McBride	Frank Pannucci
Patrick L. Bottazzi	Marie Sylvester
	Jerry Dasti, Esq.
	John S. Truhan

4. APPROVAL OF MINUTES

Commissioner Catalano made a motion to accept the minutes of the October 25, 2010 meeting. Seconded by Comm. Cartine.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

<u>5.</u> <u>CORRESPONDENCE</u>

6. APPROVAL OF BILL RESOLUTION - Commissioner Buttacavoli

Commissioner Buttacavoli read the Bill Resolution balances as of November 22, 2010 in the total amount of \$3,922,075.04.

Commissioner Buttacavoli made a motion to accept the Bill Resolution. Seconded by Comm. Cartine.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS: ABSTAIN: None None

TREASURER'S REPORT - Commissioner Cartine <u>7.</u>

Comm. Cartine read the Treasurer's Report balances as of October 31, 2010, submitted by Frank Planko, Chief Financial Officer, as follows:

Total Revenue Funds:

\$12,452,402.55

Total General Funds:

\$ 253,767.02

Total Unrestricted Funds:

\$12,706,169.57

Restricted Funds:

Series 2002 Construction Fund:

\$1,324,697.08

Rate Projection Maintenance Fund: \$3,591.000.00

Future capital Requirement Funds:

\$2,433,577.69

Working Capital Fund:

\$1,621,464.21

NJEIT Processing Fund:

\$3,002,275.57

Bond Funds:

\$14,630,885.06

Other Restricted Funds:

\$1,819,268.05

Total restricted funds: Total of all Fund Accounts: \$28,423,167.66 \$41,129,337.23

Commissioner Cartine made a motion to approve the Treasurer's Report, seconded by Comm. Veni.

Comm. Catalano pointed out to Commissioner Cartine that on the future capital requirements fund there was an error and it should have been read at sixty nine cents.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

DEVELOPER APPLICATIONS <u>8.</u>

Preliminary Applications - No Further Action Required 8.1

Chik-fil-A Fast Food Restaurant – Major Subdivision & Major 2078 Site Plan, Rt. 70, Preliminary, NFA, one commercial

Comm. Veni stated, "The application No. 2078 Chik-Fil-A is on Route 70 and is a proposed 4,775 square foot building that will be in the existing parking lot of the Lowe's Home Improvement Center on Route 70. The proposal is to install a six inch diameter PVC sanitary sewer which will be extended into an existing eight inch diameter sewer line. Also a two inch diameter copper water service to be extended from the existing eight inch copper line itself. Also a six inch diameter iron pipe fire protection water service to be extended from the existing. With that I make a recommendation to accept this application."

Seconded by Comm. Buttacavoli.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

Presentation to former Commissioner Madeline Iannarone

Chairman Bottazzi stated, "At this time we'd like to present a plaque to Commissioner Iannarone for her service to the Authority and invite her up to accept it."

Chairman Bottazzi stated, "We enjoyed having you work with us as a commissioner and I hope you enjoyed the time you were here."

Comm. Iannarone replied, "I certainly did. They say you wear many hats in your life and this is probably my proudest moment. I worked with wonderful people, hardworking. People don't know what goes on behind the scenes of working here and keeping this place running. It was an eye opener for me and I was very proud to be a part of it. But now I have to give my time to this little one."

- 8.2 Other Applications None
- 8.3 Release of Performance Bonds None

9. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - None

10. CUSTOMER ACCOUNTS RECONCILIATIONS

Director Pannucci reviewed the Customer Accounts reconciliations for the Board's approval as follows:

- a. Account 17192472-0, 89 Ida Lane, Roy Dipetro. Recommended sewer credit in the amount of \$481.25 due to a leak in the sprinkler system. The quarter in question rose to 104,000 gallons where the average is 27,000 gallons. All repairs have been made and verified and the meter is in proper working order.
- b. Account 7400741-0, 37 No. Sailor's Quay Drive, John Hyfrantis. Recommended one-time water/sewer credit in the amount of \$549.90 due to a toilet leak. The quarter in question rose to 99,000 gallons where the average is 5,000 gallons. All repairs have been made and verified and the meter is in proper working order.
- c. Account 3169853-0, 5 Quail Run, Alton Parker. A recommended sewer credit due to

outside watering of new sod in the amount of \$450.00. The quarter in question rose to 95,000 gallons where the average is 23,000 gallons. The homeowner will be installing an auxiliary meter for outside usage next summer. The meter is in proper working order.

- d. Account 9501605-0, 832 Cypress Avenue, Virginia Bivinis. A recommended one-time water/sewer credit due to a toilet leak in the amount of \$549.90. The quarter in question rose to 111,000 gallons while the average is 16,000 gallons. All repairs have been made and verified and the meter is in proper working order.
- e. Account 9089603, 491 Route 70, Houlihan's Restaurant. After a two-year evaluation of their usage with their original estimation, it is recommended that Board charge Houlihan's an additional \$39,973.54 for their sewer initial service charge. They originally paid \$70,886.00 based on their estimated flow and based on their actual flow they should have been charged \$110,859.54. This has been reviewed by both myself and Director Specht.
- f. Account 9092020, 479 Route 70, The Christmas Tree Shop. After a two year evaluation of their usage with their original estimation, it is recommended the Board refund The Christmas Tree Shop \$7,396.80 from their escrow account for their sewer initial service charge. They originally paid \$17,259.20 based on their original estimation and based on their actual flow they should have been charged \$9,862.40. This has been reviewed by both myself and Director Specht.
- g. Account 4108800-8, 602 Mantoloking Road, Pimental Donuts. After a two year evaluation of their usage with their original estimation, it is recommended the Board refund Pimental Donuts \$597.00 from the escrow account for their sewer initial service charge. They originally paid \$5,970.00 based on their original estimation and should have been charged \$5,373.00 based on their actual usage. This has been reviewed by both myself and Director Specht.

Comm. Cartine questioned how these initial service c charges are calculated. Counselor Dasti advised that they are calculated by their engineering staff, not ours. Mr. Specht added that we review what is given to us by the applicants, and in a case like Houlihan's we received flows from other restaurants to base the fee on.

Chairman Bottazzi asked Director Planko how often we pay OCUA for treating our sewage. Director Planko replied that we pay them four times a year and the cost is approximately \$1.8 million a year. "It is our largest operating line item," Director Planko stated.

Comm. Buttacavoli made a motion to accept the Customer Account Reconciliations. Seconded by Comm. Cartine.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

11. Contract Closeouts - None

12. Authorization to Expend Approved Funds

<u>a.</u> Repairs to Pump No. 2 at the Drum Point Road Wastewater Pump Station, ITT
 Flygt Corp., \$7,290.00, budgeted in FY2010/2011 under Project No. 810002; Drum Point WWPS – Pump and VFD Upgrades.

Director Specht advised, "This is for Drum Point Road for \$7,290 to ITT Flygt Corp. We received bids on this project and they were the low bidder. This money has been budgeted in fiscal year 2010/211 under project number 81002. Last year we did something similar to pump number one and the cost to repair that was \$7,084, so we only saw a slight increase this year. This work will be done in conjunction with the new variable frequency drive equipment that was approved by the board last month for pump number two. So I recommend that the board approve the pump upgrades also at this time.

Comm. Buttacavoli made a motion to approve this request. Seconded by Comm. Veni.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN: None

b. Purchase of SCADA Parts

Three (3) quote purchase from GCF Inc., of Northvale NJ in the amount of \$19,851.60, budgeted under project 604002.

Director Bundy advised, "These are parts for our SCADA upgrade. This was three quoted and GCF Inc. of Northvale, New Jersey was the lowest proposal in the amount of \$19,851.60. This is budgeted under project number 604002. I had given it to the Construction Committee last month and I pulled it because we didn't have the pay to play documents in place. I have all the documentation complete now."

Comm. Veni asked, "Did this company work for us before?"

Director Bundy replied, "We use several different ones. Actually we use two of them. The other one is Automated Control Concepts."

Comm. Veni made a motion to approve, seconded by Comm. Buttacavoli.

AYES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN: None

<u>c.</u> <u>Renewal of Maintenance Software for GIS</u> - \$18,300. State Contract procurement budgeted under accounts 90066/8703/1230. (Half of this total will be reimbursed by the

Township of Brick under our shared service.)

Director Bundy stated, "The second item is the renewal of our maintenance software for our GIS program. It is a sole source purchase from CSRI Inc. for \$18,300 and it is state contract procurement and half of this amount will be reimbursed by the Township."

Comm. Veni made a motion to approve this expenditure, seconded by Comm. Buttacavoli.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

<u>Authorization to Expend Approved Funds Cleaning of Virginia Avenue Standpipe, Acuren/Extech Inc \$6,699.00 Account 711-8050</u>

Director Maggio stated, "Mr. Chairman we are requesting authorization to expend approved funds to clean the Virginia Avenue standpipe. The cost of this project is \$6,699.00 and the work will be completed by Acuren/Extech, Inc. A year ago a video inspection of the standpipe was completed and it was found that there was approximately six inches of sediment at the bottom of the standpipe. The recommendation was to have the sediment removed to eliminate the potential for water quality issues."

Chairman Bottazzi asked Director Maggio how serious a problem this is. Director Maggio replied, "Serious enough to recommend cleaning because it could cause water quality issues as the sediment could eat away at our chlorine residual in the tank and possibly cause bacteria growth. I would say it has reached a point where you would want to move forward with having it cleaned. As you probably noticed the Virginia Avenue standpipe which was part of the Parkway Water System which was purchased and out of due diligence on our part one of the first things we did was have the tanks inspected with our remote control camera vehicle."

Comm. Cartine asked how the sediment got there. Director Maggio replied, "Some of it would be iron or potential iron or manganese which could have precipitated out in the tank. The tank holds water for quite a bit of time. It is not constantly draining and filled. Also there could be solid particulates that leave the wells over tine and when it enters the tank it could have an opportunity to settle. Given the length of time that this tank was in service, yes this is something that we want to treat but in reality it is has probably been in service for twenty years without any type of cleaning. Over a very long duration that this has occurred."

Comm. Cartine asked, "Do you do an analysis of that sediment?"

Director Maggio replied, "We can do an analysis. Most predominantly it will be iron and manganese. It will be the metals precipitated out during chlorination for disinfection."

Comm. Cartine asked, "Have we had problems like that in our standpipes?"

Director Maggio replied, "I can't speak historically, however our tanks were inspected in the last

four years and we did not find problems like this."

Comm. Cartine asked, "So you could say that this is a result of Parkway being negligent in keeping their facility clean?"

Director Maggio replied, "I don't know that I'd say negligence, but age, length of service and delaying maintenance."

Comm. Veni made a motion to approve this request. Seconded by Comm. Buttacavoli.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

13. Authorization to send out Bids, RFP's & RFO's

a. Authorization to Solicit Bids Fiscal Year 11/12 Chemical Purchases:

Director Maggio stated, "We are requesting authorization to solicit bids for the annual supply and treatment process chemicals for fiscal year 2011/2012. The chemicals we will be soliciting the bid for include sodium hydroxide, lyme, aluminum chlorhydrate, dioxide, and ammonia and chlorine."

Comm. Veni asked Director Maggio, "How is your experiment going?"

Director Maggio replied, "We just started using the ACH at the end of last week and the feedback that I got from the operators has been very successful. We have been incrementally lowering the dosage from what we initially anticipated needing from the ACH side. We probably in the end will be able to be more efficient and use slightly less. We have seen no water quality problems. We currently have the plant divided into two halves. One whole half, if we are treating eight million gallons a day, four million will be treated with ACH and four million with Alum which is what we use currently. We have a contract for ACH supply that will last through the end of this fiscal year. So what we are going to do is get a bid to enter into a contract to supply for 2011/2012 and we also last year got a two year price for Alum so we will also have a contract to supply Alum for 2011/2012. We will have the ability if we have problems with ACH to purchase Alum or vice versa if we decide to go with ACH we will have the contract locked up for ACH as well."

Comm. Veni asked, "If I understand it correctly we are going to have two more contracts for chemicals?"

Director Maggio replied, "We will have one contract for ACH and the current contract that goes through FY 2011/2012 for Alum. We have a price locked in for the contract that is required or Alum for fiscal year 2011/2012. Several months ago the Board approved a contract for ACH for fiscal year 2010/2011. Because we don't have any conclusion on the pilot study since we only just started it, we will either go with these prices and lock in the contract in the event we need a supply of ACH for fiscal year 2011/2012. This is the time we would want to do that. We will have two different contracts but we will only use one of the chemicals ultimately."

Comm. Veni made a motion to approve this action. Seconded by Comm. Buttacavoli.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

b. Authorization to Solicit Bids for Meters and Appurtenances

Director Pannucci stated, "We have \$25,000 budgeted every year for our annual authorization to purchase meters and appurtenances and so forth. What we did was last year we didn't go out to bid for anything except for buying extra supplies for Parkway Water because what we wanted to do is in the years past was go out and bought massive amounts of everything, so for the last two y ears we widdled down our stock so this is basic what we really need for the coming year."

Comm. Veni made a motion, seconded by Comm. Buttacavoli.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

14. Reports

14.1 Executive Director's Monthly Report - James F. Lacey, CPWM

Chairman Bottazzi stated, "Since we don't have any personnel I would like to entertain a motion to approve the executive director's monthly report.

Comm. Buttacavoli made a motion to approve the executive director's report. Seconded by Comm. Veni.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

14.2 Personnel - None

15. OLD BUSINESS

15.1 Wind Energy Systems for the Reservoir and Water Treatment Facility

Comm. Cartine stated, "This is an excerpt from Director Specht's monthly report. On November the 3rd we had a meeting in his office. In attendance was John Catalano, Councilman Thulen, myself and Director Specht. At which time we firmed up the Phase II part of our report which has been given by T&M Engineering that will give us some real measurement and locations measurement of the proposed turbines. The turbines will include the department of public works and their inclusion in the project as well. T&M has through Resolution 40-09 been awarded the study. We call this our Phase II

study of our windmill of reservoir and public works facility. We had a pretty good conversation of what we are going to be doing and what will happen when we receive the final report. I might also add that this past week some of us at the League of Municipalities convention got to tour the waste management plant in Atlantic City. This tour was conducted through Director Specht and attending that was John Ciocco, Commissioner McBride, myself and Director Planko. We actually stood under one if these windmills or turbines, and I have to tell you they are quiet. We were outside of course, and got the wind going but if anyone has the idea that these things are noisy, they are not. There has been some bad press in the past six months or year with proposed turbines at the Bay Shore, Ocean Gate and elsewhere where people are coming out and saying that they are being disturbed by the sound. We asked around and I don't think anyone heard anything. With that basically, and we are going to possibly be doing this and we wanted to see first hand exactly how they work. We got a pretty in house description on how they work and we were there approximately two hours on this tour. Very interesting. Very informative. I believe that Chairman Bottazzi has been there before with some other officials from Brick Township. So again, this is going to be something that is probably going to cause a stir in the Township if and when it gets built. We are going to have some good information forthcoming. Director Specht can you tell me when T&M is expecting to finish that Phase II report."

Chairman Bottazzi stated, "I just want to mention that we have allocated \$28,000 for this in our budget. The money is in place and what do you mean it is going to cause a stir?"

Comm. Cartine stated, "I will tell you from a political point of view that there will be people that no matter how far they live from those turbines they will be coming forward saying they don't want it in their backyard."

Chairman Bottazzi sted, "Well the numbers will be there and the public will have to know that in twelve in fourteen ears it will be paid for and it won't be costing us anything for electric."

Comm. Cartine stated, "There is an excellent case that you have made. If everything goes the way we think it will there will be a direct cost savings for us and the Township as well. The Township will use more of the power that we generate from those turbines than we will."

Councilman Thulen asked if the AC MUA is planning on adding any additional turbines. Comm. Cartine replied that they have no plans at this time to add any more.

Chairman Bottazzi stated, "Well if you can keep us posted on this."

A visitor in the audience asked if we have determined the area for the windmills. Chairman Bottazzi advised that we have not and that is what the study will determine.

16. NEW BUSINESS

16.1 Request to Utilize Reservoir

a. Karen Curtis Family Fun 5k Run/Walk (3rd Annual)

Director Bundy stated, "This is a request from Veteran's Middle School PTA for the third Annual Karen Curtis Family Run. As you may recall we have done this two years in the past. It is a

charity in honor of a teacher who passed away for a scholarship fund. The event will take place May 21, 2011. We already received their insurance certificate and permission from Trinity Church for parking."

Comm. Veni made a motion to approve this request, Seconded by Comm. Catalano

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

17. RESOLUTIONS

77-10 A Resolution for the Award of a Contract to O'Brien & Gere Engineers in an amount not to exceed \$41,926.00 for Professional Services for the Completion of the Brick Township Municipal Utilities Authority Water Quality Model

Director Maggio stated, "Resolution No. 77-10 recommends award of the contract to complete our Water Quality Model. We distributed a request for proposals to all of the Authority's alternate engineers and we received four responses. The proposal prices were CDM at \$40,082.00, O'Brien & Gere at \$41,926, CH2m Hill at \$54,700 and Birdsall Engineers at \$93,900. After a thorough review of all proposals we recommend the award of the contract to O'Brien & Gere as their proposal appears to best meet the needs of Authority with regards to completing the model, calibrating the model and training our staff in maintaining and expanding the model for future use."

Chairman Bottazzi stated, "I read through your report and you are asking us to spend \$1,900 more than the low bidder. Is that right?"

Director Maggio stated, "Mr. Chairman three of the four engineers came in to review our existing data because we started working on this model and also to discuss the scope of work. Those three engineers were O'Brien & Gere, CH2m Hill and Birdsall. CDM did not come in to see our existing information because we wanted to make sure that they understood what we had done and what work needs to be done to complete the work. CDM included or proposed using what they call the proprietary computer software program. Something that they developed in house to enable them to import our GIS data into the model. We had some concerns because they had not reviewed our data and discussed it with us that their proprietary program would be fully compatible with the data that we have. Another large component of the scope of work was training our staff and we were very specific that we have already received training in terms of how to use the water quality model. Several years ago the manufacturer MWH Sark actually gave us this training. We did not want to repeat that training. We wanted training in how to build and maintain the model because we anticipate improving the model in the future and possibly incorporating Parkway facilities and wanted to be able to do that with our own forces. The other three proposals met that training requirement. CDM's training proposal was more of a user training which is something specifically that we didn't want. So because of that we felt the

additional \$1,900 for O'Brien & Gere would be a worthy investment over CDM because we really feel that O'Brien & Gere had a clear understanding of what we needed and wanted and we did have some questions about CDM."

Comm. Buttacavoli made a motion to adopt Resolution No. 77-10. Seconded by Comm. Cartine.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN:

None

82-10

A Resolution Amending Resolution 50-10 adopted on June 21, 2010 Authorizing the Brick Township Municipal Utilities Authority to award the

Contract for Installation of Fiber Optic Cable

Director Bundy stated, "This is a resolution which would amend resolution No. 50-10 which was adopted June 21, 2010. If you recall we adopted 50-10 to allow Verizon to come in and install the fiber optic line from here to town hall. In the first resolution we had several line items and one of them was written out wrong. So this resolution corrects that number but does not change the bottom line in the process. But in the future in case Mr. Holman should audit this project I didn't want any questions to come up so we decided it best to amend the resolution. Again it does not change the bottom line of the project."

Comm. Cartine made a motion to adopt Resolution No. 82-10, seconded by Comm. Veni.

YES:

Commissioners Catalano, Buttacavoli, Veni, Cartine, Bottazzi

NAYS:

None

ABSTAIN: None

18. PUBLIC DISCUSSION

During this portion of the meeting, Chairman Bottazzi opened up the meeting to the public.

Ms. Melanie Briggs asked, "Walmart has in their bathroom these sinks that you walk up to and water comes on and on a few occasions I have been in there and watched kids come up and play with them making water come on. Isn't that a waste of water?"

Comm. Veni stated, "Of course it is a waste of water. It would be like if someone walked up to your house and turned on your water and ran way, but what can you do? The thought process is that the electronic sensor is supposed to save water because when you have your hands underneath it will stay on, and if you remove your hands it will go off, so therefore you don't have excess water coming out when it is being used the proper way. If you have children that are going to play and the parents are not going to watch them. You can't beat the system."

Comm. Cartine added, "It is all over in many places. It is a sanitary system also so you don't have to put your hands on a faucet to turn it on."

Comm. Veni stated, "And it is better even if a kid runs in and turns it on. If it was a regular faucet it would run for hours. Those types of faucets turn off on their own. They are not supposed to go on when someone walks by. They should only go on when someone puts their hands underneath. If it goes on when someone walks by there is something wrong with the system."

Proposed Legislation Regarding Dissolution of MUA's

Comm. Cartine stated, "One of the conferences I attended last week was the AEA Conference and that is the Association of Environmental Authorities. It is a full day session. One of the more interesting things that I heard in the afternoon session, when they had Assemblyman Kean from Essex County talk about a bill that he has proposed which will probably come up some time next year. The bill is an attempt to make it more difficult for municipalities to seize or dissolve a utility. Some of the criteria is that the township has to have an equal or better bond rating. And two they have to pay off the outstanding bonds before they can do that. The reason for that bill incidentally is because of Mayor Booker of Newark's attempt to seize the Passaic Valley Water Commission and their \$80 million dollars to put into his treasury so he could balance his budget. So there are some defensive mechanisms at work at this point and I find it very interesting that there is now maybe some protection afforded to all public utilities that might fall into that situation. I will continue to update you as it develops."

Commissioner Veni wished everyone a happy Thanksgiving

19. CHAIRMAN'S CLOSING STATEMENT

Chairman Bottazzi read the following statement, "The next regular meeting of the Authority will be a Public Meeting on Monday, December, 20, 2010. All meetings begin at 7:00 p.m., unless otherwise specified and take place in the Main Conference Room of the Authority's Administration Building located at 1551 Highway 88 West.

20. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Joseph P. Buttacavoli, DMD

Secretary