

Minutes of a Meeting
BTMUA
ANNUAL REORGANIZATION MEETING
February 1, 2011 – 9:30 a.m.

1. CHAIRMAN'S OPENING STATEMENT

Following the salute to the flag, Chairman Bottazzi called the meeting to order and read the following statement: *"This meeting is being conducted in accordance with the Open Public Meetings Act, being Chapter 231 of the Laws of 1975. Pursuant to the requirements of this law, notice of the meeting was published in the Asbury Park Press on January 2, 2011. Similar notice was given by mail to the Clerk of the Township of Brick and placed on the bulletin board maintained for this purpose by the Authority."*

2. ROLL CALL

Present

Joseph P. Buttacavoli, DMD
Allan E. Cartine
Joseph M. Veni, P.E.
John A. Catalano
John Ciocco
Edward J. McBride
Patrick L. Bottazzi

Also Present

James F. Lacey, Executive Dir.
Stephen T. Specht, Dir. of Engineering
Frank Planko, Chief Financial Officer
Frank Pannucci, Dir. Customer Accts.
Joseph Maggio, Dir. Water Quality
Marie Sylvester, Exec. Supervisor
Jerry J. Dasti, Esq, General Counsel
Frank B. Holman, CPA, Auditor
Jerry Conaty, CPA, Auditor
John S. Truhan PE, Consulting Engineer

3. NOMINATIONS AND ELECTION OF OFFICERS

3.1 Chairman

Chairman Bottazzi stated, "At this time we will have the nominations for elections of officers and I will ask for nominations for the Chairman. It would be my great pleasure to nominate one of my long time friends, hunting partner, someone that has always continuously impressed me with his knowledge of the MUA, construction, and helping and working and attending more meetings than I do some weeks. I feel that he would do an excellent job. So with great pleasure I would like to nominate Joseph Veni as Chairman."

Seconded by Comm. Buttacavoli

ROLL CALL:

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

ABSTAIN: None

3.2 Vice-Chairman

Chairman Veni stated, "The next position is for the Vice Chairman. Do I hear any recommendations?"

Commissioner Buttacavoli nominated Commissioner John Catalano for Vice Chairman.

Seconded by Comm. Bottazzi

ROLL CALL:

AYES: Commissioners Buttacavoli, Catalano, Bottazzi, Veni

NAYS: Commissioner Cartine*

ABSTAIN: None

*Prior to his vote Comm. Cartine made the following statement: "Yeah, before I vote on this I would just like to make a statement with regards to that nomination. While I believe that John Catalano is a competent and capable individual, I think it is wrong and an oversight to move him in as vice chairman because he has only served as a commissioner for the past two months. There are other commissioners here, including myself who have served here for several years who have the experience and the competency to move into that position. So therefore, and this is not a personal vote and has nothing to do with personalities, I think it is not a vote that should be considered at this time and therefore I vote no."

3.3 Secretary

Chairman Veni stated, "The next nomination is for the position of Secretary. Do I hear any nominations?"

Comm. Buttacavoli nominated Comm. Patrick L. Bottazzi for the position of Secretary.

Seconded by Comm. Catalano.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

3.4 Treasurer

Chairman Veni stated, "The next position is for that of Treasurer. Do I hear any nominations?"

Comm. Bottazzi nominated Comm. Allan E. Cartine for Treasurer and stated, "He has been doing it for the past year and does an excellent job."

Seconded by Comm. Buttacavoli.

ROLL CALL:

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

3.5 Assistant Secretary/Treasurer

Chairman Veni called for a nomination for the position of Assistant Secretary/Treasurer.

Comm. Catalano nominated Comm. Buttacavoli for the position of Assistant Secretary/Treasurer. Seconded by Comm. Bottazzi.

ROLL CALL:

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

4. APPOINTMENT OF ADVISORS

4.1 Resolution No. 08 -11 Appointment of General Legal Counsel

Comm. Bottazzi nominated the firm of Dasti, Murphy, McGuckin, Ulaky, Cherkos and Connors for the position of Authority General Legal Counsel. Seconded by Comm. Buttacavoli.

ROLL CALL:

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

4.2 Resolution No. 09 - 11 Appointment of Alternate Legal Counsel

Comm. Catalano nominated the firm of R.C. Shea Associates as Alternate Legal Counsel. Seconded by Comm. Buttacavoli

ROLL CALL:

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

4.3 Resolution No. 10 - 11 Appointment of Bond Counsel

Comm. Buttacavoli nominated the firm of Gluck Walrath for the position of Bond Counsel. Seconded by Comm. Bottazzi.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

4.4 Resolution No. 11 - 11 Appointment of Consulting Engineer

Comm. Bottazzi stated, "Mr. Chairman, it is with great pleasure that I nominate the firm of J.S. Truhan Consulting Engineers. It has been a pleasure working with them the past four or five years. They are doing a great job and keeping us very well informed. I don't think he (Mr. Truhan) has ever missed a meeting."

Seconded by Comm. Catalano.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

4.5 Resolution No. 12 - 11 Appointment of Alternate Engineers

Comm. Cartine nominated the firms of CDM; Owen, Little & Associates; CH2m Hill; Birdsall Engineering; Remington, Vernick & Vena; Alaimo Group; T&M Associates; O'Brien & Gere and CME Associates.

Seconded by Comm. Bottazzi.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

4.6 Resolution No. 13 - 11 Appointment of Auditor

Comm. Bottazzi nominated the firm of Holman & Frenia as Authority Auditor and stated, "He has helped Frank Planko keep us straight through the course of the year. We have never had a delinquent. We have always been accepted by the State when we put in our Audit. It has been a great pleasure working with Frank Holman and his group."

Seconded by Comm. Catalano.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

4.7 Resolution No. 14 - 11 Appointment of Financial Advisor

Comm. Buttacavoli nominated the firm of Acacia Financial as Financial Advisor.
Seconded by Comm. Bottazzi.

ROLL CALL:

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

4.8 Resolution No. 15 – 11 Appointment of Labor Counsel

Comm. Cartine nominated the firm of Citta, Holzapfel, & Zabarsky and stated, “They have performed admirably over the years for us. They have negotiated our labor contracts and have negotiated for us and befriended the union. We have very good relationships with the various unions here and I believe that firm is one of the reasons why we do.”

Seconded by Comm. Bottazzi

ROLL CALL:

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

4.9 Resolution No. 16 – 11 Appointment of Risk Management Consultant

Comm. Catalano nominated the firm of Conner Strong as Risk Management Consultant to the Authority.

Seconded by Comm. Buttacavoli.

ROLL CALL:

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

4.10 Resolution No. 17 – 11 Appointment of Grant Writing Consultant

Comm. Cartine nominated the firm of Bruno Associates as Grant Writing Consultants.

Seconded by Comm. Buttacavoli

ROLL CALL:

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

4.11 Resolution No. 18 – 11 Designation of Official Newspaper

Comm. Buttacavoli made a motion adopting Resolution No. 18-11 nominating the Asbury Park Press as the official newspaper of the Authority.

Seconded by Comm. Catalano.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

4.12 Resolution No. 19 – 11 Establishment of Regular Meeting Dates

Comm. Catalano made a motion to accept the listing of regular meetings dates.

Seconded by Comm. Bottazzi.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

4.13 Resolution No. 20-11 Establishing charges for copies, etc.

Comm. Cartine made a motion to accept Resolution No. 20-11, Establishing charges for copies, etc.

Seconded by Comm. Catalano

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

5. OTHER BUSINESS

5.1 RESOLUTIONS

21-11 A Resolution Voiding Resolution No. 04-11 and Accompanying Employment Contract for James F. Lacey, Executive Director, and Appointing James F. Lacey Executive Director

Chairman Bottazzi stated, "I make a motion accepting the resolution voiding the contract with Director Lacey."

Seconded by Comm. Catalano.

Counselor Dasti stated, "So the public understands Mr. Chairman, if I could the purpose of this resolution is just to... We adopted a resolution which approved a contract, which had some

errors and we have corrected those errors and we are reapproving the revised contract which I understand is on file and has already been signed by Director Lacey.”

ROLL CALL:

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

22-11 A Resolution Voiding Resolution No. 05-11 and the Accompanying Employment Contracts for Stephen T. Specht, P.E., for Deputy Executive Director and Director of Engineering/Operations, and Appointing Stephen T. Specht, Director of Engineering/Operations

Comm. Bottazzi made a motion voiding Resolution No. 05-11 for the Deputy Executive Director, Stephen Specht.

Seconded by Comm. Catalano.

Counselor Dasti stated, “Again Mr. Chairman, this resolution voids the resolution we adopted a week or two ago which included awarding two contracts. We have resolved those contracts and there is a contract for the position with is attached to the resolution which is on file.”

Chairman Bottazzi stated, “I didn’t say that in my motion. It sounds like he is without a contract. Should we clear that language up saying that we are hereby accepting the resolution to redo the contracts?”

Counselor Dasti stated, “The resolution involving the Executive Director which is 21-11 that you just adopted, voided the resolution you adopted last week because that approved a contract which had some mistakes in it that have now been corrected. Therefore, we are voiding the old resolution and contract. This resolution also appoints Mr. Lacey as Executive Director and approves the corrected contract which is on file. The same thing goes for Mr. Specht.”

ROLL CALL:

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

**5.2 Request to Utilize Reservoir –
St. Paul’s Church, Community Sunrise Service on Easter Sunday, April 24, 2011**

Director Lacey explained, “The St. Paul’s Church right up the road in Brick are requesting to have an Easter Sunday service on April 24, 2011. Last year they it also. They had it at 6:30 and it is about a forty five minute long ceremony. They are requesting to do it earlier. I think it is easiest for us to stay at 6:30 when it is lighter with all that.”

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

Comm. Catalano asked if we require any type of liability insurance from them. Comm. Bottazzi advised that we do.

Comm. Cartine asked, "Do we provide overtime services for them?"

Director Lacey replied, "My understanding is that we did not incur that last year, but if we went with the 5:30 a.m. set up it would probably be an issue, but it wasn't a problem last year. We did a 6:00 a.m. set up for a 6:30 service which is about a half hour before we open."

Comm. Cartine stated, "So we pay a half hour overtime for our people that we use to open the Reservoir."

Director Lacey stated, "I'm not sure whether we do that or bring staff in earlier."

Dan Reilley, Building & Grounds Supervisor who was in attendance at the meeting advised that we do not incur overtime for this type of function.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

5.3 Authorization to Advertise for Electrical Bids

Comm. Buttacavoli made a motion to authorize the staff to advertise for Electrical Bids.

Seconded by Comm Catalano.

ROLL CALL:

AYES: Commissioners Buttacavoli, Cartine, Catalano, Bottazzi, Veni

NAYS: None

ABSTAIN: None

6. PUBLIC COMMENT

Chairman Veni opened up the meeting to Public Comment, and asked that anyone that wished to speak please raise their hand and state their name and address for the record. Seeing none he closed the public portion of the meeting.

Chairman Veni stated, "My fellow commissioners as you see in the following paragraph we are starting our next meeting at 6:00 p.m. instead of the normal 7:00 p.m. The reason for 6:00 p.m. is that I am going to ask all of you between now and the next meeting to have your committee meetings and be able to discuss at 6:00 what you have discussed in committee during the month. This way we have an understanding of what is going on amongst all of us and this is the only legal way we can do it. Therefore please set up your meeting as soon as possible and have them so we can be ready for next meeting."

7. CHAIRMAN'S CLOSING STATEMENT

Chairman Veni advised, "The next regularly scheduled meeting of the Authority will be a Public Meeting on Monday, February 28, 2011. All meetings begin at 6:00 p.m. in the meeting room of the Authority's Administration Building."

There being no further business to discuss and on motion duly made and seconded and voted in affirmative unanimously, the meeting adjourned at 9:52 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph P. Buttacavoli". The signature is written in a cursive style with a large, sweeping initial "J".

Joseph P. Buttacavoli, DMD
Asst. Secretary/Treasurer