

**Minutes of a Special Meeting  
AUGUST 3, 2011  
The Brick Township Municipal Utilities Authority**

- 1. SALUTE TO THE FLAG OF THE UNITED STATES OF AMERICA**
- 2. CHAIRMAN'S OPENING STATEMENT**

Following the Pledge of Allegiance Chairman Veni read the following: *"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 special meeting notice was published on July 29, 2011 in the Asbury Park Press.. 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**

**Members Present**

Allan E. Cartine  
John A. Catalano  
Patrick L. Bottazzi  
John Ciocco (8:41 a.m.)  
Edward J. McBride  
Joseph M. Veni, PE

**Also Present**

James F. Lacey, Executive Director  
Jerry J. Dasti, Esq., Authority Counsel  
Stephen T. Specht, PE, Dir. Engr/Ops

**Members Absent**

Joseph P. Buttacavoli, DMD

Chairman Veni stated, "Fellow commissioners after the last meeting I did some additional research and I have reconsidered some of my thought processes as to Resolution 36-11. I have asked our attorney Mr. Dasti to amend it and I would appreciate it if Mr. Dasti can give us the highlights of the amendment."

Counselor Dasti advised, "The resolution incorporates or keeps in place everything that was originally in 36-11 with the exception that when someone is asked to speak at the public it is discretionary or optional if they want to give their street address. That is the only modification to the prior policy. Still the five minute rule and still that they should give at least their home address so we know if someone is from Hoboken or Brick Township."

Chairman Veni asked for a motion to adopt Resolution No. 54-11, **A Resolution Modifying Resolution No. 36-11 Adopted by the Brick Township Municipal Utilities Authority on June 27, 2011.**

Motion to approve by Comm. McBride, Seconded by Comm. Catalano

Comm. Cartine stated, "Excuse me I want to speak on the motion. As you know and this is for the record and the only reason I am speaking for the record is because originally was opposed to the entire resolution as it was proposed and voted upon. Last month we saw the reaction from a member of the audience which I found to be extremely embarrassing for myself and for all the commissioners and I do support this resolution. I originally asked our attorney to prepare an alternate resolution that would dismiss the entire original resolution by eliminating not only the address but the total minutes that one would be allowed to speak. I see this resolution as a compromise and I have no problem with the five minute allowance, but I do want to say that this whole exercise was extremely unnecessary, and I would hope that before we introduce resolutions such as this again that this entire body have an opportunity to discuss it prior to a meeting. I don't want to go through that again. I have five years left as a commissioner and I don't expect that it should happen again. Therefore I will vote in the affirmative."

Chairman Veni stated, "For the record, the commissioners did have a chance to speak on more than one occasion during closed session. We did speak about it as far as I can remember. But in any event can we have roll call please."

Comm. Bottazzi asked, "Is there a resolution in here?"

Chairman Veni advised it is Resolution 54-11 in the folder.

Roll Call:

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

**Resolution No. 55-11 - A Resolution Authorizing The Brick Township Municipal Utilities Authority to Purchase a Telephone System from Carousel Industries on an Emergency Basis in an amount not to exceed \$41,449.30**

Director Lacey advised, "We were having trouble with our phones. We discussed that we were directed to get three prices. We were only able to get two and we were supposed to get the third. The third price we got happened to be the lowest price and it is \$41,449.30 and it also is on State Contract with Carousel Industries for the new phones. It is for a complete phone system. After we were directed to do this, with the horrendous lightning storm that we had Friday we come to find out that a lot of our software on the phone got burned out. We are not able to do a lot of things we were able to. We had the alarm go off in the Chlorine building which was a false alarm and no one got notified. We are going to put it through our insurance to see if it will pick up part or all of the phones. At least the phone system was working. It is old and we couldn't get the parts

and service and we were having trouble before. Now we actually have hardware problems which has forced us to become a little bit more urgent so not only does our insurance carrier know this, we are ready to do this if the Board approves it.”

Comm. Cartine made a motion. Seconded by Comm. Catalano

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

**Resolution No. 56-11 - A Resolution Authorizing the Executive Director of the Brick Township Municipal Utilities Authority to Authorize Contracts and Purchases in Excess of \$5,000.00 to Correct Damages Resulting from the July 29, 2011 Storm**

Director Lacey advised, “This essentially is going to allow us to do certain things. Because of the storm we are finding as the days go on more and more things burned out. The front gate, the SCADA system is giving us some ghost numbers. We hopefully are going to if any of you have had the opportunity to see the Forge Pond Pump Road down there, the trees that are sheered. We will have to bring someone in. It is beyond anything that we can do and we are still getting prices on that. We hope that we can get it done on State contract. We are asking that we can get some monies to at least go ahead on this emergency stuff that needs to be done.”

Comm. Bottazzi asked, “It has always been my belief and the system here was that there would be a max on what the Chairman would spend and the Executive Director would spend without permission from the complete Board of Commissioners. This is open saying over \$5,000. I could not vote for it this way. We have the commissioners for that purpose to make a decision even if it is by phone and I would rather see it have a maximum number also.”

Director Lacey replied, “I think we cover that on Item 4 at the bottom also it says the executive director shall inform the Authority Chairman in writing of any repairs that may exceed \$5,000 within 48 hours, but certainly we can do whatever you feel comfortable with.”

Counselor Dasti stated, “Well it’s your call. If you want to have a ceiling.”

Comm. Bottazzi stated, “I am only one person here.”

Chairman Veni asked, “What would you recommend. How would you compromise the changes?”

Comm. Bottazzi stated, “It’s not compromise. I just don’t think that what an executive director whoever he may be, his concern what might be a state of serious emergency and the board’s concern would be two different things.”

Director Lacey stated, “With the trees alone we are going to be well over \$5,000. I am just hoping we can go ahead with that because they are on guide wires. I don’t want to exacerbate it but...”

Comm. Bottazzi asked what the executive Director can authorize without Board approval.

Director Lacey replied, "\$2,500 and \$5,000 with approval of Chairman and anything above \$5,000 has to to the full board for approval."

Comm. Cartine asked, "What is the reason we want to go to \$5,000 now, oh this is in excess of \$5,000."

Counselor Dasti explained, "Because at \$5,000 now it is just a matter that the executive director has to communicate with the chairman and then to get his authorization up to \$5,000."

Director Lacey stated, "Commissioner the concern is like for example, the trees..."

Comm. Cartine stated, "Originally we had the Chairman cannot spend more than \$2,500 is that correct."

Director Lacey advised, "I can approve up to \$2,500 to \$5,000 it is the chairman and I , anything over that has to come to the full board and I think we are going to exceed..."

Chairman Veni stated, "Let me just throw this in. This is not for all the time this is just for the July 29<sup>th</sup> storm that we are looking for excess of \$5,000."

Comm. Cartine stated, "Oh this is just for this one time emergency. Oh ok."

Director Lacey stated, "I could have a tree guy that says I want \$10,000 and we have three prices and I want to be able to move on it."

Counselor Dasti pointed out that it says right in the heading of the resolution, resulting in the 7/219 storm.

Comm. Cartine asked, "So this doesn't become permanent?"

Chairman Veni replied, "No."

Comm. Bottazzi advised he understands now.

Comm. Cartine stated he is fine with it and made a motion. Seconded by Comm. Bottazzi.

Counselor Dasti advised "The executive director will still have to get quotes. He is not going to unilaterally go out and get his cousin to mow down a tree. He (Director Lacey) still needs to get three quotes to do whatever it is he is going to do."

Comm. Catalano stated, "I want to second but I have a comment. I was just wondering do we need a cap. Is that something that one person should be saying it's ok to do. I'm sure you have discretion about that Jim."

Director Lacey replied, "I mean if something comes in way above and beyond, like the phone system got fried and we knew we wanted to replace it. We knew we were having a meeting to day while it is part of the problem with the storm but not completely I brought it to the board."

Counselor Dasti stated, "How about between \$5,000 and \$10,000 he can do it and report to you in 48 hours. Anything over \$10,000 he would have to come back to the full board for on an individual item. Not in total..."

Director Lacey stated, "We are working very closely with our insurance carrier. We pay half a million in insurance and we hope all of this is covered."

Counselor Dasti stated, "And the carrier is going to make sure that we don't spend more than we should because that is all they are going to reimburse us anyway."

Comm. Catalano stated, "I would be in favor of that and I second the motion as amended if that is ok with you."

Director Lacey recapped, "Up to \$10,000 on an individual item or event."

Chairman Veni stated, "I am going to look for roll call. We have a motion and a second and an amendment to it which was discussed."

Counselor Dasti stated, "As I understand the motion to be voted on is Resolution No. 56-11 should be modified to include up to \$10,000 per item."

**ROLL CALL:**

**AYES:** Commissioners Cartine, Catalano, Bottazzi, McBride, Veni  
**NAYS:** None  
**ABSTAIN:** None

At this point in the meeting, approximately 9:00 am. Counselor Dasti stated, "We need to go into closed session to discuss potential litigation and contractual matters and the minutes of which would be kept confidential until the need for confidentiality no longer exists."

Motion by Comm. Catalano. Seconded by Comm. McBride.

**AYES:** Commissioners Cartine, Catalano, Bottazzi, McBride, Veni  
**NAYS:** None  
**ABSTAIN:** None

- 4. ASR Well Status Update – Exempt Session**
- 5. Personnel – Exempt Session**

On motion duly made and seconded, and a unanimous affirmative vote, the group returned to open session at 10:15 a.m.

There was a vote on the following items when the group returned to open session.

60-11 A Resolution Authorizing Task Order No. 3b Between the Brick Township Municipal Utilities Authority and CH2M HILL for an Increase in the Contract Amount by \$23,000.00 for Contract No. 708003 – New ASR Replacement Well No. 15

Motion to adopt this resolution by Comm. McBride, seconded by Comm. Ciocco.

AYES: Commissioners Cartine, Ciocco, Bottazzi, McBride, Veni  
NAYS: None  
ABSTAIN: None

The commissioners discussed awarding a contract to Remington & Vernick to review the contract documents associated with ASR Well No. 15 in an amount not to exceed \$17,500.

Motion to adopt by Comm. Cartine. Seconded by Comm. Veni.

AYES: Commissioners Cartine, Ciocco, Bottazzi, McBride, Veni  
NAYS: None  
ABSTAIN: None

**6. PUBLIC DISCUSSION**

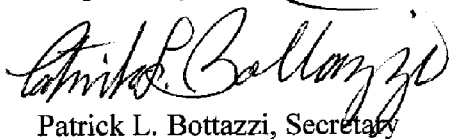
**7. CHAIRMAN'S CLOSING STATEMENT**

Chairman Veni advised, The next regularly scheduled meeting of the Authority will be a Public Meeting on Monday, August 22, 2011. All meetings begin at 6:00 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.

**8. ADJOURNMENT**

There being no further business to discuss the meeting adjourned at 10:37 a.m.

Respectfully submitted,



Patrick L. Bottazzi, Secretary

PLB/mas