

Minutes of a PUBLIC MEETING of
The Brick Township Municipal Utilities Authority Held on
April 22, 2013 beginning at 7:00 p.m.

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

Comm. Cartine stated, "Please rise. I would ask you to remain standing for a moment to pray for those people in Boston who were murdered by terrorists and I would ask you to stand and observe a minute of silence and Mr. Veni will lead us in the Pledge of Allegiance."

2. OPENING STATEMENT

Ms. Sylvester read the opening statement as follows: *"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 9, 2013 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

Present:

George Cevalco
James Fozman
Joseph M. Veni, PE
Patrick L. Bottazzi
John Ciocco
Allan E. Cartine

Absent

Edward McBride

Also Present

James F. Lacey, CPWM
Stephen T. Specht, PE
Joseph Maggio, PE
Frank Pannucci
Frank Planko
Marie Sylvester
Frank Holman
Jerry Dasti, Esq.
Chris Dasti, Esq.
John Truhan, PE

Following Roll Call Ms. Sylvester advised Chairman Cartine that a quorum is present in order to conduct the meeting.

5. EXEMPT SESSION

(Personnel, Contracts & Potential Litigation Only)

Chairman Cartine advised, "At this time I am going to ask for a motion to go into exempt session."

Motion by Comm. Veni. Seconded by Comm. Cevalasco. All in favor

On motion duly made and seconded the group entered exempt session at 7:02 pm.

On motion duly made and seconded the group returned to open session at 7:28 p.m.

6. Directors' Reports

a. James F. Lacey, CPWM, Executive Director

In Director Lacey's absence Director Specht reviewed items from Director Lacey's report as follows: "There are a couple of items in Mr. Lacey's report that I want to make the Board aware of. The Financial disclosure forms will be handled electronically this year and I believe Marie forwarded all that information to the Board last week so you have that information. If you need any help with those forms we can certainly accommodate you on that. The rest of the items in Mr. Lacey's report will be handled by the Directors in their reports. I will handle a couple of Mr. Lacey's right now. He has a few items one is the Tandem Jet Vac Replacement for Unit No. 522. We are looking to get authorization from the Board to proceed with the bidding of this vehicle. We purchased a single axel recently to replace vehicle 518 and now it is time to move ahead with the replacement of vehicle 522 which is a 13 year old vehicle. It is starting to show its age. It does get quite a bit of use. We run this thing 365 days a year so it is time we move ahead and purchase that new vehicle. Once it we move ahead and get the prices in for the bid we will bring it back to the Board for that determination. There are two requests at the Reservoir site that I will go into during the agenda and one other item is the guardrail at the Reservoir. At the Reservoir now we have existing concrete coffins that basically protect the Reservoir. We are looking to move ahead and put in a wood post and rails and remove those concrete blocks. The estimate for the material cost is about \$25,000 and we will install that material ourselves."

Comm. Ciocco asked, "May I ask a question through the chair. In the report it says that we are going to use the Reservoir Sponsorship Account for that?"

Director Specht replied, "That is correct. That is what was recommended at the Construction Committee Meeting."

Comm. Ciocco continued, "But this is a security upgrade isn't it? It doesn't fall under the use of that account. That account was supposed to maintain the public amenities, the benches, gazebos, light posts. The guardrails are a security upgrade. The sponsorship account was meant to keep the public amenities from impacting the rate payers. So if we are going to deplete that at some point we are not going to have money in there to do what it was meant to do. So I was just wondering why that was brought up to take that money out of that account."

Director Specht advised, "It was discussed Frank at the Finance Committee right?"

Director Planko replied, "That is correct. This particular account was discussed at the Finance Committee meeting at which point we had about \$230,000 in that account. Based on the discussions of the Finance Committee we are going to use some of that money down to \$100,000 ceiling for any costs that are particularly related to the Reservoir or operating related but not payroll."

Comm. Ciocco advised, "But wasn't this guard rail budgeted previously? This is part of the security upgrades isn't it?"

Director Specht advised, "There is \$40,000 in the capital budget under capital account 708002 which is also the parking lot improvements. There is \$40,000 leftover. As the Board is aware we did not move ahead with the Reservoir Parking lot improvements based on the agreement we signed with Trinity Bible Church so we kept \$40,000 in that account for that but we still need, and Frank suggested through the Finance Committee that we utilize some of the Reservoir Sponsorship money to fund that \$40,000."

Director Planko advised, "It was budgeted. We have \$40,000 in that account and we are going to use \$25,000, but based on those discussions with the Finance Committee when there are particular expenditures that related solely to the Reservoir we are going to utilize some of that money because basically it has been sitting dormant for all these years."

Comm. Ciocco advised, "That is what the intent was ..."

Chairman Cartine stated, "John through the chair please. I don't want to start an argument here. I want to stop it right here. It doesn't matter to me and doesn't matter to the Finance Committee who sat with Frank Planko. We have a surplus of \$200,000 in that account. Why not use it for the Reservoir that is what they are doing. Our Finance Committee meets for that particular reason and they resolve this issue. I have to go with what the Finance Committee has agreed to and you have money sitting in an account doing nothing. Let's do it. We can use that other money that we have for security reasons and I am going to talk about that under new business. We can keep the money in the security accounts."

Comm. Fozman asked Director Specht, "How many lights were replaced so far? None right? No benches were replaced nothing?"

Director Specht replied, "Again you have to look at the life expectancy of these fixtures. These are now going on ten years old. They are still in good shape now but within the next ten years you are going to start replacing stuff because it does not last forever."

Comm. Fozman continued, "Exactly and we just received some more stones people put their names on and we put them out there. We just gathered another \$500 on that right there. Grave stones last forever so I don't see anything replaced immediately and \$100,000 is plenty of money to replace anything that may go wrong. I hope all the lights are not going to go at one time."

Chairman Cartine stated, "Ok if we could speed it up I think we are all in agreement here that we should utilize that money. Continue Steve."

Director Specht continued, "Yes Mr. Chairman one other item in Mr. Lacey's report that he would be discussing is the purchase of a replacement blower for the dehumidifier No. 1 at the water treatment plant from Stulz Air Technology who is the manufacturer of that equipment for \$5,423.50. That will be brought to the Board under authorization to expend approved funds. If I can roll right into my report Mr. Chairman."

Chairman Cartine replied, "Go right ahead Mr. Specht."

b. Stephen T. Specht, PE, Director of Engineering/Operations

Director Specht advised, "I have a couple of items on the agenda. One item is regarding the Borough of Bay Head and the Route 35 Construction Project by the NJDOT. We had an existing shared services agreement with the Borough to provide design bidding and construction oversight services for the installation of cleanouts in their sanitary sewer laterals. Super Storm Sandy hit and devastated the Borough of Bay Head as well as Route 35. The Borough of Bay Head put that project on hold and it was terminated by the Borough formally on March 21, 2013. The contract with T&T Commonwealth was put on notice. We expended approximately \$18,000 of the \$60,000 that was estimated to complete the project for the design and bidding services. We have been reimbursed for that from the Borough and they have now suggested that we move ahead and shift that remaining fund of approximately \$42,000 to provide construction oversight for the NJDOT reconstruction project. That will entail the entire sanitary sewer system which dates back probably 80 years in the Borough is going to be replaced and they need us to perform the inspections for them. They passed a resolution back on March 25th authorizing the shifting of those funds and I am going to bring before the Board tonight Resolution N. 34-13 to approve that shifting of the funds. "

Chairman Cartine asked, "Does anyone have any questions on that? Ok we're all ok with that. It seems the Borough of Bay Head has rethought their project."

Director Specht replied, "That is correct. No sense in spending the money on clean up since they are going to get a whole new sanitary sewer collection system. I have another resolution on the agenda 35-13 for ASR Well No. 15 Task Order NO. 5 with CH2m Hill our consultant on this project for a total contract decrease of \$8,575.00. This is broken up into three tasks. The first one was spearheaded by Mr. Dasti was the claim settlement associated with the failure of Well 15. Mr. Dasti got the approval of the Board and we settled on a credit of \$40,000 to the project. Since that time there is obviously additional services that Ch2m Hill has provided about \$2,870.00 for the abandonment of Well No. 10 associated with the revised NJDEP abandonment requirements so I recommend we move ahead with that and also Task no. 5E is for additional construction administration services totaling a not to exceed amount of \$28,555.00 associated with the additional redevelopment required for 15A to get it up to its capacity. The Board under Change Order No.1 with Layne Christianson authorized the settlement as well as additional redevelopment of Well No. 15A for about \$100,000. We need additional oversight from our engineer on that. So the net total would be a decrease to the contract of about \$8,575 an was discussed at our April 9th Construction Committee meeting. Also in my report is the authorization to issue a request for proposal for the Brick Reservoir Regular Dam Inspection. This has to be performed every two years. I would recommend the RFP go out to six of our consultants that are listed in my report, Truhan Consulting Engineers, Owen & Little, T&M, Remington Vernick & Vena, Alaimo Group and French & Parrello. Within this task this year the NJDEP is requiring Brick Utilities to conduct a Reservoir Emergency Action plan exercise that we generally do every three to four years and the consultant will be required to participate in that exercise also. I am looking to go out on that and then I will come back to the Board with all my recommendation once we get some feedback from our consultants. This was also discussed at the Construction Committee meeting. Couple of Super Storm Sandy items - one is the repair of the Franklin Miller Generator at the Riverside Drive Wastewater Pump station. It underwent substantial damage during the storm. We received two quotes on this from the local vendors. Municipal Maintenance was the low bidder at \$9,170 and I would recommend we proceed with that. Also we will pursue reimbursement under our Account No. 1280 from FEMA at least to get 75% reimbursement on that. Another Super Storm Sandy replacement is some light fixtures that were submerged in our three major pump stations, Riverside Drive, Bay Harbor and Drum Point

Stations. During the storm they were submerged. These are explosion proof fixtures which are required in a wet well situation that we have. We need to replace them. We took the fixtures down since they were submerged and found they had severe salt water intrusion corrosion which really hampered the repair so we need to replace them. We did receive three quotes. Cooper Electric Supply was the low bidder at \$10,059.87. The second bidder was Warhauser Electric for \$10,590 and the third was Good Friend Electric for \$14,565. We will also be seeking reimbursement from FEMA on this item also.”

Comm. Bottazzi asked, “Is this the one that is across the street from the Park on Drum Point Road?”

Director Specht replied, “That is correct. It is one of them. The one on Drum Point is right by the Park there and one on the corner of Mandalay and Drum Point Road and the other is Riverside Drive which is by the marina on the Manasquan River and the...”

Comm. Bottazzi asked, “Well which one got hurt on Drum Point Road because that water was not that high?”

Director Specht replied, “The wet well flooded. You had all that inflush of waste water and salt water into our sewer system and flooded the wet well and that was the problem. It destroyed the light fixtures. That area didn’t flood but the sewer system did. The fixtures are explosion proof fixtures. They are not your standard high hat you throw in. They are about \$600 a fixture and we need to purchase about 18 fixtures.”

Comm. Bottazzi asked, “Is this with installation. Can’t it be done in house with our own people?”

Director Specht advised, “This is just the purchase cost. We will install them ourselves with our technicians. We will not require an electrical contractor we can do that ourselves. That will wrap up my report.”

c. Frank Planko, Chief Financial Officer

Director Planko advised, “Just a few items. I have two resolutions on the agenda tonight. One is 32-13 that is for our periodic Electrical Work bid which I reviewed with the Construction Committee. I also have Resolution 33-13 which is appointment of the JIF Fund Commissioners which basically means the appointment of the contact person with the JIF. I also sent out a memo dated April 11th to all the commissioners based on the suggestion of the Finance Committee to review where we stand with the Capital Budget. Right now we are standing at about \$14.7 million for the year and again as I mention in my memo this will be the basis for our borrowing so we are kind of asking the Board to take a close look at that to see what they think and once we get it finalized we will utilize those numbers for the amended budget. We will talk to Acacia about arranging financing. The Auditors especially Frank Holman submitted a CDL or Community Disaster Loan in anticipation of lost revenues associated with the storm and we are waiting to hear further on that. That will have an impact on the amended budget as well so maybe Frank will want to talk about that a little bit later. Finally as I mention in my monthly report the Auditors will be in house starting May 7th for the annual audit. That is it Mr. Chairman.”

d. Joseph Maggio, PE, Director of Water Quality

Director Maggio advised "Yes Mr. Chairman we have two items on today's agenda. One is the renewal of our annual service contract with Agilent Technologies for our laboratory equipment manufactured by Agilent. This includes gas chromatographs, mass spectrometer detectors, auto samplers and associated software with the equipment. It is an annual renewal and is a service that we take advantage of very often during the year since this equipment is quite complex. The next item we have is EPA mandated testing called UCMR3 unregulated contaminant monitoring rules. This is phase 3 and this is a requirement from the EPA for us to sample for contaminants in the water that are not currently regulated. I guess what they are trying to do is survey how serious the potentials issues are with water utilities throughout the country with these contaminants and then they take this information and decide what items to regulate and what not to regulate. This is a periodic exercise. The last time we had to do this was UCMR2 and that was back in 2008. As the Board knows several months ago the Brick School System did have some water quality issues with some sampling that they had done at their schools over the last month. We have been supporting the schools with laboratory support and doing some analyses for lead in the drinking water. We have been providing them with sampling information and the feedback I have received is that they have been very pleased with the work we have been doing. Last on the Metedeconk Watershed Management plan - the plan is finalized and is now with DEP and EPA for final review and approval. We are progressing with the conceptual designs on several of the recommended remediation measures in the watershed. Just over the last few weeks we took several commissioners including the Watershed Committee on tours of several of the sites we are looking to do some of work in Phase 2 of our grant program."

Comm. Fozman asked, "I have a question for Mr. Planko, you never asked if there were any questions, Meridian Occupational Health the OSHA it says required medical exams? It is on the Bill Resolution. Is that required of everybody in here to get a medical exam."

Director Planko advised, "That is probably a payroll issue, let me see."

Chairman Cartine stated, "Excuse me Commissioner, we can bring that up under Bill Resolutions. Right now we are on Directors Reports."

Chairman Cartine stated "Why don't you do this a little bit now and talk about John Rouse as part of your report."

Director Maggio advised, "This is some very exciting news that we had to report to the Haz Mat Committee. Our Emergency Response Team Supervisor John Rouse as the Board knows is not only a member of our Emergency Response Team, he is also a member of the Berkeley Haz Mat Team. John has been selected to join the New Jersey State Police Task Force no 1 which is essentially New Jersey's Elite Emergency Response Organization. In the event of a significant emergency within the State they are called upon to respond. With the support of the Hazmat Team he has applied and been accepted to this team and is currently undergoing some very high level emergency response training. I know that he appreciates the support of the Board in the Hazmat Committee and I think this is something that the Authority can be very proud of that he has been selected for this very elite team."

Comm. Veni asked, "Are we going to help him with this or is this on his own, or is it through Berkeley? What is the situation?"

Director Maggio replied, "This is actually not through Berkeley. It is actually through his experience and his skills. The Hazmat Team did consent that in the event of an emergency situation at his discretion if he is called upon we can release him to respond to an emergency although that would be on his own time."

Comm. Veni asked, "I don't care about that. I was just wondering how this really works. We are going to benefit one way.."

Director Maggio replied, "You will get some very high level training."

Comm. Veni stated, "Then the other question would be with Berkeley. I just wanted to see who is sharing the wealth?"

Director Maggio replied, "Both teams. I think his experience and the skills that he gains from being on this team are things that he will be able to apply to our emergency response team as well as Berkeley. There is no monetary contribution that Brick Utilities or Berkeley Hazmat are giving him."

Comm. Bottazzi asked, "Before Director Maggio was here I played a large part in appointing him on the Hazmat Team. I guess it was like ten or twelve years ago when we reorganized and gave everybody the little buzzers and so forth and he knew what he was doing. He learned a lot. I believe he is a resident of Berkeley is that correct?"

Director Maggio advised, "He is a resident of Beachwood."

Comm. Bottazzi continued, "He may be just a good citizen of that town or that area and participates. He is very knowledgeable and I agree that working with the County he is going to get more knowledge and be helpful to us."

Director Maggio replied, "As you know from just a couple of meetings ago his involvement and we also have another member of the Berkeley Hazmat Team on our Emergency Response Team Steve Czaplinski. Their involvement did facilitate Berkeley giving us some very high cost emergency response equipment. These one hour SCVA's that we estimate the value to be about \$40,000 and the Berkeley Hazmat gave them to us in a shared service agreement. So we are reaping a lot of benefits from his involvement of our employees in these other organizations."

Chairman Cartine stated, "I have to say this we at our Hazmat Meeting, Mr. Rouse was in attendance and it is probably about the second or third time I've talked to him and he's quite some individual. I think we can be proud that he is our employee and what he does for the State, the County and the various organizations that he is affiliated with benefits us on a very very high level. As I congratulate Commissioner Bottazzi for finding him and bringing him on and he has developed to be quite an asset to us and I want John to know that. I would like for this Board to agree to some sort of a letter of commendation for his efforts. Can we all agree on that without having to vote on it. Would you be willing to go for a plaque. I want the Board to express their appreciation for his efforts on our behalf. I will leave that up to Marie to figure that one out. A plaque and a resolution. If we could have him here and give him that recognition that he deserves. Agreed. Ok thank you."

e. Frank Pannucci, Jr., Director of Customer Accounts

Director Pannucci advised, "Just three items for the Board's approval to expend funds for yearly supply of bills and envelopes, approval of our yearly meter bid and the extra credit policy for Sandy as discussed in executive session."

7. Commissioner Committee Reports

a. Construction, Buildings & Grounds Committee & Alternate Water Source/Energy – Comm. Veni

Comm. Fozman read the minutes of the Construction Committee meeting of April 9, 2013.

Comm. Veni advised, "On Alternate Water Source both Director Maggio and Sal Petoia are working diligently to come up with a presentation on the desalination. As Comm. Fozman stated Steve Specht has a 2:30 presentation on May 7th with an energy guy for the solar so we will be sitting listening to that and come back next month with some information."

b. Finance Committee – Comm. Fozman

Comm. Fozman advised, "Finance Committee Agenda, we had a Resolution No. 33-13. Mr. Planko already discussed this it was for a contact person for the JIF. Our recommendation was to have Mr. Planko as the main and Mr. Vaccaro as the alternate and I see our recommendation was changed on that. Further review of the five year plan, Mr. Planko said is \$14.7 million dollars. That has to be brought down by probably at least another \$7 million. You haven't spent \$7 million in one year, so all this money a lot of it is just a wish list. We discussed the upcoming audit for fiscal 2012/2013 and that is about it on that."

c. Rate Committee – Comm. Cevasco

Comm. Cevasco advised, "We had a meeting on April 2nd with of all people the United States Environmental Protection Agency Special Projects Section Chief John Mello who informed us that our rate structure needs to be modified. It was about an hour long meeting and we are working on it."

Chairman Cartine stated, "I am going to ask Counsel here basically he could just give us what we are facing here legally and what we need to do a far as the EPA is concerned."

Comm. Cevasco advised, "I got an email from Director Planko with his questions to Special Projects John Melo and it appears that there is some question but there is also a change from the impression that I left with at the end of the meeting."

Chairman Cartine stated, "What I was really referring to since I am somewhat familiar with it is the problem that we have with the EPA as they introduced to us about how wrong our rate structure is. I want the entire group here to know exactly what they are telling us and what we need to do."

Comm. Cevasco replied, "The entire rate structure is not wrong. It just needs to be changed. I think Mr. Planko would know a little bit more and not any offense Mr. Dasti but maybe Mr. Planko can explain it from a financial standpoint."

Chairman Cartine replied, "Mr. Planko or Counsel you were there at the meeting."

Director Planko stated, "Just briefly maybe I can tell you about the rates and maybe Mr. Dasti can add on but this fellow Mr. Melo, when we met on April 2 was insistent that the Authority has to go to a completely consumption based structure on the sewerage side. Just today I sent him some information out the APA user charge manual that contradicted what he told me and kind of agreed with what I told him that you can utilize a fixed charge and a commodity charge much like we are doing now. When we get into a rate design issue and look at rate design we might have some fine tuning to do, but basically what he told us has to be all commodity charge. In other words all variables charge from what I found from the APA's own material is incorrect."

Counselor Dasti advised, "What Frank just said is news to me. I see that I did get an email from Frank today that I didn't get a chance to look at. You might recall that the sewer rate structure is part of the litigation now with Kentwood, because of that litigation we are reviewing everything to make sure we are in compliance with the APA regulations because our grants are involved. I forget the woman's name that we met with but she was very cooperative and we'll see if Mr. Melo is going to be cooperative if we are going to need the assistance of Frank, as well as John Truhan's office to make sure that our rate structure is compliant with APA so that our grants are not in jeopardy."

Chairman Cartine stated, "I would like to add something that maybe a few people forgot. The reason they came here was the fact that the way we have been charging for our sewerage since 1976 is all wrong. We got a \$28 million grant and there was supposed to be a stipulation in that grant that you could not charge or formulate a sewerage rate that we put into our system. That was 1976 and it is now 2013 and the EPA wakes up and they come here and this is on record and tell us we have been doing it all wrong since 1976. My first impression is "oh yeah sue us" but Counsel says that we can't do business that way. Now Frank has done his research and I think basically we are going to stick it to them somewhat and I hope so. For them to come to us on a complaint that came out of Kentwood is remarkable that they would read the complaint. In fact they admitted to us that they normally wouldn't even look at it unless they did get a complaint is that correct Counsel?"

Counselor Dasti advised, "That is correct. You are absolutely right."

Chairman Cartine continued, "So that is where we are at with that. And I have to tell you it does mean or could have meant some drastic changes in our sewer rate structure, so I just want that on record. We are working on that and hopefully we are going to come to some sort of agreement in the future with the EPA. This is not the DEP this is the EPA, the Feds alright that have come to us on this issue."

d. Reservoir Committee – *Comm. Bottazzi*

Comm. Bottazzi advised, "Reservoir is doing very well. The restrictions that we had added last year such as the shorter leash and only two dogs. We haven't had any bites that I was told of lately. Things are going good. We have not been crowded because of the weather. I was out there one of the nice days about a week and a half ago and it was neat and clean and people are happy. The staff is always there busy doing things. The email that you sent that someone was applying like 200 people I did catch Comm. Ciocco he sent a letter saying about the large crowds and so forth. What has ever happened to that application?"

Director Specht advised, "It is on the agenda later."

e. Watershed Committee – *Chairman Cartine*

Chairman Cartine asked Comm. Cevalasco to discuss the recent field visit.

Comm. Cevalasco advised, "We met on April 4th. Director Maggio stole most of the thunder tonight in his beginning presentation but we did go out and visit the project sites that are on track for being remediated. The final plan is under review now and DEP and Region 2 somebody..."

Director Maggio advised, "I think ultimately this falls under some EPA oversight that DEP did forward it to Region II EPA."

Comm. Cevalasco continued, "I had also last month attended the New Jersey American Waterworks Association Conference. For me it was beneficial and it was a learning experience as I learned what some of the acronyms meant that they throw around here like waste paper. I thought I visited some of the more beneficial conferences. Well the whole thing was but I knew I had selected the right program to attend them when I walked out and I saw Mr. Maggio and Steve and John and operations people that were there. I tell you they are quite a group. For me it was beneficial to get them pretty much with their hair down not looking over their shoulder doing what their job is. When someone looks over your shoulder at times when you are doing your job you have a tendency to try to be perfect but it was an interesting experience for me down there. We went over some of the PFC study that is being done. It was a learning experience that is all that took place among other odd and end things but I don't want to take too much time here."

Chairman Cartine replied, "Very good. I'm glad you did report on that and any of the commissioners that attend these conferences should come back and report on them. Thank you for that. One thing I do want to mention as far as the Watershed Committee the first site that we are going to do and I think because it is in Brick Township. The back of Brick Plaza which if you drive back where the movies and Sports Authority is it's all blacktop. What we are going to be doing basically in this particular project is putting some trees in there and some grass and some islands. We are not sure but there is going to be a design that is not only going to beautify the parking lot area, but it is going to help us with managing the storm water flows and runoff and that is the purpose of this project. That is number one."

Director Maggio advised, "That is one of the top five we are working on. We are working with the managers of the property now."

Comm. Cevalasco stated, "I would just like to add that I had gone on a subsequent tour and Mr. Maggio and Rob Karl took us up to Howell where one of the retention basins had been retrofitted."

Director Maggio added, "Yes under the EIT principal forgiveness loans to a constructive wetlands this wasn't one of our projects."

Comm. Cevalasco continued, "Yes but that project is something that we may part and parcel of some of those things we are incorporating up there we will be doing on ours. The other thing I was remiss in that at the last meeting Director Maggio brought up the conceptual idea of potentially allowing

the BTMUA to serve in the storm water utility role in the watershed with respect to maintenance on the retention basins on some type of rate structure.”

Chairman Cartine replied, “We have talked about it and hopefully it is on the horizon.”

Director Maggio advised, “We appreciate the Watershed Committee’s support and hopefully we will put some feelers out and see if there is any interest on the part of DEP.”

f. Hazmat & Security Committee – *Chairman Cartine*

Chairman Cartine advised, “My report on security is that we approved the contracts to deploy our camera system throughout the campus. We had the vendor in here. He toured the property last week and we expect that his equipment will be in in approximately three months. He should have that job completed in a little over a month. He doesn’t expect to have any problems. That will give us total security on our campus here. What I did want to speak about is our second security project is going to be the Reservoir. Those of us on the Committee believe that this is a project that we can’t hold back on as attested to by the events in Boston. Terrorism is prevalent. It is there and we are noted as a soft target by Homeland security. By that they mean easy. They can poison the water. What we’d like to do with the Authority of the Board is to start to begin a feasibility study of putting cameras where needed on the Reservoir. Comm. Fozman talked about the eventual replacing of lighting around the Reservoir which is something that we will have to do if we install some of these cameras. I don’t know for sure but I think that we should be looking at it now. I am going to ask our committee to start to explore that idea and come to some sort of a feasibility study as to how much, when and how it is going to be done. That is my report. Moving on to approval of minutes.”

8. APPROVAL OF MINUTES

The minutes of the following meetings were distributed previously:

March 18, 2013 Annual Rate Hearing

Comm. Veni made a motion to approve the minutes of the annual Rate Hearing. Seconded by Comm. Bottazzi

AYES: Commissioners, Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYS: None
ABSTAIN: None

March 18, 2013 Public Meeting

Comm. Cevalasco made a motion to adopt the minutes of the March 18, 2013 as revised. Seconded by Comm. Veni.

AYES: Commissioners, Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYS: None
ABSTAIN: None

9. CORRESPONDENCE

Director Specht advised there is no correspondence for discussion.

10. APPROVAL OF BILL RESOLUTION

Comm. Bottazzi read the Bill Resolution Dated April 22, 2013 in the total amount of \$2,644,183.90 as follows:

Total Operating Vouchers:	\$	551,486.70
Total Payroll:		1,987,622.05
Total Capital Vouchers:		98,648.02
Escrow:		6,427.13
Total Bill Resolution	\$	2,644,183.90

Comm. Bottazzi made a motion to adopt the Bill Resolution. Seconded by Comm. Cevalasco

Question on the Motion: Comm. Fozman asked, "I was asking about the OSHA required medical exams on the operating page."

Director Specht advised, "I can give an explanation on that. We have an extensive training program in the Authority and what these examinations entailed is we have asbestos cement pipe that at times we have to cut. Again we have a safety program and part of that safety program is screening examinations for our employees that could potentially be cutting asbestos cement pipe. That is what the exam is. We do those probably every couple of years to make sure everything is ok with our workers."

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine

NAYES: None

ABSTAIN: None

Comm. Fozman asked "I have another real quick question about the escrow accounts. Mr. Specht remember we said we were going to go over the escrow accounts and try to get the inspections on whatever we can on the escrow accounts. And we have some here and Hallmark Homes it showed the developer had \$500 and we returned \$500. He didn't need an inspection or anything?"

Director Specht replied, "The job was cancelled."

Comm. Fozman asked, "And the rest of these were they off the existing escrow accounts that we have or were these new?"

Director Specht replied, "Yes they should be off the existing escrow accounts."

Comm. Fozman stated, "Ok that is good. We made \$3,306.00 trying to get them inspected. Very good thank you."

11. TREASURER'S REPORT

Comm. Fozman read the Treasurer's Report balances for the month ending March 31, 2013 as follows:

Unrestricted Funds:

Total Revenue Funds:	\$	9,749,027.29
Total General Funds:		2,462,390.42
Total Unrestricted Funds:		12,211,417.71

Restricted Funds:

Rate Projection Maintenance Fund:	2,983,413.00
Future Capital Requirements Fund:	-0-
Working Capital Fund:	1,121,464.21
NJEIT Processing Fund:	3,548,698.82
Total Bond Funds:	11,500,408.88
Total Other Restricted Funds:	1,740,848.71
Total Restricted Funds	20,894,833.62
Total of All Fund Accounts:	33,106,251.33

Comm. Fozman made a motion to adopt the Treasurer's Report. Seconded by Comm. Veni

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine

NAYES: None

ABSTAIN: None

12. DEVELOPER APPLICATIONS - None

11.1 Preliminary Applications - No Further Action Required - NONE

11.2 Other Applications

2130 Majestic Investment, LLC, Preliminary Major Subdivision – Alpine Estates, Ramtown-Greenville Road, Howell Township, Preliminary, 11 Residential

Director Specht advised, "This is for Majestic Investment, LLC, Preliminary Major Subdivision – Alpine Estates, Ramtown-Greenville Road, Howell Township, Preliminary, 11 Residential lots. As Commissioner Fozman stated before in his Construction Committee report it is recommended that this get approval for a preliminary and they will be required to return for a final approval at a later date."

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

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine

NAYES: None

ABSTAIN: None

11.3 Release of Performance Bonds - None

12. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

13. CUSTOMER ACCOUNTS RECONCILIATIONS - NONE

14. CONTRACT CLOSE-OUTS - NONE

15. AUTHORIZATION TO EXPEND APPROVED FUNDS

- a. Annual Laboratory Equipment Service Contract Renewal
Amount: \$22,063.00
Vendor: Agilent Laboratory Equipment
Funding Source: Account Number 705-8703

Director Maggio advised, "We are requesting authorization to expend approved funds for renewal of the Annual Laboratory equipment and service contract for our Agilent Laboratory Instruments. The amount is \$22,063.00 and the vendor is Agilent Laboratory Equipment and the Funding Source is Acct. No. 705-8703."

Comm. Bottazzi made a motion to approve this action. Seconded by Comm. Cevalco.

AYES: Comm. Cevalco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

- b. UCMR3 EPA Required Monitoring/Testing
Amount: \$5,760.00
Vendor: Northern Lake
Funding Source: Account Number 705-8310

Director Maggio advised, "This is for laboratory requirements for UCMR3 EPA Required Monitoring and Testing in the amount of \$5,760.00 and the vendor is Northern Link Laboratories and the funding source is Account No. 705-8310."

Comm. Bottazzi made a motion to approve this action. Seconded by Comm. Fozman.

AYES: Comm. Cevalco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

- c. Wood Post & Rail Guardrail at Reservoir
Amount: Approximate material cost: \$25,000
Installation by In-house staff
Funding Source: Reservoir Sponsorship Account - Proj. No 708002

Director Specht advised, "This is for the wood post and rail guardrail at the Reservoir. The approximate material cost is \$25,000 and installation will be performed by our staff. Funding source is the Reservoir Sponsorship Account Project No. 708002. I would recommend approval."

Comm. Veni asked, "Did I miss understand when you first talked about this in the beginning of the meeting that you had \$40,000 leftover from the parking lot?"

Director Specht replied, "What this is is Account No. 708002 is the Reservoir Parking lot account and that is what this will be tracked under but we will shift funds from the Reservoir Sponsorship account into this account."

Director Planko replied, "Yes as of the amended budget that I passed out to all the Commissioners there is \$40,000 in that particular account and we are utilizing \$25,000 of the \$40,000."

Comm. Bottazzi asked, "Director \$25,000 and that is not our labor then?"

Director Specht advised, "That is just material cost Commissioner."

Comm. Bottazzi asked, "And what kind of wood is it and where is it going exactly?"

Director Specht advised, "If you would like I can show you a map. It is going around all the perimeters of the parking lot. If you go up there right now we have these big concrete blocks up there. We are going to pull those concrete blocks out of there and put this wooden rail and post up in their place and get rid of those concrete blocks."

Comm. Bottazzi asked, "You think wood is going to last? You know the wind and weather that goes through that place?"

Director Specht advised "The wood post is pretty substantial. It's just not one by 12 up there. I can show you a drawing if you would like to see it. It's 12 x 12 and this is a typical."

Comm. Bottazzi stated, "I was just concerned, \$25,000 for a wooden fence especially when it's only two feet high."

Director Specht advised, "Yes, but obviously you have the bolts and fasteners you have to buy also. It would be substantially more if we didn't install it ourselves that is for sure."

Comm. Fozman made a motion to approve this action. Seconded by Comm. Bottazzi.

AYES: Comm. Cevalco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

d. Blower Assembly for DH1 at WTP
Amount: \$5,423.00
Vendor: Stulz Air Technology Systems
Funding Source: Capital Acct. No. 799-008 WTP infrastructure mods & repairs

Director Specht advised, "15d is the blower assembly for dehumidifier number 1 at the Water Treatment Plant from Stulz Air Technology Systems amount of the purchase is \$5,423.00 utilizing Capital Acct. No. 799-008 WTP Infrastructure Modifications and Repairs."

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

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

- e. Superstorm Sandy – Repairs to the Franklin Miller Grinder at the Riverside Drive Wastewater Pump Station (WWPS)
Amount: \$9,170.00
Vendor: Municipal Maintenance Company
Funding Source: Super Storm Sandy Acct. No. 1280

Director Specht advised, "This is repairs to the Franklin Miller Grinder at the Riverside Drive wastewater pump station. Our vendor would be Municipal Maintenance Company and the total amount was \$9,170, funding source would be Super Storm Sandy Acct. No. 1280 seeking reimbursement from FEMA."

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

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

- f. Superstorm Sandy – Replacement of the Explosion-Proof Light Fixtures in the Wet Wells of the Bay Harbor Boulevard, Drum Point Road and Riverside Drive Wastewater Pump Stations
Amount: Cooper Electric Supply
Vendor: \$10,059.87
Funding Source: Super Storm Sandy Acct. No. 1280

Director Specht advised, "Super Storm Sandy Replacement of the Explosion-Proof Light Fixtures in the Wet Wells of the Bay Harbor Boulevard, Drum Point Road and Riverside Drive Wastewater Pump Stations from Cooper Electric Supply. The amount is \$10,059.87. Funding Source: Super Storm Sandy Acct. No. 1280. We will seek reimbursement from FEMA."

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

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

- g. Purchase of Yearly Supply of bills and envelopes
Amount: \$9,183.00
Vendor: Spectrum Plus
Funding Source: 905-8210

Director Pannucci advised, "This is for the purchase of our yearly supply of bills and envelopes, \$9,183 from Spectrum Plus. The funding source is 90-8210. This was the lowest out of four quotes and is actually \$34.00 less than last year."

Comm. Bottazzi made a motion to approve this action. Seconded by Comm. Fozman

AYES: Comm. Cevasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

16. AUTHORIZATION TO SEND OUT BIDS, RFQ'S & RFP'S

a. Tandem Jet Vac Truck (Replacement for Unit V522)

Director Specht advised, "This is authorization to send out the Tandem Jet Vac Truck Replacement for Unit V522."

Comm. Fozman asked, "These trucks take about eight to twelve months to order?"

Director Specht advised, "That is correct, if we get authorization from the Board to proceed tonight we would advertise by June or July of this year and we would award in August and probably early next year we would have the truck on site."

Comm. Fozman asked, "If we did it could we accept the truck in May so it will be on next year's budget?"

Director Specht advised, "I can see how it shakes out but I need to get the quote."

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

AYES: Comm. Cevasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

b. The Brick Reservoir Regular Dam Inspection

Director Specht advised, "This is for the Brick Reservoir Regular Dam Inspection that we perform every two years. We are looking to issue an RFP with six of our consultants and I will bring this back to the Board once the proposal is submitted."

Comm. Fozman asked, "Are we going to have that repair on that tunnel fixed before this inspection?"

Director Specht advised that we will not.

Comm. Fozman asked, "Are we going to fail the inspection if we have a leak in that the tunnel? Is that going to effect our inspection?"

Director Specht replied, "They will go down there and they will acknowledge that we still have a leak in the tunnel like we did last year or two years ago and we will proceed. I did get the design drawings in from our consultant. The anticipated repair and I will get authorization to proceed with that at the Construction Committee hopefully next month. We will not fail for that. It's not a structural defect in the tunnel."

Comm. Bottazzi asked, "We go out to bids with the engineers that we have that have submitted applications with us. What about our engineer here? Did he ever have the job of inspecting it before or does he work with those who we appoint?"

Director Specht advised, "Mr. Truhan never performed the inspection at the Reservoir. We send it out to all of our consultants and obviously we will send it out to Mr. Truhan. It is a specialty type inspection and certainly if Mr. Truhan has those capabilities there is no reason why we couldn't award that to him."

Comm. Bottazzi stated, "I was just wondering if he didn't have the job does he not give his input on the inspection and so forth and the results of it. I somehow recall that we seeked him out to check out our inspection a few years back."

Director Specht advised, "Not at the Reservoir."

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

AYES: Comm. Cevalco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

17. ADOPTION OF REPORTS

Comm. Veni made a motion to adopt the reports. Seconded by Comm. Fozman

AYES: Comm. Cevalco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

18. ADOPTION OF PERSONNEL ACTIONS - NONE

19. OLD BUSINESS

20. NEW BUSINESS

CDL Loan

Mr. Holman stated, "I am not sure whether it is old or new, but Mr. Planko had mentioned earlier about the CDL Loan that we put in with FEMA. I think that stands for Community Disaster Loan and we did a lot of the details that went into that. We had a good meeting and it was attended by the Finance Committee and some of your professionals here. I think the MUA ought to qualify for the maximum \$5 million loan. The interest rate is less than 1% and we are hopeful that they will eventually grant some of that loan and we ultimately won't have to repay it. I just wanted everyone to be aware of that. The application is May 15th so we are well aware of that ahead of time. I also attended the EPA meeting attended by that gentleman. My input Mr. Chairman is that he said he was going to retire soon I asked him if next week. He was a little offended by that. (Laughter). I agree with Counselor and Frank Planko so far. I am not sure that he is in a position to be where he thinks he is but I'm sure Mr. Dasti will ferret that out soon."

Commendation for Businesses that Assisted During the Hurricane

Chairman Cartine advised, "I have some new business. During the storm we had some benefactors who fed our people, some restaurants who stepped up to the plate and provided our staff that was working during the storm. I would like to actually send some sort of thank you out to these people for their generosity. I have a list of all the restaurants that supplied us with food: Quaker Steak & Lube, McDonalds on Chambers Bridge Road, Via Roma Pizza on Route 88, Buffalo Wild Wings, Brick House Grill, and Shop Rite. Shop Rite sent up a whole platter of sandwiches on the first day of the storm. I'd like to get a feel for the Board on what you would like to do just to note that these people helped out during the storm."

Comm. Veni suggested, "Why don't we give them plaques like Brick Township did to the other agencies."

Chairman Cartine stated, "For your information there was an awards dinner at which we received an award from the Township. There were a lot of restaurants that were also given out resolutions by the Township as to their generosity. I think we can do the same on our behalf and I am looking at a resolution per say to each one of these restaurants and we can do that easy enough. Is there any objection to doing that?"

Comm. Veni stated, "You know what would be nice? A resolution is nice but a plaque they can put it in their business to show that they were contributing to the help during the storm."

Chairman Cartine stated, "I think they would enjoy that plaque to display. There are six of them and it is going to cost us a few bucks. I have no idea what it would be. Does anybody have any objections? There are six. It's ok to go with that."

Comm. Veni made a motion to go with the plaques and the resolutions. Seconded by Comm Fozman who stated he agrees with Commissioner Veni that the plaque would make a nice presentation for the people in the town to see that the MUA was thankful for what they did."

Mr. Holman added, "Maybe a not to exceed amount."

Comm. Veni stated, "Let's go \$600 just to be on the safe side."

Chairman Cartine asked, "Can we spend \$600?"

AYES: Comm. Bottazzi, Cevasco, Fozman, Veni, Cartine
NAYES: None
ABSTAIN: None

20.1 Requests to Utilize Reservoir

- a.** Hazel Samuels of Living Word Christian Fellowship.
Second Annual Walk-a-Thon for St. Jude Children's Research Hospital
Saturday, June 8, 2013, 7:00 a.m. Approximately 125 participants. They will provide a certificate of insurance as required once the request is confirmed.

Director Specht advised, "This is a request by Hazel Samuels of the Living Word Christian Fellowship for the second annual Walk a Thon for St. Jude's Children's' Research Hospital, Saturday June 8' 2013 to take place at 7:00 a.m. There will be about 125 participants and they will provide a certificate of insurance as required once the request is confirmed."

Comm. Fozman asked, "On the application, it says if they are approved I heard some thing that in the past they have left garbage do they get a standard sheet to say these are the rules of the Reservoir?"

Ms Sylvester advised, "We can staple a copy of the rules to the permit when it goes back."

Comm. Fozman stated, "Well just so they know it."

Chairman Cartine stated, "They do get a set of rules when they complete the application."

Comm. Cevasco made a motion to approve this action. Seconded by Comm. Fozman

AYES: Comm. Cevasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

- b.** Mrs. Spector of Bnos Melech of Lakewood. They are requesting use of the reservoir site for an end of year field trip to take place on Thursday, May 30, 2013, 9:00 a.m. – 1:00 p.m. Approximately 200 participants. They have been told they must provide a certificate of insurance prior to the event if the request is confirmed.

Director Specht advised, "The request was put in by a Mrs. Spector of Bnos Melech of Lakewood. They are requesting use of the Reservoir site for an end of the year field trip to take place on May 30' 2013 from 9:00 a.m. to 1:00 p.m. for approximately 200 participants. They have been informed that they have to provide a certificate of insurance if the event is approved by the Board. I made a call to Ms. Spector on April 18th to get a little more information from her about what they would be doing up at the Reservoir. Like I said it is the end of the year field trip for grades 4 to 8 girls. They will have supervision. They will have appropriate chaperones up there. They will probably set up a few tables on each of the observation decks for them. They don't anticipate having lunch up there and they are familiar with our rules and regulations and are required to clean up when they leave."

Comm. Veni asked, "What are the tables for?"

Director Specht replied, "They are going to give out sunglasses to the kids, little gifts for the kids up there is what that is for. They will provide the tables and knock down everything and they will provide the appropriate insurance certificate. I informed them also that they have to park the buses at the Trinity Church because that is where we direct all the buses since that parking lot is bigger. This is a Thursday so it should not impact any activities at the church itself. Ms. Spector is familiar with our rules and regulations so I did talk to her about that."

Chairman Cartine stated, "Because we had an experience last year and what happened was not this group incidentally, I asked Director Specht to make that phone call to let this woman know exactly what our rules are and that they must comply by those rules. I am satisfied that she has the correct understanding and so.."

Comm. Fozman asked, "I am just curious how many employees we have up there when they have functions like this?"

Director Specht advised, "We will have our standard amount up there. Probably four we would have up there. If there is any incidents, if they do not respect the site we will note that and that word will come back to the executive staff and if they apply for it next year we will have some more concerns. We do make note of that."

Comm. Bottazzi asked, "This group was never here before?"

Director Specht replied, "This is their first time here."

Comm. Bottazzi continued, "Because we did have a problem with a group of 200 from Lakewood."

Director Specht advised "They came unannounced. They didn't follow the proper procedures of submitting an application. I do not believe this is them."

Comm. Bottazzi advised, "Because they were very bad, but you are saying this is not them and these are young ladies?"

Director Specht replied "Not that I am aware of. They are fourth grade to eighth grade girls."

Comm. Fozman made a motion to approve this action. Seconded by Comm. Cevalco

AYES: Comm. Cevalco, Fozman, Bottazzi, Veni, Cartine

NAYES: None

ABSTAIN: None

20.2 Hurricane Sandy Customer Credit Policy - Exempt

Counselor Dasti advised, "Mr. Chairman you need to vote on the policy that was discussed in exempt with regard to extending the customer credit policy."

Comm. Bottazzi made a motion to approve this action. Seconded by Comm. Cevalasco

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

21. RESOLUTIONS

32-13 Resolution awarding contracts to the three (3) lowest responsible bidders for periodic electrical work on behalf of the Brick Township Municipal Utilities Authority

Director Planko advised, "As I mentioned earlier this resolution is for the periodic electrical bid that was advertised on March 7, 2013 and opened on March 20th. We issued 20 specifications and we got five bids in return. One of the bids was found to have to be rejected for a prevailing wage issue. Out of the four remaining Sun Electric, Kubiak and Pro Maintenance were selected as the lowest bidders. I reviewed it with the Construction Committee and they found it satisfactory."

Comm. Veni made a motion to adopt Resolution 32-13. Seconded by Comm. Cevalasco

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

33-13 A Resolution appointing a Fund Commissioner and Alternate to the New Jersey Utility Authorities Joint Insurance Fund

Director Planko advised, "This Resolution is for the appointment of a the Fund Commissioners of the JIF which is basically the contact persons. One of the fund commissioners is Lisa Lau who has significant and contact experience with the JIF and the other commissioner is myself."

Comm. Veni made a motion to adopt Resolution 33-13.

Comm. Cevalasco stated, "Before we vote I have a question. This was discussed in the Finance Committee and the Committee thought that this position would be best served as the initial fund commissioner should be at a director level and we had requested that Director Planko be the direct contact with the JIF."

Chairman Cartine replied, "That is all well and said but I have a resolution right now 33-13 and we will vote on that resolution. We have a motion and a second can I have roll call please."

Ms. Sylvester advised that we needed a second."

Comm. Veni advised that he made a motion. Comm. Bottazzi seconded the motion.

Comm. Bottazzi stated, "Excuse me protocol is that he should wait for the second and then there is a question on the motion then you make your statement."

Chairman Cartine stated, "He already asked his question. We have a motion and a second can we have a roll call please."

AYES: Comm. Bottazzi, Veni, Cartine
NAYES: Comm. Cevasco, Fozman
ABSTAIN: None

34-13 A Resolution Authorizing Amendment No. 1 to the Shared Services Agreement with the Borough of Bay Head for Design and Construction Management Services for the Route 35 Sewer Lateral Clean-Out Installation Project in the Borough of Bay Head to transfer the remaining funds in the amount of \$42,378.00 to the Rt. 35 Reconstruction project

Director Specht advised, "This is a resolution authorizing Amendment No. 1 to the Shared Services Agreement with the Borough of Bay Head for Design and Construction Management Services for the Route 35 Sewer Lateral Clean-Out Installation Project in the Borough of Bay Head to transfer the remaining funds in the amount of \$42,378.00 to the Rt. 35 Reconstruction project as discussed earlier."

Comm. Cevasco made a motion to adopt Resolution 34-13. Seconded by Comm. Fozman

AYES: Comm. Cevasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

35-13 A Resolution Authorizing Task Order No. 5 between the Brick Township Municipal Utilities Authority and CH2M HILL for a Decrease in the Contract Amount by \$8,575.00 for Contract No. 708003 – New ASR Replacement Well No. 15A (formerly Well 15)

Director Specht advised, "As discussed earlier in the meeting a A Resolution Authorizing Task Order No. 5 between the Brick Township Municipal Utilities Authority and CH2M HILL for a Decrease in the Contract Amount by \$8,575.00. The Contract No. 708003 – New ASR Replacement Well No. 15A (formerly Well 15)."

Comm. Veni made a motion to adopt Resolution 35-13. Seconded by Comm. Fozman

AYES: Comm. Cevasco, Fozman, Bottazzi, Veni, Cartine
NAYES: None
ABSTAIN: None

36-13 Award of a Public Contract to HD Supply Water Works for 2013 Sensus Metering Equipment and Appurtenances in the amount of \$44,635.00 Capital Project No. 610006

Director Pannucci advised, "Resolution 36-13 Award of a bid to HD Supply Water Works for 2013 Sensus Metering Equipment and Appurtenances in the amount of \$44,635.00 under Project No.

61006.”

Comm. Bottazzi made a motion to adopt Resolution 36-13. Seconded by Comm. Fozman

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine

NAYES: None

ABSTAIN: None

Emergency Management Coordinator Position Stipend

Comm. Cevalasco asked, “I would like to make a motion that the position of Emergency Management Coordinator be riced.”

Chairman Cartine asked, “You have a motion on the floor. Is there a second?”

Comm. Fozman stated, “I would like an opinion of the attorney.”

Counselor Dasti advised, “Mr. Fozman I am sorry as I discussed with you briefly I feel uncomfortable giving you an opinion only because I don’t know exactly what this complaint is and I suspect that the complaint deals more with you being a Councilperson than a commissioners so my suggestion would be that you err on the side of caution. Because if you are found guilty of an ethical violation for what has already been in the complaint you are going to double it by continuing this evening. That is the best I can tell you without having read the complaint and only having the voicemail from the Township Attorney that I shared with you.”

Comm. Fozman advised, “I haven’t seen any complaint either.”

Counselor Dasti replied, “I understand but apparently it is verified. Ms. Cipriani gave me the docket number so there is such a thing.”

Comm. Fozman replied, “But I never received anything”

Chairman Cartine stated, “We have a motion on the Floor. Is there a second?”

After several moments, Chairman Cartine struck the gavel and advised hearing no seconds the motion is denied.”

22. PUBLIC DISCUSSION

At this time in the meeting Chairman Cartine opened up the meeting to the public. In order to provide all necessary information to the Authority and to provide sufficient time for members of the public to speak, each member of the public will be limited to five minutes and should provide their name and address.

Ms. Marilyn Lago asked, “You had mentioned earlier that in 2013 the EPA comes down here and tells you that you are doing things all wrong. What do you think the impact on the rate is going to be? Up or down?”

Chairman Cartine replied, "I think for some people it might go down, and for some people it might go up and some people may stay the same. It is like the taxes. We don't know. We can't give you an answer on that until we research it even more. Initially that is what I have been told."

Ms Lago continued, "And you think this whole thing is going to take many months to ..."

Chairman Cartine advised, "I think it might take some time to get resolved."

Ms. Lago commented, "The other thing is you talked about doing some beautifying to Brick Plaza. I would like you to keep something in mind..."

Chairman Cartine advised, "Just a second. It is really not for beautification. It is actually to command a place for storm water to run off rather than running off into the streets. Beautification is sort of like a secondary thing that might appear to some people. Beauty is in the eyes of the beholder."

Ms. Lago continued, "Well you mentioned islands and tress that is beautifying the area right?"

Chairman Cartine replied, "Yeah but that is not the purpose. The purpose is to have storm water go back into the soil."

Chairman Cartine stated, "At this time I would like to recognize two former Councilmen. We have former Councilman Brian DeLuca and former Councilman John Catalano. Any comments from our professionals? We will go around the table beginning with you Frank."

Mr. Holman advised, "Nothing Further Mr. Chairman.:

Director Planko advised, "Nothing further Mr. Chairman."

Mr. Truhan advised, "Just for your knowledge I have held discussions with Mr. Holman concerning the rate design issue and we are going to continue those discussions to arrive at a working solution."

Director Pannucci advised he had nothing further to report

Director Maggio advised he had nothing further to report.

Director Specht advised he had nothing further to report.

Counselor Dasti advised he had nothing further to report.

Ms. Sylvester advised if anyone has any questions about their financial disclosure forms to give her a call.

Comm. Cevasco advised he had nothing further to discuss.

Comm. Bottazzi asked, "On the Rice letter if Comm. Fozman gets an opinion that it is okay we can bring this matter up again next month?"

Counselor Dasti replied, "That is correct."

Comm. Bottazzi replied, "Or finds out that maybe he has to make the vote before he can say no you shouldn't have."

Counselor Dasti replied, "Well to answer your first question, yes if you get an opinion that says there is no issue then he certainly has the right to vote. Absolutely. He can vote if he wants to just to chance it but I can't comment."

Comm. Bottazzi stated, "Well he could have voted. He's not going to get locked up or discredited or taken down. I think Counselor you I don't want to say you stuck it to him."

Comm. Fozman stated, "I need your opinion in writing for this. You should research it for me. You are here to protect me."

Counselor Dasti advised, "With the Authority's approval I will get the complaint and I will get back to you sure."

Chairman Cartine stated, "Not a problem."

Comm. Bottazzi stated, "I am very disappointed in the fact that it has been shown that he shouldn't be getting paid..."

Counselor Dasti interrupted, "Let's stop there."

Chairman Cartine stated, "You are out of order. You can't discuss that."

Comm. Fozman stated, "What we need is a professional opinion from the Attorney. I Make a motion that we get a professional opinion from the Attorney and I would like someone to second it"

Seconded by Comm. Cevalasco.

Comm. Fozman stated, "Can we take a vote on it. We have a second. Can we take a vote? Is that right Mr. attorney?"

Chairman Cartine stated, "The meeting is still open so I see no reason why we can't vote on it. What is the motion?"

Counselor Dasti stated, "As I understand it the motion is to authorize our office to look into the complaint that has been filed against the Commissioner to determine whether it would preclude him from voting as a commissioner."

Chairman Cartine asked, "We have a motion?"

Comm. Fozman stated, "And a second."

Chairman Cartine asked, "Who made the motion?"

Comm. Fozman stated, "I did."

Comm. Cevalasco stated, "And I seconded it."

Chairman Cartine stated, "You don't have to be so aggressive. We know you did. Ok you seconded it. Roll call please."

AYES: Comm. Cevalasco, Fozman, Bottazzi, Veni, Cartine

NAYES: None

ABSTAIN: None

Comm. Cevalasco stated, "I have one more question. At the DCA who do you file a complaint or ethics violation with?"

Counselor Dasti replied, "You file it with the Local Finance Board."

23. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF

24. CLOSING STATEMENT

The next Public Meeting of the Authority will occur on Monday, May 20, 2013. All regular public meetings take place in the Main Conference Room of the Authority's Administration Building located at 1551 Highway 88 West.

25. ADJOURNMENT

There being no further business to discuss the meeting adjourned at 9:09 pm.

Respectfully submitted,



Patrick L. Bottazzi, Authority Secretary

PLB/mas