

**Minutes of a Meeting of  
The Brick Township Municipal Utilities Authority  
April 28, 2014**

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

Vice Chairman Fozman lead the group in reciting the Pledge of Allegiance.

Vice Chairman Fozman stated, "Tonight we are short a few commissioners. Comm. Cartine is out. Mr. McBride is out and George Cevasco went into the hospital on Sunday night so I hope everything works out for him."

**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 12, 2014 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

James Fozman  
Tom Curtis  
Joseph M. Veni  
James Bayard

Members Absent

George Cevasco  
Allan E. Cartine  
Ed McBride

Also Present

Stephen T. Specht, PE, Dep ED/Dir Engr/Ops  
Frank Planko, CFO  
Joseph Maggio, PE, Dir. Water Quality  
Gary Vaccaro, Dir. Compliance, Safety & GIS  
Marie Sylvester, Exec. Supervisor  
Nicholas Montenegro, Esq., Authority Counsel  
Chris Theodos, PE, Authority Engineer  
Chuck Fallon, Authority Auditor

Ms. Sylvester advised Vice Chairman Fozman that there is a quorum with which to conduct the meeting and that in Commissioner Cartine's absence, Commissioner Bayard will be voting as the Alternate.

**4. EXEMPT SESSION**

*(Personnel, Contracts & Potential Litigation Only)*

Vice Chairman Fozman advised that the group would like to enter exempt session.

Counselor Montenegro advised, "Let the record reflect the purpose of the executive session is to discuss personnel, contracts, potential litigation and that the result of executive session would become public when and if the need for confidentiality no longer exists."

Motion by Comm. Veni. Second by Comm. Bayard

AYES: Commissioner Veni, Curtis, Bayard, Vice Chairman Fozman  
NAYS: None  
ABSTAIN: None

At this point in the meeting, 7:05 p.m. the group entered exempt session

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

Back in open session, Vice Chairman Fozman advised, "We are going to skip over to Resolutions and we are going to do Resolution 46-14, 47-14 and 48-14 and we are going to vote on each one individually."

**5. Directors' Reports Review/ Adoption of Reports**

- a. James F. Lacey, CPWM, Executive Director
- b. Stephen T. Specht, PE, Director of Engineering/Operations

Director Specht advised, "I will do 5a and 5b at the same time I would appreciate that. As I promised you last month where I had no items on the agenda I have numerous items on the agenda this month. The majority of the items in my report were discussed at the Construction Committee Meeting and I would prefer if we could discuss them when we get to them during the agenda if that is ok. The only thing that cropped up was with our FEMA money for the pump stations. We originally were allocated about \$325,000 from FEMA for the six pump stations that were flooded to do the repairs. Through negotiations with FEMA I got that number up to \$1.15 million so we will move ahead with wrapping up the design on those pump stations. It won't pay for everything, but it is a good chunk of the money so I wanted to bring that up to the Board. It still has to be approved by the Federal Government but it looks like we are moving in the right direction. "

- c. Frank Planko, Chief Financial Officer

Director Planko advised, "I have four resolutions on the agenda this evening. One of those pertains to our borrowing. To give the Board an update on the borrowing. We did a competitive bid on April 16<sup>th</sup>. We got a rate of .0399, less than 40 basis points which were way less than any of us anticipated and we expect to close on that borrowing this Weds the 30<sup>th</sup>. We did very well with the competitive bidding. Also as I mentioned in my monthly report that the Division of Local Government Services adopted our 14/15 budget on April 4."

- d. Joseph Maggio, PE, Director of Water Quality

Director Maggio advised, "This month we have one item on the agenda. The purchase of a laboratory dishwasher. We did have a number of items we talked about with various committees

including progress being made on our card access system which was discussed with the Security Committee and we expect to bring that back to the Board in May. With the Watershed Committee we discussed various issues and did mention that we received four proposals from our engineers for the design and construction oversight of one of our watershed management projects in Howell.”

- e. Frank Pannucci, Jr., Director of Customer Accounts
- f. Gary Vaccaro, Director Compliance, Safety & GIS

Director Vaccaro stated, “We have one item on the agenda which is the authorization to send out RFP’s for the Asset Management. A couple of things that we talked about with the Finance Committee was employee drug and alcohol testing policy which was being revised which I have the labor counsel looking at as well as the medical reimbursement proceedings for all CDL employees.”

**6. Commissioner Committee Reports**

Vice Chairman Fozman stated, “We are going to skip the Commissioner Committee Reports for today.”

- a. Construction & Grounds – *Comm. Curtis*
- b. Alternate Water, Energy Source & Reservoir – *Comm. Cartine*
- c. Business, Finance & Personnel Committee – *Comm. Cevalasco*
- d. Rate Committee – *Comm. Curtis*
- e. Watershed – *Comm. Fozman*
- f. Hazmat – *Comm. Curtis*
- g. Security – *Chairman Cevalasco*

**7. APPROVAL OF MINUTES**

March 24, 2014

Comm. Veni made a motion to adopt the meeting minutes. Seconded by Comm. Curtis.

AYES: Comm. Veni, Curtis, Bayard, Fozman  
NAYES: None  
ABSTAIN: None

**8. CORRESPONDENCE** - None

**10. APPROVAL OF BILL RESOLUTION** – *Comm. Veni*

Comm. Veni read the Bill Resolution dated April 28, 2014 in the total amount of \$2,386,558.75 as follows:

Total Operating Vouchers:	\$	320,395.69
Total Payroll:		1,895,591.28
Total Capital Vouchers:		165,571.36
Escrow:		5,000.42
Total Bill Resolution	\$	2,386,558.75

Comm. Curtis made a motion to approve the Bill Resolution. Seconded by Comm. Bayard

AYES: Comm. Veni, Curtis, Bayard, Fozman  
NAYES: None  
ABSTAIN: None

**11. TREASURER'S REPORT – Commissioner Cartine**

Comm. Curtis read the Treasurer's Report balances for the month ending February 28, 2014 as follows:

**Unrestricted Funds:**

Total Revenue Funds:	\$	12,378,665.33
Total General Funds:		3,202,007.52
Total Unrestricted Funds:		15,580,672.85

**Restricted Funds:**

Rate Projection Maintenance Fund:	795,236.00
Working Capital Fund:	462,854.21
NJEIT Processing Fund:	3,478,954.82
Total Bond Funds:	10,108,139.81
Total Other Restricted Funds:	1,288,112.35
Total Restricted Funds	16,133,297.19
Total of All Fund Accounts:	31,713,970.04

Comm. Veni made a motion to approve the Treasurer's Report. Seconded by Comm. Bayard

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

Vice Chairman Fozman asked, "Mr. Specht on the escrow fund on the old accounts are we still working on them?"

Director Specht replied, "We are working very hard to get them down Mr. Chairman."

**11. DEVELOPER APPLICATIONS**

11.1 Preliminary Applications - No Further Action Required - NONE

11.2 Other Applications

2146 545 Brick Blvd., LLC, Preliminary Major Subdivision – Fortunoff  
Backyard Store, 545 Brick Blvd., Preliminary, 2 Commercial

Comm. Curtis stated, "This is an application for addition to an existing building at 545 Brick Blvd., Fortunoff Backyard Store. It is just for a tie in to an existing water main. It is an addition to the old Bank of America Building."

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

### 11.3 Release of Performance Bonds

1748 Ocean Medical Center, East Wing – The Medical Center of Ocean County, 425 Jack Martin Blvd.

Director Specht advised, "This is developer application NO. 1748 the Medical Center of Ocean County East Wing, 425 Jack Martin Blvd. The services and water mains as well as sewer mains were put in service back in 2003. The only outstanding item on this would be to televise the sewer mains which we will schedule next month and I will recommend upon complete testing and video inspection of those lines. I would recommend that the performance bond be released and the maintenance bond be waived since the system has been in operation since 2003."

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

## 12. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

## 13. CUSTOMER ACCOUNTS RECONCILIATIONS

Director Planko advised that we have a quite lengthy listing of Customer Accounts Reconciliations and reviewed each one separately for a vote.

Vice Chairman Fozman asked, "On all of these here, is this the first time? Is that how we usually do it you get one time that if something happens?"

Director Planko replied, "Each one of these is a onetime water/sewer credit. Yes."

- a. Account 23011409, 800 Jenny Court, Susanne Bannon. A one-time water/sewer credit is recommended in the amount of \$454.68 due to a running toilet. The quarter in question rose to 88,000 gallons while the average usage is 17,000 gallons. All repairs have been made and verified and the meter is in proper working order.

Comm. Curtis made a motion to approve this action. Seconded by Comm. Bayard.

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- b. Account 14540000, 512 Carroll Fox Road, Stephen Swensen. A sewer credit is recommended in the amount of \$1,738.15 due to broken pipes and a broken hot water heater in a vacant home. The quarter in question rose to 273,000 gallons while the average usage is 8,000 gallons. All repairs have been made, a new hot water heater was installed and the meter is in proper working order.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- c. Account 5599208, 47 Perry Drive, Frederick Petrozziello. A sewer credit is recommended in the amount of \$422.75 due to a frozen frost plate and broken pipe in the crawl space. The quarter in question rose to 77,000 gallons while the average usage is 4,000 gallons. All repairs have been made and verified and the meter is in proper working order.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- d. Account 6836001, 88 Captains Drive, Jersey Shore Fry LLC. A sewer credit is recommended in the amount of \$576.25 due to a frozen frost plate and broken pipes in the crawl space. The quarter in question rose to 100,000 gallons while the average usage is 5,000 gallons. All repairs have been made and verified and the meter is in proper working order.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- e. Account 4985618, 61 Rochester Drive, Robert Patterson. A sewer credit is recommended in the amount of \$738.50 due to a frozen frost plate and broken pipe in the crawl space. The quarter in question rose to 123,000 gallons while the average usage is 1,000 gallons. All repairs have been made and verified and the meter is in proper working order.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- f. Account 5410404, 30 Toronto Drive, Richard Pinto. A sewer credit is recommended in the amount of \$402.75 due to broken pipes in the home. The quarter in question rose to 76,000 gallons while the average usage is 3,000 gallons. Our serviceman saw water coming out of the vacant home. This home is vacant and will be demolished because of Superstorm Sandy. We will inactivate the account once the homeowner submits appropriate paperwork.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- g. Account 6181804, 2 Spark Drive West, John Gimblett. A sewer credit is recommended in the amount of \$432.00 due to a broken pipe in the crawl space. The quarter in question rose to 82,000 gallons while the average usage is 18,000 gallons. All repairs have been made and verified and the meter is in proper working order.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- h. Account 6966408, 156 Royal Drive, Phil Trebour. Recommendation to remove four quarters of flat rate charges in the amount of \$451.80 due to Superstorm Sandy per our policy. There has been zero usage since the Fall of 2012 and all appropriate paperwork has been submitted.

Comm. Bayard made a motion to approve this action. Seconded by Comm. Curtis.

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- i. Account 3570402, 327 Mantoloking Road, Jennifer Thompson. Recommendation to remove five quarters of flat rate charges due to Superstorm Sandy per our policy in the amount of \$564.75. There has been zero usage since the Summer of 2012 and all appropriate paperwork has been submitted.

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

AYES: Veni, Curtis, Bayard, Fozman

NAYS: None  
ABSTAIN: None

- j. Account 6777605, 128 Captains Drive, Jeffrey Alino. Recommendation to remove five quarters of flat rate charges due to Superstorm Sandy per our policy in the amount of \$564.75. There has been zero usage since the Fall of 2012 and all appropriate paperwork has been submitted.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- k. Account 3002409, 80 Mantoloking Road, Filomena Irons. Recommendation to remove four quarters of flat rate charges due to Superstorm Sandy per our policy in the amount of \$451.80. There has been zero usage since the beginning of January 2013. All appropriate paperwork has been submitted.

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

**14. CONTRACT CLOSE-OUTS - NONE**

**15. AUTHORIZATION TO EXPEND APPROVED FUNDS**

- a. **Installation of New Conduit and Wiring for the Grinders at the Drum Point Road and Riverside Drive Wastewater Pump Stations**  
Vendor: Gary Kubiak and Son Electric, Inc.  
Amount: \$17,700.70  
Funding Source: Superstorm Sandy Account No. 1280

Director Specht advised, "The first one is the installation of new conduit and wiring for the grinders at the Drum Point Road and Riverside Drive Wastewater Pump Station. The selected vendor is Gary Kubiak and Son Electric for a total amount of \$17,700.70 and this will be reimbursed under Super Storm Sandy Account No. 1280."

Comm. Veni asked, "What was the next highest?"

Director Specht replied, "\$34,000 by Sun Electric. Pro Maintenance did not provide a bid."

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None



**b. Purchase of Two (2) New Vivax–Metrotech VM-810 Line Locators for the Utility Mark-Out/Leak Detection Program**

Vendor: Pollard Water

Amount: \$6,837.50

Funding Source: Capital Project No. 709004 – Leak Detection

Director Specht advised, “This is the purchase of two new Vivax Betroth VM-810 Line Locators for the utility mark out leak detection program. We received three quotes and Pollard Water was the lowest bid at \$6,8037.50 . We will be using capital project No. 709004 our leak detection item under our capital budget. The existing line locators are 13 years old and they are not reliable so we recommend the purchase of these two new ones.”

Comm. Curtis made a motion to approve this action. Seconded by Comm. Bayard.

AYES: Veni, Curtis, Bayard, Fozman

NAYS: None

ABSTAIN: None

**c. Floor Replacement Materials – Operations Building/WTP Lab**

Vendor: To Be determined

Amount: Approximate \$4,500.00

Funding Source: Operating Accts. 900-00-8010 and 700-01-8010.

Director Specht advised, “This is the floor replacement materials for the Operations Building and the Water Treatment Plant Lab. The vendor is to be determined, and the approximate cost for the materials is \$4,500 under Operating Accounts 900801001 and 700-01-8010. The labor will be performed by our in house staff.”

Comm. Veni asked, “Why do you have to determine the vendor? You couldn’t go out for bid yet?”

Director Specht replied, “We are looking at certain tiles, either a 6x6 quarry tile, and if they are not available we will go with at 12 x 12 porcelain tile, but we want to match what we have. We have not actually purchased them yet but we anticipate spending about \$4,500 in materials.”

Comm. Veni asked, “Ok but are you going to go out for three quotes?”

Director Specht replied, “Yes we will get three quotes on it. Just want to let the Board know we are going to be spending this money.”

Comm. Veni asked, “Ok, but shouldn’t we vote next month as to who gets the job?”

Comm. Curtis stated, “It is only the purchase of the tile. Our people are putting the tile in. We are doing the labor, it is just the purchase of the tile.”

Director Specht replied, “Yes I would recommend we move ahead with this purchase.”

Comm. Curtis made a motion to approve this action. Seconded by Comm. Bayard.

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

**d. Purchase of Six (6) 24” high bollard style light fixtures for Compound Entrance**

Vendor: Warshauer Electric Supply

Amount: \$4,141.08 (total project cost to be \$5,500.00 for incidental supplies.)

Funding Source: Capital Project Nos. 704003 and 804-002

Director Specht advised, “Item 16d is the purchase of six 24” bollard style light fixtures for the compound entrance. At last month’s meeting the Board approved the LED light fixtures replacement of our high pressure sodium fixtures for our street lighting to make the entrance a little more visible at night. We are going to add these six bollards, three on each side. We did get three prices on this and Warshauer Electric Supply was the low bidder at \$4,141.08. Total project cost will be about \$5,500.00 since we need to install additional conduit wiring. The funding source is capital Project no. 704003 and 804002.”

Vice Chairman Fozman asked, “Are we doing the installation on this?”

Director Specht replied, “We will do the installation on this that is correct.”

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

**e. Purchase of Laboratory Dishwasher**

Vendor: Fisher Scientific

Amount: \$6,274.18

Funding Source: – Account 710036A – Water Quality Report

Director Maggio stated, “We are requesting authorization to expend approved funds to purchase a new laboratory dishwasher. The vendor is Fisher Scientific in the amount of \$6,274.18 and the account is 710036A. Our current dishwasher is 7 years old and we have been doing a lot of repairs that are wear and tear items on various components and we think it is reaching the end of its useful life.”

Comm. Curtis made a motion to approve this action. Seconded by Comm. Bayard.

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

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

a. Authorization to Proceed with the Design and Bidding (providing fund is designated) of

the Sanitary Sewer Main Replacement on Dickinson Road in Green Briar 1

Director Specht advised, "This is the authorization to proceed with design and bidding, providing funding is designated, of the Sanitary Sewer Main Replacement on Dickinson Road in Green Briar I. Currently we don't have any capital funding budgeted for this project. However, the existing main that is out there is about 550 feet of 8 inch ACP pipe which is showing excessive deterioration and infiltration. I would like to proceed with this design in house at minimal cost and then look for funding afterwards for that before I go out to bid. I obviously have the funds allocated by the Board of Commissioners. The estimated cost for this project is about \$350,000.00 and includes the three or four manholes, the piping itself and new service laterals to each house that is impacted at Green Briar I and curb to curb paving. So I recommend we proceed with the design and get the design complete and I will come back to the Board with at funding source so I can get this project on track . I would hate to have to go out there on an emergency basis to repair the line."

Comm. Bayard asked, "Approximately how many homes will this impact?"

Director Specht replied, "Approximately 20 homes."

Comm. Bayard made a motion to approve this action. Seconded by Comm. Curtis.

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

b. Authorization to Proceed with the Preliminary Design and to Enter into a Shared Services Agreement with the Township of Brick for Final Design, Bidding and Construction for the Water Main Upgrade on Winding River Lane

Director Specht advised, "This is the authorization to proceed with the preliminary design and enter into a shared services agreement with the Township of Brick for the Final Design, Bidding and Construction for the Water Main Upgrade on Winding River Lane. March 10<sup>th</sup> we received a letter from CME Associates indicating there would be extensive paving up in the Woodland valley area of the Township on Winding River Lane. We have an existing two inch water main that was installed twenty years ago. We have had a few failures in that main and it is recommended that we get that main up to current standards which would be a six inch ductile iron water main. There is approximately six homes that are impacted. We have done this previously with a shared services agreement with the Township on Fort Street, Glenwood and on Hoffman Street whereby they would manage the project for us and we would provide them design information and then we would reimburse the Township for that work. I would recommend we move ahead with this design."

Comm. Curtis made a motion to approve this action. Seconded by Comm. Bayard.

AYES: Veni, Curtis, Bayard  
NAYS: None  
ABSTAIN: Vice Chairman Fozman

- c. Authorization to send out RFPs for a GIS Based Asset Management System. Per prior approval by NJDCA Division of Local Government Services we will utilize a competitive contracting process to award the contract –

Director Vaccaro advised, “This is Authorization to send out RFP’s for a GIS Based Asset Management System. Per prior approval by NJDCA Division of Local Government Services, we will utilize a competitive contracting process to award the contract. As we discussed during the Finance Committee, we are at the stage now where we are ready to move ahead with this. This has been a major issue since I took over the GIS Department. Just as some background for everybody, since fall last year we have had four vendor demos. Director Maggio and I visited a local utility authority to look at their asset management solutions and recently with Director Maggio we formed a task force to identify individual department needs. Chairman Cevasco and Commissioner Fozman attended. Basically what we are looking for is a commercial off the shelf asset management software package which will integrate with our GIS System. There are two key components with this. As far as the asset management portion it is going to allow us to effectively identify and monitor our assets so we can cost effectively maintain them. The other part of this is that this will replace our DOS based computer maintenance management system, provide a user friendly format, and would generate service requests, work orders, linkage to GIS maps, documents, inventory management and working with our mobile iPads. The vendor is going to provide training and implementation. The other thing I just want you to consider with this is in addition to the cost effectiveness, there is a couple of things that NJDEP is going to start requiring permits that have an asset management inventory in the system. The other thing is the criteria for future funding requests are going to ask do you have an asset management system. As I said we have approval to go to competitive bid with this and will be based on technical and cost factors. I am finishing up the draft based on internal review. My goal is to have this out by the end of May with the vendor chosen and started by the end of the summer or fall of this year.”

Vice Chairman Fozman asked if there are any questions from any of the Commissioners.

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

AYES: Comm. Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

- d. Authorization to three price Replacement of Gas Boy Fuel Management System.

Director Specht advised, “16d Mr. Chairman is the authorization to three prices the replacement of our Gas Boy Fuel Management System under Project No. 914007. We have \$20,000.00 budgeted in this fiscal year. Our current system is 20 years old and it would dovetail nicely with the our asset management system and again we will three price this project.”

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

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

e. Authorization to go out to Bid for International Utility Bodies

Director Specht advised, "This is the authorization to go out to bid for International Utility Bodies, two vehicles to replace Vehicle V583 and V584, two separate project Numbers, Project No. 714002 and 814001. Both of these trucks are vintage 2000 with onboard compressors, power inverters and crane hoists. We will go out to bid on this . The estimated bid price for each utility body is \$115,000.00."

Vice Chairman Fozman asked, "And old vehicles are going to go on Gov.com?"

Director Specht replied, "Gov.com or we will use them in house and surplus other vehicles."

Comm. Curtis made a motion to approve this action. Seconded by Comm. Bayard

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

**17. ADOPTION OF PERSONNEL ACTIONS**

Comm. Veni made a motion to adopt the Personnel actions included in the Executive Directors Report. Seconded by Comm. Bayard

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

**18. OLD BUSINESS**

**19. NEW BUSINESS**

**19.1 Requests to Utilize Reservoir**

**20. RESOLUTIONS**

36-14 A Resolution Authorizing The Brick Township Municipal Utilities Authority to Eliminate the position of Director of Customer Accounts

Counselor Montenegro read Resolution No. 36-14 as follows: "Resolution Authorizing the Brick Township Municipal Utilities Authority to Eliminate the position of Director of Customer Accounts. WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority"), has determined that in the interests of economy and streamlining its operations that the position of Director of Customer Accounts is no longer necessary in assisting the Authority in carrying out its day to day functions in serving its ratepayers; and WHEREAS, the Authority has further determined that the duties and responsibilities of the Director of Customer Accounts position may be reassigned and absorbed by

other positions within the Authority's management infrastructure; and WHEREAS, as a result of this determination, the Authority will eliminate the position of Director of Customer Accounts; and NOW, THEREFORE, BE IT RESOLVED this 28<sup>th</sup> day of April 2014, by the Brick Township Municipal Utilities Authority as follows: 1. The position of "Director of Customer Accounts," is hereby eliminated effective immediately; and 2. The salaried position of Director of Customer Accounts shall be defunded through the Office of the Authority's Chief Financial Officer; and 3. The following responsibilities of the eliminated Director of Customer Accounts position shall be transferred and reassigned in the following manner as directed by the Authority: a. Responsibility of the Director of Accounts shall be transferred to the Department of Finance and b. Responsibility of metering review and controls will be transferred to the Department of Water Quality. 4. Frank Pannucci, Jr., who has held the position of Director of Customer Accounts, is hereby terminated from employment with the Brick Township Municipal Utilities Authority, inasmuch as Mr. Pannucci held that position which is now abolished in accordance with the intent of the within Resolution.

Comm. Bayard made a motion to adopt Resolution No. 36-14. Seconded by Comm. Curtis

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

38-14 A Resolution Authorizing a \$1.0 Million Donation to the Township of Brick In Order to Assist With The Township's Budgetary Issues

Director Planko advised, "Resolution 39-14 is for the authorization of a \$1 million donation to the Township of Brick in order to assist with the Township's budgetary issues. This is in reference to a letter received on March 24<sup>th</sup> from Business Administrator Joanne Bergin. I discussed this matter with the Finance Committee on April 17<sup>th</sup>. I just made a recommendation to this letter on the timing of the payments. I am recommending that the payments be of equal payments of \$333,000.00 On June 1<sup>st</sup>, August 1<sup>st</sup> and October 1<sup>st</sup>. And I spoke to the business administrator and she agreed so therefore we are ready to pass this resolution."

Comm. Curtis made a motion to adopt Resolution No. 38-14. Seconded by Comm. Bayard

AYES: Veni, Curtis, Bayard  
NAYS: None  
ABSTAIN: Vice Chairman Fozman

39-14 Resolution of The Brick Township Municipal Utilities Authority Concerning Review of the Findings of the Local Finance Board Made at a Meeting of Said Board on February 12, 2014 in Accordance with the Provisions of N.J.S.A. 40A:5A-7

Director Planko stated, "Yes earlier I mentioned to the Board about our success in our borrowing at the low interest rate that we got on this matter and that we will be closing on April 30<sup>th</sup>. Basically what this resolution is for is that the board concurs to the findings of the Local Finance Board. The findings of the Local Finance board were all

positive and just to tell you briefly what they were. They found that the conditions of the sale are reasonable. They also found that the project costs were determined by reasonable methods and they also found that funding wouldn't impose any unnecessary financial burden on the Authority. Based on the positive findings of the Local Finance Board I recommend that the Board pass this resolution concurring with those results."

Comm. Curtis made a motion to adopt Resolution No. 39-14. Seconded by Comm. Veni

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

40-14 A Resolution Memorializing the Execution of an Employment Contract for Gary F. Vaccaro, Director, Compliance, Safety & GIS

Counselor Montenegro advised, "Resolution 40-14 A Resolution Memorializing the Execution of an Employment Contract for Gary F. Vaccaro, Director, Compliance, and Safety & GIS. WHEREAS, Gary F. Vaccaro, is well-qualified for the position; and WHEREAS, the Authority wishes to enter into an Agreement that sets forth the terms and conditions of Mr. Vaccaro 's employment: NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY as follows: Gary Vaccaro is hereby employed as Director, Compliance, Safety & GIS commencing March 25, 2014 until March 31, 2019 subject to the terms and conditions as provided in the Agreement between the parties attached hereto. The Authority Chairman and Secretary are hereby authorized and directed to execute the Agreement with Mr. Vaccaro in the form attached hereto."

Comm. Veni made a motion to adopt Resolution No. 40-14. Seconded by Comm. Curtis.

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

Director Vaccaro asked if he could make a comment or wait until the end.

Vice Chairman Fozman advised Director Vaccaro that it was ok to comment.

Director Vaccaro stated, "I just wanted to take this opportunity to thank the Executive Director Lacey for recommending me and the Chairman and Commissioners for approving my promotion to director. Your confidence is greatly appreciated and I will continue to give my full efforts to the Authority as I have in the past eight years."

41-14 Resolution Accepting and Authorizing Execution of a Shared Services Agreement with the Township of Brick For Sign Shop Shared Service

Director Specht advised, "This resolution is for execution of a shared service agreement with the the Township of Brick for the Sign Shop Shared Services. Back in February I discussed this with Chairman Cevasco and Vice Chairman Fozman, developed an agreement which was reviewed by Mr. Montenegro. That agreement was forwarded to the Township of Brick back on March 31<sup>st</sup> to their attorney and the

Township approved the shared service agreement at their last meeting on April 15<sup>th</sup>. The Board just needs to adopt a resolution on our end so we can execute that agreement. And I would recommend approval of that.”

Comm. Curtis made a motion to adopt Resolution No. 41-14. Seconded by Comm. Veni

AYES: Veni, Curtis, Bayard  
NAYS: None  
ABSTAIN: Vice Chairman Fozman

42-14 A Resolution Authorizing Execution of an Agreement with the New Jersey Department of Transportation for the Monitoring and Maintenance Services in Connection with the Operation of Nine (9) Storm Water Pump Stations Associated with the Route 35 Reconstruction Project from Mile Post (MP) – 0 to MP – 12.9 in Ocean County

Director Specht advised, “42-14 is a resolution authorizing the execution of an agreement with the New Jersey Department of Transportation for the monitoring and maintenance services in connection with the operation of nine storm water pump stations associated with the Route 35 Reconstruction Project from Mile Post 0 to Mile Post 12.9 in Ocean County. I have been in touch with the DOT for probably the last nine months to get this thing executed. They have moved forward to agree to the execution. Mr. Montenegro has a few minor comments that he wants to address with the Deputy Attorney General Ms. Chung which will be addressed. What I have provided in my monthly report is the draft agreement and it will be modified accordingly, but this will allow us to sign this agreement. Once it is signed it will be forwarded to the DOT for their signature and I would recommend approval. Again this is a five year contract that will be renewed every five years.”

Vice Chairman Fozman asked, “With increments along the way?”

Director Specht replied, “It is for nine pump stations. There are two in Bay Head, two in Mantoloking, one in Toms River, three in Seaside Park, one in Berkeley and the first year of the agreement it is \$132,000 and we get 3% above that every year.”

Comm. Bayard made a motion to adopt Resolution No. 42-14. Seconded by Comm. Curtis

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

43-14 A Resolution appointing a Fund Commissioner and Alternate to the New Jersey Utility Authorities Joint Insurance Fund (NJUA JIF)

Director Planko advised, “Resolution 43-14 is for the Annual Resolution for the appointment of the Fund Commissioners for the NJUA JIF. Gary Vaccaro and myself discussed that and we recommended to the Finance Committee that Gary Vaccaro be appointed as the Fund Commissioner and that I would be appointed as the Alternate Commissioner. The Finance Committee agreed and that is what is reflected in this resolution.”



Comm. Veni made a motion to adopt Resolution No. 43-14. Seconded by Comm. Curtis

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

44-14 Acceptance of a BID from HD Supply Water Works for 2014 Sensus Metering Equipment and Appurtenances

Director Planko advised, "This is the annual bid for metering equipment. It was advertised on April 4<sup>th</sup>. There was only one bid received that was opened on April 15<sup>th</sup> from HD Supply Water Works. The total of the bid is \$61,450.00 and that is for 153 ¾ meters and 220 1 inch meter and two larger meters. This was reviewed by both the Finance Committee and Counsel and we are ready for approval on this meter bid."

Comm. Veni made a motion to adopt Resolution No. 44-14. Seconded by Comm. Curtis

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

45-14 A resolution ratifying a contract between The Brick Township Municipal Utilities Authority and the Field Employees Group (Local 32, OPEIU) Effective January 1, 2013 through December 31, 2016

Vice Chairman Fozman asked for a motion to table Resolution No. 45-14. Comm. Curtis made a motion to table Resolution No. 45-14. Seconded by Comm. Veni

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

46-14 A resolution ratifying a contract between The Brick Township Municipal Utilities Authority and the Supervisory Group effective January 1, 2013 through December 31, 2016

Comm. Veni made a motion to adopt Resolution No. 46-14. Seconded by Comm. Curtis

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

47-14 A resolution ratifying a contract between The Brick Township Municipal Utilities Authority and the Professional Group effective January 1, 2013 through December 31, 2016

Comm. Veni made a motion to adopt Resolution No. 47-14. Seconded by Comm. Bayard

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

48-14 A resolution ratifying a contract between The Brick Township Municipal Utilities Authority and the Office Technical Group effective January 1, 2013 through December 31, 2016

Comm. Veni made a motion to adopt Resolution No. 48-14. Seconded by Comm. Curtis

AYES: Veni, Curtis, Bayard, Fozman  
NAYS: None  
ABSTAIN: None

Vice Chairman Fozman opened up public discussion for any of the resolutions recently adopted.

Sharon Eastwick, Local 32 stated, "On 45-15 even though there were mistakes I think they are things that I will call them typos, they are things that were agreed to that didn't get to the new attorney or whatever and personally I would rather have the contract complete and accurate before you vote on it so we don't have to fight over things later on."

49-14 A Resolution memorializing the execution of an employment contract for Lisa Ana Lau, Cashier/Clerk Customer Accounts.

Counselor Montenegro Advised, "This resolution Mr. Chairman is A Resolution memorializing the Execution of an employment contract with Lisa Ana Lau, Cashier/Clerk Customer Accounts WHEREAS, The Brick Township Municipal Utilities Authority has a need for the services of a qualified person to perform the assigned function of Cashier/Clerk in the Customer Accounts Division; and WHEREAS, Lisa Ana Lau , is well-qualified for the position; and WHEREAS, the Authority wishes to enter into an Agreement that sets forth the terms and conditions of Ms. Lau's employment: NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY as follows: Lisa Ana Lau is hereby employed as Cashier/Clerk, Customer Accounts commencing on May 1, 2014 through April 30, 2015 subject to the terms and conditions as provided in the Agreement between the parties attached hereto. The Authority Chairman and Secretary are hereby authorized and directed to execute all necessary documents with Ms. Lau in the forms attached hereto. A copy of this resolution shall be provided to Ms. Lau. And that employment will begin when the employment agreement and other documentation are executed by her and the Authority."

Comm. Veni made a motion to adopt Resolution No. 49-14. Seconded by Comm. Bayard.

AYES: Veni, Curtis, Bayard  
NAYS: Vice Chairman Fozman  
ABSTAIN: None

**21. PUBLIC DISCUSSION**

At this point in the meeting, Vice Chairman Fozman opened up the meeting for public discussion.

Joe Kish expressed congratulations to Gary Vaccaro.

**22. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF**

Chris Theodos stated, "Mr. Chairman just regarding on going progress I have been working with your Director of Engineering Steve Specht and his staff to conduct inspections of the Authority's facilities which is done on an annual basis and we will be reflected in the annual report at the end of the year. I have also been working with Director Gary Vaccaro and his staff with respect to the tax maps for the Township which are in progress and currently under review."

Director Planko advised, "Auditor Chuck Fallon and myself talked about the audit and his timing and his availability. He will probably be starting on that audit in late May."

Comm. Bayard expressed congratulations to Gary Vaccaro.

Comm. Veni stated, "Congratulations to all the people who got promoted and have a good night and a safe one."

Vice Chairman Fozman stated, "Congratulations to all the people who got promoted, Congratulations Gary congratulations Mr. Kish. I would just like to say one thing. When I left here last month I got my tires slashed for the vote I made. I know that was a direct reference to that. They slashed three of my tires in my driveway. This is not the first time incidences have occurred to me. It is not going to stop me from voting my mind and doing what I have to do. It is not going to discourage me. I just want to let you know. And Thank everyone for coming out."

**23. CLOSING STATEMENT**

*The next Regular Public Meeting will occur on Monday, April 28, 2014. All regular public meetings begin at 7:00 p.m. in the Main Conference Room of the Authority's Administration Building located at 1551 Highway 88 West.*

**24. ADJOURNMENT**

On motion duly made and seconded and a vote in the majority the meeting was adjourned at 8:20 p.m.

Respectfully submitted,



Thomas Curtis  
Asst. Secretary/Treasurer