

Minutes of a Meeting of
The Brick Township Municipal Utilities Authority held on

November 23, 2015

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

2. OPENING STATEMENT

Following the salute to the flag, 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 7, 2015 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

Thomas C. Curtis
James Fozman
Allan E. Cartine
Gregory Flynn
George Cevasco

Absent

James Bayard

Also Present

Stephen T. Specht, PE
Joseph Maggio, PE
Frank Planko, CFO
Marie Sylvester
Ben Montenegro
Chuck Fallon
Chris Theodos

Absent

Jim Lacey

Ms. Sylvester advised that in Comm. Bayard's absence, Commissioner Flynn will be voting this evening.

4. Adoption of Directors' Reports

Chairman Cevasco called for a motion to adopt the Directors' Reports.

Comm. Cartine made a motion to adopt the Directors' Reports. Seconded by Comm. Fozman

AYES: Commissioners Flynn, Fozman, Curtis, Cartine, Cevasco
NAYS: None
ABSTAIN: None

5. APPROVAL OF MINUTES

Comm. Curtis made a motion to approve the minutes of the October 26, 2015 Exempt and

Regular meetings. Seconded by Comm. Fozman

AYES: Commissioners Flynn, Fozman, Curtis, Cartine, Cevalasco
NAYS: None
ABSTAIN: None

6. CORRESPONDENCE - None

7. APPROVAL OF BILL RESOLUTION - *Commissioner Bayard*

In Comm. Bayard's absence Comm. Curtis read the Bill Resolution dated November 23, 2015 in the total amount of \$4,031,879.6 as follows:

Total Operating Vouchers:	\$	2,349,458.58
Total Payroll:		1,128,631.38
Total Capital Vouchers:		552,789.48
Escrow:		1,000.12
Total Bill Resolution	\$	4,031,879.56

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

AYES: Commissioner Flynn, Fozman*, Curtis, Cartine, Cevalasco
NAYS: None
ABSTAIN: Comm. Fozman* Abstain on any items for Brick Township

8. TREASURER'S REPORT - *Commissioner Cartine*

Comm. Cartine read the Treasurer's Report balances for the month ending October 31, 2015 as follows:

Unrestricted Funds:

Total Revenue Funds:	\$	15,618,684.69
Total General Funds:		3,653,119.92
Total Unrestricted Funds:		19,271,804.61

Restricted Funds:

Rate Projection Maintenance Fund:		3,276,160.62
Working Capital Fund:		462,854.21
NJEIT Processing Fund:		848,443.50
Series 2014A Project Bonds:		362.89
Series 2015A Project Bonds:		6,934,625.51
Total Bond Funds:		13,236,745.33
Total Other Restricted Funds:		1,532,162.90
Total Restricted Funds		26,291,354.96
Total of All Fund Accounts:		45,563,159.57

Comm. Cartine made a motion to approve the Treasurer's Report. Seconded by Comm. Curtis

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

9. DEVELOPER APPLICATIONS

9.1 Preliminary Applications - No Further Action Required - NONE

9.2 Other Applications

2173 Carrabba's Italian Grill, LLC, Attn, Igor Bley, Amended Final Site Plan, Carrabba's Italian Grill Restaurant, Outdoor Patio Eating Area, Cedar Bridge Avenue, Preliminary, 1 Commercial

Director Specht advised, "We have one application tonight number 2173 for Carabbas Italian Grill for the Carabbas Restaurant located on Cedar Bridge Avenue for an outdoor patio eating area. It is a preliminary application and was reviewed at by the Construction Committee this month. The existing plan did not indicate the location of the six inch diameter ductile iron water main that passes where the proposed eating area will be so it is recommended that we relocate that or the applicant relocate that water main outside of the eating area. In the event there is a problem in the future we have to get in there to repair that main it is probably not a good idea to have it under an eating area so I would recommend that if this comes back for final approval with the relocation of the six inch water main as well as the extension of the 20' wide utility easement."

Chairman Cevalco asked, "Was that movement of that water main was that information given to the proposal that is coming in as part of your recommendation? Do they know about the move let's put it that way."

Director Specht replied, "The water main was not indicated on the drawings. We picked it up on our review, Mr. Allen did."

Comm. Cartine asked, "Just to verify my knowledge where is the eating area going to be located?"

Director Specht replied, "If you walk in the front door to the left there is a breezeway between the two buildings."

Comm. Flynn asked, "I guess the six inch goes down alongside the building and in at some point."

Director Specht advised, "That is correct it goes behind the building and the services come in through the building."

Comm. Flynn asked, "Does the easement come up to the building?"

Director Specht replied, "The easement does not come up to the building, but generally we come within five feet of the building."

Comm. Flynn asked, "Are they anticipating any structures in here or just tables?"

Director Specht advised, "Well tables and they are putting a patio in and I think they are putting a fence in there like a little wall. It would be a problem if we had an issue with the water main to get in there and repair that main so I think we ought to get it out of there."

Comm. Flynn asked, "So if they get it out of there you are saying they should get it out of there to a point where it can be serviced and not affect the eating area."

Director Specht replied, "That is correct and there is enough room to shift it out."

Comm. Cartine asked, "Isn't the water main now under the restaurant?"

Director Specht replied, "No it is outside of the restaurant. We have a right of way in between the buildings. I can show you on the plan it might be easier to see it."

Director Specht showed the Commissioners a plan that outlines the location of the building and the existing water main and advised that we will abandon this easement and get a new easement there.

Comm. Curtis stated, "That is the owner of the building, not Carrabbas. So there is going to be other issues."

Director Specht stated, "It doesn't behoove us to have a water main under an outside eating area if we had to get in there to fix the main. I don't recommend it."

Comm. Curtis made a motion to approve this application. Seconded by Comm. Flynn

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

9.3 Release of Performance Bonds - None

10. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

11. CUSTOMER ACCOUNTS RECONCILIATIONS

Director Planko presented the following credits for approval by the Commissioners.

One Time Credit

Account 4828010-0, 63 Pilot Dr. Edward Harrison. A One Time Credit is recommended in the amount of \$1,286.05 due to an unexplained usage. The actual usage was 217,000 gallons while the average usage is 39,000 gallons. The meter is in proper working order and no leaking toilets or other problems were found.

Sewer Credits

Account 14391207-0, 808 North Dr. Marangelli, A Sewer Credit is recommended in the amount of \$2,565.05 due to a broken sprinkler line valve. The actual usage was 400,000 gallons while the average usage is 95,000 gallons. The repair has been verified. The auxiliary meter is functioning properly.

Initial Service Charge Refund

Account 12572003-0, Wal-Mart Inc., 1872 Route 88. Total ISC fees of \$91,256.14 were collected with a total of \$43,794.62 associated charges. There is a refund of \$14,236.20 associated with the recent store expansion, and \$33,225.32 associated with original escrow over payment. Therefore, a total refund of \$47,461.52 is due and owing.

Comm. Cartine made a motion to approve the Customer Accounts Reconciliations. Seconded by Comm. Curtis

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

12. CONTRACT CLOSE-OUTS - NONE

13. AUTHORIZATION TO EXPEND APPROVED FUNDS

- a. Employee Intranet Software**
Amount: \$19,341.00
Vendor Interact Intranet
Funding Source: Account 910004

Director Maggio advised, "WE are requesting authorization to expend approved funds for the purchase of employee intranet software. The amount is \$19,341.00. The vendor is Interact Intranet, the funding source is Account 910004 and this software will be quite an upgrade to the current software that we use for our employee intranet and it will definitely enhance employee access to data information and forms in the day to day conduct of our work."

Comm. Flynn asked, "Just give me a little more understanding of what this thing does. What you have now versus what this is going to do."

Director Maggio advised, "If you go on the computer and you log onto our intranet it is almost like a web experience and employees have access to information such as financial information, current budget status and information regarding purchases and vendors. There is also, we were working to expand to include other departmental information forms that are generally used. I know the Health & Safety Department has access to our health and safety guidelines and health and safety information. That is just a small bit of the type of stuff that is accessible. There is a lot of custom programming that is involved in us getting that information onto this intranet for employee use. This new software package will greatly enhance the usability for employees without a lot of custom programming. Some of the things we have been discussing are in addition to bringing in the current information that is available on the intranet with IT

coordinating meetings with each department to find out what expanded information and usability they would like through the intranet and really working to implement that. I know for sure that the Health and Safety will want to give us even more information. We have been talking about just this morning in the planning meeting bringing up some lab and more water quality information for the Water Quality Department, Engineering, and our Executive Director to use and possibly implement and incorporate document management. Right now it is kind of a blank page, but this software will give us the ability to really add a lot more information that should make us more efficient on a day to day basis."

Comm. Flynn asked, "As opposed to GOOGLE Search?"

Director Maggio advised, "Well GOOGLE Search is good. This isn't replacing the internet. This is the intranet, in house network. You can go up now and a simple example is if you are doing a memo you can download our letterhead from the intranet and that is centralized letterhead that is a very simple example. Just MUA employees have access."

Comm. Cartine stated, "I don't know why you just didn't call it in house network. Intranet..."

Director Maggio advised, "That is the technical term but you are right it is an in-house network."

Comm. Cartine stated, "That's what everybody else uses. I don't know where you got the word INTRANET from?"

Chairman Cevasco stated, "That has been around as long as the internet has as far as I know."

Comm. Cartine stated, "Any company that I know of in house that I have been with call it in house networking."

Chairman Cevasco stated, "First Energy does."

Comm. Curtis added, "New Jersey Natural Gas does."

Comm. Cartine stated, "Well that shows you how backwards they are. And put that down in the record. I have no use for either one of those companies."

Comm. Flynn asked, "This is a non-bid item?"

Director Maggio advised, "No we did get three prices. This was the software package that we felt was both best tailored to our needs, but in addition to that it was the lowest price of all the intranet software packages we looked at..."

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

AYES:	Commissioner Flynn, Fozman, Curtis, Cartine, Cevasco
NAYS:	None
ABSTAIN:	None

b. Cables for Replacement of Well #11 MCC

Amount: \$11,763.94

Vendor Warshauer Electric

Funding Source: Account No. 799009B

Director Maggio advised, "This is the purchase of power cables for the replacement of the Well No. 11 MCC. The amount is \$11,763.94. The vendor is Warshauer Electric. The funding source is Account Number 799009B. Over the last several meetings we have been putting this project together, purchasing the MCC equipment. Last month we retained an electrical contractor support. We did get a survey. There is an easement that would bring these power cables from the street to Well No. 11. We did get a survey of that easement that allowed us to estimate the quantity of cable that we will need. There really should be the large piece of the puzzle with this project."

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

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevasco

NAYS: None

ABSTAIN: None

c. Flood Proofing Raw Water Pump House Sump Pump Power

Amount: \$11,400.00

Vendor Sun Electric

Funding Source: Account NJ-092 HM

Director Maggio advised, "The next item is flood proofing raw water pump house sump pump power. The amount is \$11,400.00 and the vendor is Sun Electric. The funding source is account Number NJ-092-HM. This is a grant funded project that the Engineering Department coordinated getting the grant and also put together the design for the flood proofing at the Raw Water Pump House. Water Quality Department personnel are actually doing the construction and their salaries on that work is reimbursable through the grant. This particular part of the project is normal operating procedures. When we do have storm or potential flooding situations is to depower the raw water pump house for both safety and to protect the electric equipment in the event of flooding. We will run a separate power line to the pump house for the sole purpose of running a sump pump in the event any water does enter the building and that is what this is for. This purchase is grant funded so it will not be paid for by the MUA.

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

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevasco

NAYS: None

ABSTAIN: None

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

a. Authorization to Bid Electric for the Administration Complex

Director Planko advised, "Authorization to bid electric for the Administration Complex. The complex that we have here this is the only location of the Authority that is not under the solar project.

Right now we have our electric supplied by Plymouth Rock Energy at a rate of .0852. That contract and agreement will expire with a February 2016 reading so we are preparing ourselves to put that out to bid. It will be approximately 6.5 million kilowatts per year and we are going to look at a two year agreement"

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

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalasco
NAYS: None
ABSTAIN: None

b. Annual RFQ for Professional Consultants – 2016/2017

Director Specht advised, "This is the annual RFQ that we send out for our professional consultants for 2016/2017. The RFQ will be the same as last year except we will not include a grant writer this year since one was not awarded last year. We will look to advertise in December and receive the RFQ's in January and we generally award these at our reorganization meeting February 1st of 2016."

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

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalasco
NAYS: None
ABSTAIN: None

15. EXEMPT SESSION

(Personnel, Contracts & Potential Litigation Only)

At this point in the meeting, 7:25 p.m., Chairman Cevalasco advised that the group would now go into exempt session.

Counselor Montenegro stated, "If we could at this time Mr. Chairman request a resolution for executive session at this point in the meeting of the Brick Township Municipal Utilities Authority for the purpose of discussion of contract and litigation. Whereas Section 8 of the Open Public Meetings Act, NJSA 10:4-12 permits the exclusion of the public from meetings in certain circumstances. Whereas, the Public body is of the opinion that such circumstances exist. Now therefore be it resolved by the Brick Township Municipal Utilities Authority Commissioners as follows. The public shall be excluded from discussion on the actions upon the hereinafter specified subject matters that being contracts and litigation. It is anticipated at this time that the subject matters will be made public if and when confidentiality is no longer needed. Action may be taken tonight. The resolution shall become effective immediately."

Comm. Flynn made a motion to go into closed session. Seconded by Comm. Curtis

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalasco
NAYS: None
ABSTAIN: None

On motion duly made and seconded and a unanimous vote the Board of Commissioners returned to open session at 7:42 p.m.

16. ADOPTION OF PERSONNEL ACTIONS

Chairman Cevalco advised, "There are only two items that we are going to be voting on tonight with respect to Item No. 16 and that is the hiring of the assistant to the Personnel Supervisor, and the denial of the leave of absence. Those are the only two items under Item 16 that will be voted on tonight. Everything else will be held off until next month."

Comm. Cartine asked, "Can we vote on them both at the same time or do we have to separate the two?"

Counselor Montenegro stated, "You can vote on them at the same time. If you want to separate them you can but you don't have to."

Comm. Cartine made a motion to approve the two personnel actions recommended by the Personnel Committee. Seconded by Comm. Curtis

AYES:	Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS:	None
ABSTAIN:	None

17. OLD BUSINESS

None

18. NEW BUSINESS

18.1 One Time Credit Policy

Director Planko advised, "On our one-time credit policy, as the Board knows what we do right now when a customer requests a one-time credit we split 50/50 between the Authority and the customer any usage over their average use. Even if it is unexplained usage we had an example last month that we talked about last month with Willow Springs and that was significant. That was approaching 1.4 million gallons and almost 10,000 gallons so at the Finance Committee this month I brought up if they want to entertain the idea of what the one-time credits so we don't get to this point because as we talked about last month a lot of these credits are due to neglect or people not taking care of their toilets. So if the Board wants to entertain the idea of putting a \$3,000 limit on the one-time credits. It was ok with the Finance Committee but I'm bringing it to the full board."

Comm. Cartine asked, "What was the reason that was used to establish the cut off at \$3,000?"

Director Planko advised, "I figure the majority of credits over \$3,000. Those that are excessive and people that kind of abuse the system or didn't take care of their toilets. That is an arbitrary number we can make it lower or higher if the Board..."

Comm. Cartine replied, "No. I was just asking the reasoning behind it. It is an arbitrary number

then."

Director Planko replied, "Yes the amount of credits we get I figure \$3,000 would be a good breaking point."

Chairman Cevalco stated, "I wanted to bring it to the entire commissioners for that decision to be made."

Comm. Cartine asked "How does the Finance Committee feel about it?"

Chairman Cevalco replied, "Personally for me. If you don't take care of your facilities why should I give you a credit."

Comm. Fozman stated, "I thought it was a good suggestion."

Comm. Curtis stated, "I mean Willow Springs. That was ridiculous."

Director Planko advised, "That is what kind of made me bring it to the attention of the Board."

Chairman Cevalco stated, "I mean if they don't have a maintenance agreement why I should give them water? Pay for whatever they use."

Comm. Curtis stated, "I agree."

Comm. Cartine stated, "I don't have a problem with that. I made an issue of it last month. I couldn't believe it. You have to draw the line in the sand and if \$3,000 is what you feel is a reasonable settlement I can go along with it."

Chairman Cevalco stated, "You take someone like Willow Springs. What is an incentive for them to fix anything? If it's only going to cost us \$3,000 and it is going to cost us more to get a plumber. No. As far as I am concerned I brought it to the Board because I didn't want my personal views to get involved. I wanted everyone to get involved in this."

Comm. Cartine stated, "I think we all feel the same."

Chairman Cevalco continued, "So I think if you just let things go then pay for it"

Director Planko stated, "The majority will be under \$3,000. I think it is only those exceptions where people just let things go. It will be few and far between but when we get another Willow Springs I think after our discussion last month it was probably a good idea to do so."

Comm. Cartine asked, "Do we put that into our rate book? So if we establish this tonight we would then publish that in our rate book up to a maximum of \$3,000.00."

Director Planko advised, "We were talking about that today. Marie says we might be able to put a label over it inside the rate books that we have."

Chairman Cevalco stated, "Whatever you use, you pay for that is my feeling. Whatever the rest

of the commissioners feelings are."

Comm. Cartine asked, "Is there a resolution on this tonight or is this just for discussion?"

Director Planko advised, "Ben can they just approve it."

Counselor Montenegro advised, "I think you can do it by way of motion without a formal resolution."

Director Planko advised, "I do want to mention to the commissioners that on the sewer collection side of the credits when a sewer collection credit exceeds \$3,000.00 it is still our responsibility to give that credit because if the water doesn't go into the collection system we do not pay the OCUA and therefore we have an obligation. So this would be a \$3,000 one-time water credits only."

Chairman Cevalasco stated, "Yes that is on the water side only. We understand that if it doesn't go in the sewer then it is reasonable that they shouldn't pay for it because they didn't use it, but if they use the water and we had to produce it so I think they should pay for it. Use the same criteria we have been using all along I think that is fair."

Comm. Fozman asked, "So you are saying we shouldn't do this?"

Chairman Cevalasco advised, "Because they are not paying the full amount for all the water that went through the meter."

Director Planko continued, "So effective immediately with the motion we'll put the \$3,000 limit in place..."

Chairman Cevalasco stated, "If it passes. I am going to vote against it."

Comm. Fozman stated, "So what we are talking about is just the water and limiting it to \$3,000 if it goes over that for a one-time credit."

Director Planko stated, "Water and sewer one-time credit where we split 50/50 between the customer and Authority of 50% over their average use. Right now it is 50% between the customer and Authority unlimited."

Chairman Cevalasco advised, "There is no incentive for the customer to do anything."

Comm. Cartine stated, "There never has been. I mean is that your objection? Because now I am hearing something different. Your personal feeling on this is that you don't believe there should be any credit given. I don't understand what your objection is."

Chairman Cevalasco stated, "No that is not what I said. I don't want to change the form of credit we have right now where if it is a whatever and I believe we should just continue splitting the difference between their average and whatever the usage was at this time."

Comm. Cartine asked, "And not cap it?"

Chairman Cevalco advised, "If we do that for Willow Springs, I don't know do we have to do it for everybody?"

Comm. Cartine stated, "I'm a little confused I thought the Finance Committee suggested this."

Chairman Cevalco stated, "Well there was some disagreement so it came here."

Comm. Cartine stated, "What I am trying to do is cooperate. If the Finance Committee met and discussed this and felt that this was the way to go I'll support it because you discussed it at length, but now I'm saying I don't know what you guys are talking about here."

Chairman Cevalco stated, "Well we discussed it and there was a difference of opinion and we just went with let's bring it to here."

Comm. Cartine asked, "Comm. Fozman can you give me your opinion on it?"

Comm. Fozman replied, "I think this was brought around because of the incident where the guy had it a second time. We already gave him a credit one time and the same thing happened again. But we stuck to our guns and the guy didn't get the credit on the second one because we can only give a one-time credit so thinking about limiting it to \$3,000 so if it does happen..."

Comm. Cartine asked, "So you favor the \$3,000 cap?"

Comm. Fozman stated, "I just thought it would be because the first one is always free so it wouldn't affect anybody on the first one. It will affect anybody on the second one. The first one is free."

Director Planko advised, "You only get one one-time credit."

Comm. Fozman stated, "Yes that is what I'm saying. The first time my water overflows I get a one-time credit."

Director Planko advised, "Yes but it is capped at \$3,000 if we agree to this."

Comm. Fozman stated, "I thought it was only on the second time."

Director Planko stated, "There is no second time that is why it is called a one-time credit."

Comm. Cartine stated, "Once you use that credit you are done."

Comm. Curtis stated, "I make a motion we table it, or leave it the way it is. It has been existing forever. let's leave it the way it is."

Chairman Cevalco stated, "That was my thought. Leave it the way it is."

Comm. Fozman agreed.

Comm. Curtis made a motion.

Comm. Cartine stated, "Well we don't need a motion if you are not changing anything. It was just a discussion. Let's move on."

Chairman Cevasco stated, "We are leaving it as is."

18.2 Reservoir Cell Tower Lease Agreement

Chairman Cevasco advised that this item was discussed in closed session.

Counselor Montenegro stated, "The commissioners agreed that the Chairman and secretary can execute the a formal letter of intent, assuming it moves forward a formal lease amendment will be back before the commissioners for action on a resolution."

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

AYES:	Commissioner Flynn, Fozman, Curtis, Cartine, Cevasco
NAYS:	None
ABSTAIN:	None

19. RESOLUTIONS

100-15 A Resolution for Approving and Authorizing Award of Contract to Mathis Construction Co., Inc. in the amount of \$278,892.00 for the Sanitary Sewer Replacement on Dickinson Road – Greenbriar I Contract No. 814004

Director Specht advised, "The first resolution is for the award of a public contract to Mathis Construction Co., Inc. in the amount of \$278,892.00 for the Sanitary Sewer Replacement on Dickinson Road – Greenbriar I Contract No. 814004. We received two bids on this contract. The other bid was slightly higher from Perna and Finnigan for \$297,331.00. Maser performed the bid analysis and recommend that we award to Mathis as well as Mr. Montenegro so I would recommend award also."

Comm. Cartine asked, "Is that the whole street or part of the street?"

Director Maggio advised, "It is just part of it."

Comm. Fozman asked, "Didn't the engineer's estimate come out lower?"

Director Specht advised, "It was \$233,000."

Comm. Cartine asked, "How many feet are we talking about? What does it cost per foot?"

Director Specht advised, "We are talking about, again it is a pretty extensive job, a lot of dewatering and we are replacing all sewer laterals and paving curb to curb so it gets to be expensive when you do that type of work. We are talking about 500 feet of sewer main and about 300 feet of sewer laterals including the disposal cost of the existing asbestos cement pipe, but again it is a dewatering job with a bypass pump. It's a pretty extensive project. We are tying into the existing cleanouts at the house."

Comm. Flynn asked, "So what was the difference between the original estimate and the \$278,000? Was there a reason for that?"

Director Specht replied, "I guess the unit price was slightly lower. I have to dig out the original estimate from Maser."

Comm. Flynn asked, "Well it is nothing unusual. How much was it budgeted for?"

Director Specht replied, "No. I budgeted \$460,000 so we have plenty in the budget. We have not exceeded the budget. The estimate was slightly lower and within reason so I would recommend the award."

Comm. Curtis made a motion to adopt Resolution No. 100-15. Seconded by Comm. Fozman

AYES:	Commissioner Flynn, Fozman, Curtis, Cartine, Cevalasco
NAYS:	None
ABSTAIN:	None

101-15 A Resolution Adopting the 2014 Annual Consulting Engineer's Report

Director Specht advised, "Resolution 101-15 is the adoption of the Engineer's Annual report. This year it was performed for 2014 by Maser Consulting. I forwarded an email to the Board this morning. I am sorry it got to you at such a later period in time, but I did want to move ahead with the adoption of the annual report tonight and I would like to kick it over to Mr. Theodos so he can discuss it a little."

Chris Theodos stated, "The 2014 Annual Engineering and Inspection report is provided to the Authority. It is dated October 2015 and the report contains an executive summary in the first four or five pages. In the back of the report are the various inspection and profiles of the pump stations. I would like to thank the directors for their contributions to the report which are included therein. The inspections that we conducted on the system were performed on September 22nd of this year. Overall I can report that the MUA operates a very well run system. The operators and managers are experienced and diligent and efficient. The pump station rehabilitation and mitigation projects which are to raise the facilities above the flood elevations post Sandy are under construction. The contract completion date for this week is June 20, 2016 asked on a recent change order. The 2014 Lead and Copper Rule Regulations have been a challenge for the Authority. The Water Quality Department has been working aggressively to eliminate the occurrence of lead exceedance in the samples. The issue involves plumbing in older dwellings and the quality of the water being delivered as you know. The Authority changed the corrosion control chemical to zinc orthophosphate and is evaluating its performance with customer sampling. The results to date have been promising. Finally the report recommendations include that the Authority continue to implement the various programs underway including the Vulnerability Assessment, watershed monitoring and inspection, upgrade of the water system facilities, GIS system updates and energy source review. That concludes the summary that I have provided, but if the commissioners or anyone has any questions I would be able to answer them now or after you have had an opportunity to review it."

Comm. Flynn asked, "On your recommendations item no. 1 the vulnerability assessment report from November 2008, I have never seen it. I don't know what is involved in it, but what portion of that has been done? Is it all being worked on or are we vulnerable somewhere."

Director Maggio replied, "I didn't conduct the vulnerability assessment at the time, that was the Central Services Department, but now that Water Quality is in charge of security and emergency management and there is definitely an operation aspect to it also we did implement some of the recommendations at the time but I think it is seven or eight years old. We do things much differently. We have a much more enhanced security program, emergency management program. I think it is probably a worthwhile endeavor in the next fiscal year to redo the vulnerability assessment."

Comm. Flynn asked, "Does that include physical security, what is it?"

Director Maggio replied "Physical security, but it also includes operational vulnerability. Steve can speak to this a lot better looking at water mains where if you had a ruptured water main how much of the rest of the distribution system will be impacted. It is a very complex evaluation of all of the..."

Comm. Flynn replied, "Yeah I would think so. I think what I'm asking is are we actively working on this thing that was told to us back in 2008?"

Director Maggio replied, "At this time I would say we are actively working on enhancing our security and emergency management aspect of it probably with an eye toward the vulnerability assessment and probably even going a lot further and using a different, but probably more effective approach."

Director Specht advised, "We have implemented a number of hard line items with in the vulnerability assessment and there is still more to do. We have capital items for that as we go through each year from an operational standpoint. We take a look at that also and we are making changes on how we operate and identify weaknesses in our system. For instance our stream crossings so we are doing assessments of that nature. So we are continuing to update that assessment."

Comm. Flynn asked, "And the Annual Engineer's Inspection report, does it show that we are doing enough?"

Chris Theodos stated "It is an ongoing process as I stated."

Comm. Flynn replied, "The concept of someone doing something potentially is scary."

Director Specht advised, "There is no doubt about it. You don't want to divulge what is in the vulnerability assessment. You don't want a public record of that, but we are taking certain measures to insure that we are secure."

Comm. Flynn asked, "And this probably falls within the condition assessment that is going on right now?"

Director Specht replied, "Some of that is with the condition assessment and some of that is our major water main crossings that we have. There is no doubt about that and how we want to operate and isolate those if there is a problem. It is all kind of interwoven that way."

Comm. Flynn made a motion to adopt Resolution No. 101-15. Seconded by Comm. Curtis

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

102-15 A Resolution Authorizing the Renewal of the Authority's Long Term Disability Insurance with Lincoln Financial Group

Director Planko advised, "102-15 is a resolution authorizing the renewal of the Authority's Long Term Disability Insurance with Lincoln Financial Group. This is a two year policy that expires on December 31st of this year. We reached out to IMAC and I requested of them to do some competitive analysis. We did get two returns back. One from UNUM and one from Lincoln Financial, who we have now. The prices were very close. I have experience with both of them and in my discussions with the Human Resources Supervisor we both prefer to stick with Lincoln Financial, because there is no significant savings in transitioning over to UNUM. I have been dealing with them here at the Authority since 2008. They have not increased our rates. There will be a rate increase with this particular renewal. We had an individual on long term disability. I think their increase is fair. We will probably see about a \$4-\$5,000 annual increase in staying with Lincoln Financial, but I do believe it is the better alternative. It will be an increase and the price will be sustained for two years through 2016 and 2017."

Comm. Cartine made a motion to adopt Resolution No. 102-15. Seconded by Comm. Curtis

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

103-15 A Resolution Amending The Brick Township Municipal Utilities Authority Administrative Code

Director Specht advised, "This is a resolution amending the BTMUA Administrative Code. For the past few years there have been a number of changes that have occurred within each department associated with the division in each department and this is primarily to update that in the Administrative Code."

Comm. Fozman made a motion to adopt Resolution No. 103-15. Seconded by Comm. Curtis

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

104-15 A Resolution Approving the First Amendment to a Lease Agreement between BTMUA and Verizon Wireless for cell equipment located on the Alaska Avenue Water Tank

Director Maggio advised, "This is a resolution approving the First Amendment to a Lease Agreement between BTMUA and Verizon Wireless for cell equipment located on the Alaska Avenue Water Tank. To sum up what this amendment will cover since taking over the management of our cell

sites as cell companies have come in requesting to modify their equipment are requesting our approval. I think it is appropriate to turn over the review of those documents and plans to our Consulting Engineer who has a great deal of structural engineering experience to do a structural analysis of the proposed modifications. I have been asking the cell companies to reimburse us for those costs. Initially, I would ask for an amendment to our contract and memorizing reimbursing those costs to date. Most of the vendors have agreed to reimburse us but Verizon has agreed to enact the amendment to formally acknowledge that we will be reimbursed of these costs for all proposed modifications going forward. In addition to this we have asked not to incorporate enhanced security procedures at all of our cell sites. Enhanced security procedures means giving us notice when they are going to be doing maintenance at the site or visiting the site, telling us who is going to be there and what vehicles are going to be there. Just so our security personnel know what is happening at some of our remote sites. So this amendment is all beneficial to the Authority."

Chairman Cevalco asked Mr. Montenegro, "Have you reviewed this?"

Counselor Montenegro advised, "Yes I have reviewed that and approve the document as presented."

Chairman Cevalco asked, "So what do we need to do here?"

Director Maggio advised, "This will essentially be an amendment to our contract that will need to be executed. This is just for the Alaska Avenue Water tank, but again as all of these vendors come in this is one of the things I request that they do a similar amendment to their contracts. I don't think we can force them to give us an amendment but we are trying to but at the very least we do get them to reimburse us for our engineering costs."

Comm. Fozman asked, "How long is their agreement?"

Director Specht advised, "I think it is a five year up to probably 25 years after that so 30 years. We renew it every five years."

Comm. Fozman asked, "I am curious if every five years we can increase the lease?"

Director Specht advised, "It renews every five years and there is an increase in the fee. I think it is generally like 3% each year for the rent but if someone comes back and changes the antennas."

Counselor Montenegro stated, "I have it right here in 2008 - the lease calls for on the 5th year renewal an increase of the greater of 3% or CPI."

Comm. Fozman asked, "How much are we getting from them now? Does it say there?"

Counselor Montenegro stated, "\$36,000 because we are within the first ten year period. The lease agreement was signed in 2008 for a ten year period with three successive five year periods that are automatic renewals unless somebody opts out."

Chairman Cevalco asked, "Could we opt out after five years?"

Counselor Montenegro read from the contract, "Notice of at least 90 days prior to expiration of

the original term or any renewal terms so as long as you provide 90 days' notice in advance of .."

Chairman Cevalco commented, "So they are not really automatic. If we were to send them a notice prior to 90 with the explanation that we want out we can do that?"

Counselor Montenegro replied, "Correct"

Director Maggio advised, "Our Alaska Avenue rate is competitive."

Chairman Cevalco stated, "I am not worried about the rent I just don't want somebody up there welding on the tower putting new brackets to mount new whatchacallit without someone knowing about it."

Director Maggio advised, "Those are all the items that they need our approval to do. That is what this is referring to. Any modification does require our approval and they have been good about approaching us."

Chairman Cevalco asked, "You haven't had any problems like that?"

Director Maggio replied, "I have only been doing this for about a year but so far no. It has been going well. We had T-Mobile come to us for reviews, AT&T then what is going on at the Reservoir also but they all know that they require our approval."

Chairman Cevalco stated, "Ok cause I know at the Reservoir there was some discussion with the access that they were there without letting us know a couple of times."

Director Maggio advised, "The permission for access at the Reservoir in our contract was very weak where they could really just show up and we had to by our contract allow them but that has all been tightened up in what was discussed in closed session. They will have similar security protocols to this one. 24 hour notice and all of that."

Director Planko advised, "The current year budget for Alaska Avenue. We have almost \$43,000."

Comm. Cartine made a motion to adopt Resolution No. 104-15. Seconded by Comm. Fozman

AYES:	Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS:	None
ABSTAIN:	None

105-15 A Resolution Authorizing the Authority to become Lead Plaintiff in the Litigation for Potential Violations of Antitrust and Retention of the Robbins Kaplan Law Firm to Represent the Authority

Counselor Montenegro advised, "105-15 is the resolution that we discussed in closed session authorizing the Authority to become lead plaintiff in the litigation for potential violations of antitrust and retention of the Robbins Kaplan law firm to represent the Authority."

Comm. Cartine made a motion to adopt Resolution No. 105-15. Seconded by Comm. Fozman

AYES: Commissioner Flynn, Fozman, Curtis, Cartine, Cevalco
NAYS: None
ABSTAIN: None

20. PUBLIC DISCUSSION

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.

At this point in the meeting, Chairman Cevalco opened up the meeting to the public.

Council President Mummolo stated, "Happy Thanksgiving to everyone."

21. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF

Chris Theodos stated, "Happy Thanksgiving to all and your families."

Director Planko stated, "Happy Thanksgiving everyone."

Chuck Fallon stated, "Happy Thanksgiving and nothing else."

Director Maggio stated, "In Gary Vaccaro's absence, he asked me to give a very brief update on Vueworks. We are in the process right now of starting a pilot program using the Vueworks Asset Management Program with our Water Treatment Plant operation and maintenance staff. I just want to take this opportunity to say that I know he is in a new role, but Drew Duddy from Gary's shop is doing a really outstanding job. He has put together a user manual for us to start using the system and he is doing a great job."

Director Specht stated, "The heck with Thanksgiving I have a few other items. *(Laughter)* First, Knollcrest just to update the Board. We have passed all our BAC Tests except for one hydrant and we bagged that hydrant so you can't use it. We have started swapping utility services over to the new main. 7 were completed today out of the 21. Pillari intends to complete all 21 by if not the end of the day tomorrow by Wednesday morning. He will complete his base paving by Wednesday so all the construction except for clean-up and final paving disassembling the highline will be completed this Wednesday."

Comm. Cartine asked, "I probably missed something or didn't read something. Where did they find the leak?"

Director Specht advised, "There was 150 feet of main that they wound up replacing. They couldn't find it so they replaced it and once they replaced it they tested the line, dropped a few pounds minimal and passed the pressure test."

Comm. Cartine asked, "Who is paying for all that?"

Director Specht advised, "Right now it is Pillari, but I'm sure he is going to look to go after the Pipe Manufacturer."

Chairman Cevalco stated, "I told them it is not coming back here from either reengineering or the contractor."

Comm. Cartine stated, "I bet it does."

Chairman Cevalco stated, "It is not coming back here."

Director Specht continued, "So again we are moving forward on that and we will not do the final paving. We have already discussed it with Pillari, until the Spring when things settle out a little bit. We have had that discussion with them."

Chairman Cevalco stated, "Plus I think there is some construction that the town is going to do. They may be raising the road and it doesn't pay for us to pave it curb to curb and have them come in and rip it all up and lift it."

Director Specht advised, "That is correct. We will coordinate that with them before we do any final paving out there. We will discuss it with the Township what they want us to do."

Comm. Curtis asked, "Pillari is going to have all their stuff out of there correct?"

Director Specht responded, "Well they are going to have all their stuff out of there, not tomorrow, next week I will say the majority of the work will be cleaned out. All the highline and stuff, but then they will have to come back again like say in the Spring and if they have to do maintenance on the trenches over the winter..."

Comm. Curtis stated, "That is where I was going. They are responsible for maintaining it through the winter."

Director Specht replied, "That is correct."

Comm. Flynn asked, "What about the stabilization of the areas that were disturbed?"

Director Specht advised, "They will get down whatever they have to protect that soil. I guess they will put down hay or something. I would think even though we are getting into the cold weather that anything grows out in that swamp area. They will clean all that stuff up. We will make sure it is restored to better than new is the way I like to put it."

Comm. Flynn asked, "What was there before on that long point, where they had the outhouse?"

Director Specht advised, "There might have been some stone down there. There wasn't much there. We'll go back to the videotape and take a look. We will make sure it is restored to better than new is the way I like to put it. Also the building is going up. The structural steel has been installed on the fleet equipment storage building. They are finishing the interior work for the sides and they should be done with that on Wednesday and then they will start placing their subbase material for their slab and

look to start forming a slab next week and pouring it probably early or mid-December and they will continue with putting the panels on the roof so that job is also proceeding."

Comm. Flynn asked, "Do they have the outside grade established yet?"

Director Specht advised, "Pretty much they've got a little more at the one end where the higher slope is they have to clean that up before they get out of here."

Comm. Flynn stated, "We should think about winter coming and stabilizing it because obviously we are not going to be able to do much."

Director Specht advised, "That is correct. We will make sure the appropriate silt fence is in place hay bales that type of stuff. "

Chairman Cevalco asked, "What about the roofs? Those guys are moving."

Director Specht replied, "Yes. Well the Operations Building is complete, the garage is complete. They have started over Frank's office and hopefully they will be wrapped up soon. We had a little rain so they should be wrapping up by the end of next week."

Counselor Montenegro stated, "I have nothing additional other than to wish everyone a Happy Thanksgiving."

Ms. Sylvester stated, "Happy Thanksgiving."

Comm. Flynn stated, "Happy Thanksgiving."

Comm. Bayard stated, "Happy Thanksgiving."

Chairman Cevalco stated, "I would also like to wish everyone a very happy Thanksgiving."

22. CLOSING STATEMENT

Ms. Sylvester advised, "*The next Regular Public Meeting will take place on Monday, November 23, 2015 at 7:00 p.m. All meetings take place in the Main Conference Room of the Authority's Administration Building located at 1551 Highway 88 West.*

23. ADJOURNMENT

There being no further business to discuss, on motion duly made, seconded and a unanimous vote, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Thomas C. Curtis, Asst. Secretary/Treasurer
TCT/mas