

**The Brick Twp. Municipal Utilities Authority  
Minutes of a PUBLIC MEETING Held on August 22, 2016**

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

**2. OPENING STATEMENT**

Ms. Sylvester advised, *"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 5, 2016, 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**

Commissioners Present

James Fozman  
Gregory M. Flynn  
Thomas C. Curtis  
Marie Foster

Members Absent:

George Cevasco  
Susan Lydecker

Also Present

Chris A. Theodos  
Stephen T. Specht  
Joseph Maggio  
Frank Planko  
Gary Vaccaro  
Marie Sylvester  
Nick Montenegro, MUA Legal  
Chuck Fallon, MUA Auditor  
Spencer Pierini, MUA Engineer

Ms. Sylvester advised that in Comm. Lydecker's absence Comm. Foster will be voting this evening.

Comm. Fozman stated, "I would just like to let everybody know that Susan Lydecker was appointed by the Council as a Commissioner from Alternate Commissioner to the full board."

Comm. Flynn made a nomination for Comm. Thomas C. Curtis as Treasurer. Seconded by Comm. Fozman.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

Comm. Flynn nominated Susan Lydecker as Asst. Secretary/Treasurer. Seconded by Comm. Curtis.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

#### **4. Adoption of Directors' Reports**

Comm. Curtis asked, "Going through Frank's report under capital, I see French & Parello and T&M Associates still getting checks..."

Director Specht advised, "They are still working. French and Parello is wrapping up the generator project for the three booster stations which will hopefully be wrapped up soon. I would think within a month or two. T&M is wrapping up the Super Storm Sandy pump stations that were damaged. Quad is just about done with construction, but we have some punch list items."

Director Planko asked, "Isn't some of them FEMA money Steve?"

Director Specht replied, "That is correct."

Comm. Curtis continued, "Ok. The name popped up and it was the first time I have seen their name since the Reservoir tunnel."

Comm. Flynn asked, "In the Director's report there was a discussion about background checks and a new policy. Who is handling that?"

Director Theodos stated, "Yes. That is correct. There is a new policy. Actually the policy for background checks was always in our Administrative Code, however we have found a new service that will provide them on an expedited basis. Since previously we were running into three to four weeks or more to have them completed. The new service is less money and will complete the background checks supposedly in approximately a week."

Comm. Fozman stated, "And I believe the cost is down too on that."

Comm. Flynn asked, "Who reviews them and determines what is going on? I mean obviously it is confidential information and shouldn't be spread out. Is there a single person that reviews them?"

Director Theodos replied, "The results come back through our Human Resources department."

Comm. Flynn asked, "Does the Personnel Committee see the background checks?"

Director Theodos replied, "No."

Comm. Curtis stated, "So the background checks come back to human resources and they say yeah or nay before it goes even..."

Comm. Flynn asked, "Well is there judgment made by Human Resources if they are ok or not?"

Director Theodos stated, "There would be a procedure that if there was an issue with the background that a letter would have to be written that I would have to sign and review and send to the applicant."

Comm. Flynn asked, "And it would be sent from Teri to you and then you would make the determination? Because as I was saying before it sounds like there are multiple levels of problems and some are relevant and some aren't. A background check is going to pick up various things, but it doesn't need to be distributed amongst more than one person and that is my concern. So it goes from Teri to you and you are the last person that is involved in that?"

Counselor Montenegro stated, "That is subject to privacy that is correct."

Comm. Curtis made a motion to accept the Directors Reports. Seconded by Comm. Flynn.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

## **5. APPROVAL OF MINUTES**

Comm. Fozman called for motion to adopt the minutes of the July 25, 2016 Regular and Exempt

Motion by Comm. Flynn. Seconded by Comm. Curtis

AYES: Comm. Flynn, Curtis  
NAYS: None  
ABSTAIN: Comm. Foster, Comm. Fozman

Counselor Montenegro stated, "There are only two board members therefore we will postpone it until the next meeting. Therefore the motion should be withdrawn."

Comm. Flynn made a motion to withdraw the motion. Seconded by Comm. Curtis.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

## **6. CORRESPONDENCE**

Comm. Fozman stated, "All I have here is BTMUA Day at the Races is Saturday September 28<sup>th</sup>. Gates open 11:00. It's \$9.00 for each adult and children under 12 are free. And also we have BTMUA Day is Friday September 16<sup>th</sup> and that is at 12:00 p.m. and lunch will be served over by the Maintenance Garage."

## **7. BILL RESOLUTION**

Comm. Flynn read the Bill Resolution dated August 22, 2016 in the total amount of \$3,733,345.35 as follows:

Total Operating Vouchers:	\$	2,299,462.80
Total Payroll:		1,172,377.17
Total Capital Vouchers:		258,504.62

Escrow:		- 0 -
Total Bill Resolution	\$	3,733,354.35

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

AYES: Comm. Foster, Flynn, Curtis, Fozman  
 NAYS: None  
 ABSTAIN: None

**8. TREASURER'S REPORT**

Comm. Curtis read the Treasurer's Report balances for the month ending July 31, 2016 as follows:

**Unrestricted Funds:**

Total Revenue Funds:	\$	17,387,209.80
Total General Funds:		3,653,026.54
Total Unrestricted Funds:		21,040,236.34

**Restricted Funds:**

Rate Projection Maintenance Fund:		2,503,356.08
Working Capital Fund:		462,854.21
NJEIT Processing Fund:		1,063,169.95
Series 2015A/2016A Project Bonds:		3,477,466.56
Total Bond Funds:		11,316,330.19
Total Other Restricted Funds:		20,286,679.10
Total Restricted Funds		20,286,679.10
Total of All Fund Accounts:		41,326,915.44

Comm. Flynn made a motion to approve the Treasurer's Report. Seconded by Comm. Foster

AYES: Comm. Foster, Flynn, Curtis, Fozman  
 NAYS: None  
 ABSTAIN: None

**14. AUTHORIZATION TO SEND OUT BIDS, RFQ'S & RFP'S - NONE**

**a. Sensus Metering Equipment and Appurtenances**

Director Maggio advised, "As we have reported to the Board we started this year on an ambitious to replace and update all of the Authority's meters which is in excess of 38,000. We have been doing that since about March of this year and the pace of replacements have far exceeded all reasonable expectations. The Meter Department has just been performing outstandingly. Because of that in the first five months we have exceeded the estimated number of meters that we will be replacing over a year. So because of that our requesting authorization to go to bid to continue purchasing meters

although we will increase the number to meet the pace that we are doing. The number will be a little bit higher than the prior bid.”

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

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

**15. EXEMPT SESSION**  
*(Personnel, Contracts & Potential Litigation Only)*

**16. ADOPTION OF PERSONNEL ACTIONS**

Director Theodos stated, “I would like to bring to your attention that there was one addition to the personnel that were revised and this was recent. Anthony Verlingo submitted a request for a leave of absence. It is a recommendation for the extension of Leave of Absence to terminate on December 1<sup>st</sup> 2016. It was previously going to expire on September 1, 2016. I discussed this with Director Specht and it our recommendation that the extension be approved.”

Comm. Foster made a motion to approve the Personnel. Seconded by Comm. Flynn.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

**17. OLD BUSINESS**

**18. NEW BUSINESS**

**19. RESOLUTIONS**

57-16 A Resolution Appointing Provident Bank as Depositor for Payroll and Flexible Spending Account Services

Director Planko advised, “At our last meeting last month Comm. Curtis asked me about the changeover from TD Bank to Provident Bank with our checking accounts. I finally got the latest numbers together and put together a resolution and recommendation. Basically as noted in my memo that I believe went to the entire Board, the charge is about \$4,000 annually with an additional cost of about \$2,700 positive pay for an annual cost of \$6,700. Positive pay is what we have to get since we had problems with the checking account fraud. Now we give them a listing of all our checks and they verify against that listing before they cash a check. So we took these same circumstances and we went to Provident bank. About two years ago we went out looking for a new bank for our escrow accounts. We went to various banks and we found that Provident Bank was our best alternative and since that time Provident bank has been doing extremely well with our escrow deposit account. So we approached them and they were very happy to take on these payroll accounts at a much cheaper rate. It wouldn’t be only the payroll checking account it would also be the FSA which is the Flexible spending Account for those that aren’t familiar with that. That is where employees can have money taken out pre-tax and then

used for various medical expenses and deductions copays and other medical expenses so it would be the movement of these two accounts over to Provident Bank. It will not only be a cost savings but we found the customer service to be much better at Provident Bank than at TD Bank for our checking accounts. Now this has nothing to do with our Trustee Accounts. TD Bank do a great job as our Trustee Bank and they have been since 1999 when I moved the money over there. So this Resolution is just to move over the checking accounts and we are quite excited to do so after the Board reviews it and hopefully adopts this resolution.”

Comm. Curtis made a motion to adopt Resolution No. 57-16. Seconded by Comm. Foster.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

58-16 A Resolution Establishing the Position of Secondary (Backup) Qualified Purchasing Agent for Brick Township Municipal Utilities Authority

Director Vaccaro stated, “58-16 is a resolution establishing the position of secondary backup qualified purchasing agent for the Authority. Dan Reilley has completed all the required QPA courses to receive his certification so we want to appoint Dan as secondary back to Bob Bowers who is our primary QPA. Dan would fill in in case Bob was no longer with the Authority or out for an extended absence allowing us to continue our purchasing threshold.”

Comm. Flynn stated, “George mentioned something about him having the Authority to operate at any time that Bowers is not available so is there a terminology for his position that reflects that?”

Director Vaccaro stated, “Well if you read in the second resolution in bullet point 2 basically he would work in coordination with me because I’m the director in charge of purchasing. When bob is not available I would designate him to fill Bob’s role?”

Comm. Flynn asked, “Is primary and back up the correct terminology for that? They are both QPA’s”

Director Vaccaro stated “Well Bob is the primary QPA. He basically reviews bids and signs the PR’s. Dan would basically fill in in that role when Bob is not available. It allows us to maintain our threshold. Basically we have someone there who can fill in. The way the law is if Bob were to leave we would have only about a year to fill that position. We could have a temporary but that person would have to go for their QPA. Having Dan already have his QPA kind of skips that step.”

Comm. Flynn asked, “So the way it is written, if he doesn’t show up for that day. He always has QPA Authority.”

Comm. Curtis made a motion to adopt Resolution No. 58-16. Seconded by Comm. Flynn.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

59-16 Final Quantities Change Order/Change Order No. 3 for a Decrease in the Contract Amount of \$70,107.27 to Pillari Brothers Construction, Inc. – Knollcrest Avenue Water Main Replacement; Contract No. 713001

Director Specht advised, “59-16 is Final Quantities Change Order/Change Order No. 3 for a Decrease in the Contract Amount of \$70,107.27 to Pillari Brothers Construction, Inc. – Knollcrest Avenue Water Main Replacement; Contract No. 713001. We are wrapping up the contract and obviously we will be looking to close this out next month. This will finalize the quantities for this project. The original contract amount was \$1,102,515.74 and we have two change orders No. 1 & 2 which added to the contract by \$38,950.00. With this final quantities change order the final contract amount will be \$1,971,358.47 for a total contract decrease of \$31,157.27 and I would recommend approval.”

Comm. Flynn asked, “When does the maintenance begin and end?”

Director Specht advised, “It’s a two year maintenance bond. The maintenance bond will probably - I think it is dated this month and it will extend two years from this month.”

Comm. Curtis made a motion to adopt Resolution No. 59-16. Seconded by Comm. Flynn.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

60-16 Authorization to Enter Into a Shared Services Agreement with the Township of Howell for the Water Main Extension on Rosalind Road to the Intersection of Sunset Drive for \$13,645.00; Capital Project No. 601002 – WM/SM Modifications – Road Improvements

Director Specht advised, “60-16 is an authorization to enter into a shared services agreement with the Township of Howell for water main extension on Roseland to the intersection of Sunset Drive for \$13,645.00. This is capital project No. 601002 water main/sewer main modifications associated with road improvements. This project is impacted by our Parkway system and this will connect our existing Brick System to our Parkway system to make an additional interconnection if required and I would recommend approval.”

Comm. Foster made a motion to adopt Resolution No. 60-16. Seconded by Comm. Curtis.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

61-16 Reimbursement Agreement for Developer Application No. 2153; Applicant – Joseph T. Gass III – Old Toms River Road Water Main Extension for \$29,598.80; Capital Project No. 714007 – Watermain Extension – Old Toms River Road

Director Specht advised, “This is a reimbursement agreement for Developer Application 2153,

the applicant is Joe T. Gass, III. It is for the Old Toms River Road Water Main extension and it is for \$29,598.80. Under capital project 714007 water main extension Old Toms River Road. We will be extending approximately 160 feet of 6" main as well as approximately 10 feet of 16" main to create a loop between Old Toms River Road and Montana Drive. I would recommend approval of this reimbursement agreement."

Comm. Flynn asked, "Who is doing the field inspections?"

Director Specht replied, "The field inspections will be installed by our staff, either Mr. Hotz or Mr. Allen. That's the way we'll do it. On the developers we handle all developer applications in house."

Comm. Foster made a motion to adopt Resolution No. 61-16. Seconded by Comm. Flynn.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

63-16 Authorization for Change Order to Sensus Metering Equipment and Appurtenances Contract in the Amount of \$84,000

Director Maggio advised, "This resolution authorizes a change order to the Sensus Metering Equipment and Appurtenances Contract in the amount of \$83,930. As discussed before we are exceeding our expectations for the pace of meter replacements and this change order will allow us to purchase approximately 800 additional meters so we can keep up our inventory and keep up the pace while we are going to bid for a new contract for this project."

Comm. Curtis made a motion to adopt Resolution No. 63-16. Seconded by Comm. Foster.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

64-16 Authorizing Emergency Contract for Repair Work to Well #11

Director Maggio advised, "This resolution authorizes an emergency contract for repair work to Well No. 11. The amount of this contract is \$79,165.00. While doing a minor project to the well we uncovered some significant deficiencies with some of the materials that were in the ground which require them to be removed and replaced with new materials. Given the severe dry weather we have experienced river flows are low to the extent that we actually declared this project an emergency in order to expedite the completion of the repairs so we can get this critical source water supply back on line."

Comm. Fozman asked, "Are we using in house engineering on this? Maser Engineering?"

Director Specht replied, "I believe Maser Engineering will be providing assistance on this project."

Comm. Fozman continued, "And how long do you think this project will be once it is approved?"



Director Maggio replied, "Initially we are being told that the well should be back on line by Sept. 22<sup>nd</sup>."

Comm. Foster made a motion to adopt Resolution No. 64-16. Seconded by Comm. Curtis.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

65-16 A Resolution formalizing and adopting the revised State Bid Threshold for Municipalities with a QPA on Staff

Director Vaccaro advised, "This is a resolution establishing a bid threshold of \$40,000 for having a QPA on staff. New Jersey revised their regulations. The threshold was increased from \$36,000 to \$40,000 if you have a QPA on staff. In talking with Mr. Montenegro we had never adopted a resolution raising that to \$40,000 and he advised that we should have a resolution formalizing that bid threshold which is now increased from \$36,000 to \$40,000."

Comm. Flynn asked, "Does this pertain also to contracts of any kind?"

Counselor Montenegro replied, "Yes it does. It raises it from \$36,000 for a QPA to \$40,000. Without a QPA it remained at \$17,500.00"

Director Planko stated, "That minimum is adjusted by the Local Finance Board every four years."

Comm. Curtis made a motion to adopt Resolution No. 65-16. Seconded by Comm. Foster.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

66-16 A Resolution Approving the Execution of a Memorandum of an Agreement with the New Jersey Office of Emergency Management As the sponsoring agency of New Jersey Task Force One

Director Maggio advised, "This is a resolution approving the execution of a Memorandum of Agreement with the New Jersey Office of Emergency Management as the sponsoring agent of New Jersey Task Force One. One of our staff members, John Rouse is a member of Task Force One, which is an elite search and rescue team sponsored by the New Jersey State Police. He has been a member since going back to 2013. The team has recently been elevated to the level of a FEMA sponsored team and with that we need to re-execute the documents acknowledging FEMA's involvement. This agreement has been reviewed by our attorney and I don't believe he had any objections and I recommend the execution."

Comm. Foster made a motion to adopt Resolution No. 66-16. Seconded by Comm. Curtis.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

67-16 Authorizing Emergency Contract Repair Work to Well #12

Director Maggio stated, "This resolution authorized that emergency contract repair work to well no. 12. Last Monday at 5 in the morning, Well 12 stopped working. For the same reasons we discussed for Well 11 being an emergency, this actually heightened the level of emergency. We have a contractor on site doing the repair work. The initial repair work which is pulling the well and finding out what happened is \$25,100.00. We do expect and it is acknowledged in the resolution, that the actual repair work will be an additional cost but just as with Well 11, this is a critical part of our source water strategy this year particularly given the dry weather."

Comm. Fozman asked, "How many millions of gallons does this well produce?"

Director Maggio replied, "This one produces approximately 2.5 million per day."

Comm. Fozman asked, "And well 11 how much is that?"

Director Maggio replied, "About 2.3."

Comm. Fozman continued, "And that is all we are allowed to pump from the ground because..."

Director Maggio continued, "That is what their pumps can physically pump out yes."

Comm. Fozman asked, "And when do you expect them to be back on line?"

Director Maggio replied, "We got a little bit of bad news this afternoon in terms of the extent of the repair. It is going to require what we might call fishing because a part of the pump actually fell down into the bottom of the well. It depends on how long that takes. If it takes a couple of days to actually do the fishing. I would think we have a good shot of getting that well back up in two to three weeks but a lot of it depends on that and it's very hit or miss."

Comm. Flynn asked, "What was the cost of Well 11?"

Director Maggio replied, "To do the pulling for Well No. 11, it was approximately \$19,000, however, the price for pulling well 12 was actually \$23,750.00. That did go up because we did authorize 12 hour days in order to expedite the repair so there is overtime surcharge involved. The other \$1,350.00 is to put a camera down the well to do an inspection."

Comm. Flynn asked, "But we still don't know what the pump is going to cost us?"

Director Maggio replied, "That we won't know until we pull the pump out to find out what if any damage, that is literally fishing down there. It could be very quick or it could be very time consuming."

Comm. Flynn asked, "Do we have an estimate of what that would cost?"

Director Maggio replied, "No it would probably be on a per day basis. They will bring a rig out here and it will probably be as long as the contractor is on site trying to do the p pulling. I am going to estimate conservatively the crew on site to be approximately \$4,000 per day for that exercise, but we have not gotten that number from the contractor yet. This only happened a few hours ago."

Comm. Flynn asked, "Have we ever had this situation before?"

Director Specht advised, "Where we have had to fish out a pump, yes we have? I would say it takes a couple of days to get it, but then you have to look at that on top of this. It is critical we do it. We have to get that pump out of there. You can't leave it in there."

Comm. Flynn asked, "Do we need another resolution to authorize that or..."

Director Maggio advised, "This resolution acknowledges that there will be additional costs and that those costs will be formalized in a resolution next month."

Counselor Montenegro stated, "It's an emergent situation as a result of that we can expend the funds because of public health safety and welfare and we'll ratify the action at a subsequent meeting."

Director Specht added, "We do it on a time and material basis."

Comm. Flynn stated, "I had another thought on this that we sort of discussed. In both of these situations I was curious about the servicing and maintenance that went on with this. Is there any way that in the course of Maser's investigation they can look at the past history of the well to determine if there were any anomalies that might have contributed to this?"

Director Maggio replied, "That is not really part of Maser's current scope. Actually an inspection of the components that were pulled from the well will be done by Layne. As far as maintenance, the maintenance program for a well of this type is to periodically do what is called redeveloping the well which we do on a five to ten year basis. But seven on these wells and what that does call for is literally pulling all of the equipment out. Usually replacing the column pipe in a lot of cases depending on the condition and then you are going down to the bottom of the well 2,000 feet by the screens and actually have exercises where you clean the screens so we do that pretty religiously every five to seven years. It was three years on this well since the last time we have done that. But as far as maintenance of the actual components going down in the ground that is probably the limit of that work we can do in terms of the equipment that is topside. We have about as comprehensive a monitoring program for the performance of all our motors including our wells that anyone can have including monitors that measure amperages, vibrations and temperatures. We also have an infrared inspection program."

Comm. Flynn asked, "Is that looked at? You are saying you have the ability to do that but..."

Director Maggio replied, "That is looked at continuously and none of that had anything to do with this. This was not a failure of the motor. This was a failure of a component about 270 feet under the ground."

Comm. Flynn asked, "Is there any new technology that we can be installing with these wells

now that might help us see these types of problems in the future.”

Director Maggio replied, “No the best way to address that is to be very diligent in terms of pulling and redeveloping the wells. Essentially these are the components that are used are designed to be in the environment meaning under water. They are designed to withstand the weight that they are supposed to hold because the entire well structure underground is all self-supporting and supported at the surface so that is about 35,000 to 40,000 pounds of material that is hanging down there.”

Comm. Flynn stated, “But they both failed long before their life expectancy.”

Director Maggio replied, “Well 11 did not fail. Well 11 had a problem that we are repairing and while doing that repair we uncovered a condition that we thought could lead to a failure so well 11 work very wisely preventive.”

Comm. Flynn stated, “But likely to fail within the life expectancy. I’m just trying to understand...”

Director Maggio replied, “It is all in terms of and that is the reason for Resolution 69-16. We are having Maser Consultants provide a thorough inspection of all the installation. Some of this has to do with the installation, but we don’t know for sure so we are going to make sure with our engineer’s support that this work is installed as per specs and good construction practices.”

Comm. Curtis asked, “Who was the redeveloper on Well. 12?”

Director Maggio advised, “AC Scultes Inc. They redeveloped both.”

Comm. Flynn stated, “Add we are going to look at that hard.”

Comm. Flynn made a motion to adopt Resolution No. 67-16. Seconded by Comm. Foster.

AYES: Comm. Foster, Flynn, Curtis, Fozman

NAYS: None

ABSTAIN: None

68-16 Resolution of the Brick Township Municipal Utilities Authority Making Application To the Local Finance Board Pursuant to NJSA 40A:5A-6

Director Planko stated, “On Friday we had a conference call on bonding with Acacia Financial Advisor, Bill Mayer Bond Counsel, Chuck was in on it, Chris, the chairman stopped in too. We talked about several issues. We have a Series 2006 issue which becomes callable on December 1<sup>st</sup>. We have the ability to call those bonds for a significant savings in debt service for the Authority. Number 2- we have a \$14.5 million one year bond becoming due at the same time which we have to roll over, taking into consideration some additional funding. So this resolution is just giving us approval by the Board to move forward and make contact and anything necessary with the Local Finance Board to move forward as necessary.”

Comm. Curtis made a motion to adopt Resolution No. 68-16. Seconded by Comm. Flynn.

• AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

69-16 A Resolution for the Award of a Fair and Open Agreement with Maser Consulting, PA in the amount of \$11,840.00 for Professional Engineering Services

Director Maggio stated, "Resolution No. 69-16 is a resolution authorizing an engineering contract with Maser Consulting for construction oversight at our emergency well projects at well no. 11 and well no. 12. The amount of this contract is \$11,840.00. As we just discussed they will be monitoring the construction activities and certifying that the work was done in accordance with the specifications and with best practices to make sure this does not occur again."

Comm. Flynn stated, "It is my understanding that the warranty just ran out on the wells?"

Director Maggio replied, "Generally when you bid a project and both of these projects were bid you get a two year maintenance bond. I wouldn't call that a warranty, but the maintenance bond is two years and Well 11's expired two years ago and Well 12 expired in November."

Comm. Foster made a motion to adopt Resolution No. 69-16. Seconded by Comm. Flynn.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

Comm. Curtis stated, "Quick question for Steve, Parkway project... we have so much tied to the County already for this correct?"

Director Specht replied, "About \$2 million worth of work."

Comm. Curtis continued, "Can we go in there and do it ourselves?"

Director Specht replied, "We have a shared services agreement with the County of Ocean."

Comm. Curtis replied, "But they are not doing it. That is my question. Do they have a time and date to get that work done? I'm just asking a question because this can go on for another year."

Director Specht stated, "As you are aware all projects related to the Transportation Trust Fund have been shut down and will remain shut down until they have financing available."

Comm. Curtis stated, "But we have \$2 million out there to get the water main put in. Is there something we can do?"

Director Specht stated, "We'd have to look at their shared services agreement and they would have to publicly bid the project if we want to. The shut down was supposed to last one week. Now we are into two months. And I would think they will probably not start construction again until April of next year at the earliest."

Comm. Curtis stated, "Well we have \$2 million invested in the project that we can't get done and should have been done."

Director Specht replied, "It was supposed to be done in November of this year. We reached out to the Ocean County Engineer John Ernst who in turn reached out to the New Jersey Department of Transportation with the specific items saying can we at least install the water main for the Authority since none of the financing is through the Transportation Trust Fund. NJDOT said no they are all intertwined. You cannot perform any of that work. Now can we push harder? At this point we have not. We would have to have another detailed discussion with the County, but John Ernst has asked the DOT twice now for us and we haven't gotten any movement on it."

Comm. Fozman stated, "We do have a time period coming up though where we stop installing?"

Director Specht replied, "Correct. We would have until December obviously then shut it down until March because they don't let you work on the roadways in that time period anyway."

Counselor Montenegro stated, "We could take a look at it and see what our options are."

Comm. Curtis stated, "It has to get done. If something starts this winter, we'll be out there this winter saying this shouldn't have even been here. Correct?"

Director Specht replied, "Luckily that main has been in good shape and we haven't had any impacts but again it's an asbestos event water main where we had problems on west of the Parkway. The west of the Parkway work is complete. The only thing that remains on that side is to rip the old main out. At least that problem area is corrected now."

Comm. Curtis stated, "So basically we are being held hostage by the Transportation Trust Fund."

Counselor Montenegro stated, "The only exception to the moratorium is emergency situations."

Director Specht advised, "And this project is not considered an emergency."

## **20. PUBLIC DISCUSSION**

Vice Chairman Fozman opened up the meeting to members of the Public, there being no discussion he closed the public portion of the meeting.

Comm. Fozman stated, "Mr. Planko is retiring from the MUA as of September 6<sup>th</sup>. I would just like to say that tonight is Frank Tonight is Frank Planko's last meeting night with us....Frank Planko was hired as the Director of Finance at the Authority in September of 1996. Prior to Frank's Arrival here the Authority did not have a Finance Director and in fact There was not a dedicated Finance Department. This was in the earlier days of the Authority when the finances were overseen by the Executive Director through the Accounting Supervisor. As the Authority began to grow and it was foreseen that in future years much more aggressive financing and budgeting would be needed to keep up with the Authority's growth, the hiring of someone with Frank's expertise was warranted. Frank came to the Authority with many years of public utilities experience at New Jersey Natural Gas. This

knowledge proved to be a great fit for the Authority at this time when such large looming projects such as water treatment plant expansions and the development of the Brick Reservoir, it was a very exciting yet busy time in the Authority. Over his past 20 years at the Authority Frank has built the Department of Finance into the valuable division of the Authority that it is today. In 2007, Frank's title was changed to more aptly describe his job function as Chief Financial Officer. With that, Frank, on behalf of myself and the entire Board of Commissioners, I'd just like to thank you for 20 years of professional services to the Authority. And I would like to personally thank you for all the time that you have spent with me going over everything. I would like to present you with this gift from the Authority."

Director Planko stated, "You were a great member of the Finance Committee for all the years that you have been here. It's just been a great 20 years here. Not only with the existing Board, but all past members of the Board. They have treated me great here. I look back over the past 20 years, some 300 meetings or so public and caucus. I look at all the things that we have accomplished here. I mean everyone talks about the \$33 million Reservoir and I don't know if everyone realizes this. We built that \$33 million Reservoir on our own. We didn't have any grants. We didn't have any free money. We built that with internal funding and borrowing and never had a rate increase higher than the single digits. This Authority did a lot of other things too. A lot of which people weren't here at the time. We built the Point Pleasant Beach pipeline which supplied water to Point Pleasant Beach which brought us in an additional I'd say almost \$1 in additional bulk sales. Then we moved on and we bought a small water company by the name of Parkway Water Company in Howell. Because of our financial strength we were able to pay cash for that water company. \$3.5 million which now brings us over \$1 million in additional revenues each year with that 1800 additional customers we got. We had paid back on that investment in less than four years. The next step we went on, we had an agreement with Lakewood for bulk water now making an additional quarter million dollars in revenues with much more growth plan there. And you just have to look around at all the other areas since I've been here. When I first came here in 1996 we didn't even have a network. We used to save to our harddrives and then we used to back up the harddrives to disk. I guess it was in 1997, I hired our first network technician by the name of Janice Zelnock and then the Authority went off on a brand new branch building on its systems. We now have the Edmunds Systems and we now have Jaguar and Dynamics which is a Microsoft system. We are moving along with asset management with both Joe and Gary. Just look at the networking system we have there. That is just a few of the many things we have accomplished since we have been here. I just want to say thanks to this Board. I want to say thanks to all the Department Heads we have here, Our rookie over there Chris, our new Executive Director. Gary of course and Joe. And I just want to give a special thanks to two people, one being Steve Specht who worked here my entire career with me. As most of you know I also worked at New Jersey Natural Gas for 12 years. Between my 32 years in the utility business, Steve is one of the best utility engineers that you can have. Secondly, Marie, what can I say badly about Marie. Everything is just good about Marie. She has been so helpful to me over the past 20 years, professionalism and served as a pinch hit executive director when needed as well. All our professionals. It was a pleasure working with Chuck the past three years. Every time you get a new auditor you learn new things and I've learned a lot of things from Chuck. Working with Maser including Chris before he moved on and Susan now. Also Town Council President Paul Mummolo working with him we had complaining customers at Town Hall Paul worked with me and we resolved their problems together. That's about it. I just want to say thanks and I guess it's a semi good bye because I'll be here for another two weeks or so. Thanks and good bye to everybody."

APPLAUSE

At this point in the meeting, 7:50 p.m. Vice Chairman Fozman announced that he would like to

go into Exempt session.

Counselor Montenegro stated, "This will be a resolution to enter into executive session whereas Section 8 of the Open Public Meetings Act Chairman if we can adopt the following resolution – Whereas The Brick Township Municipal Utilities Authority has been formed pursuant to applicable New Jersey statutes, and Whereas Section 8 of the Open Public Meetings Act NJS 10:4-12 permits the exclusion of the public in an executive session in a meeting of the BTMUA in certain circumstances, and Whereas the public body is of the opinion that such circumstances exist. Now therefore be it resolved by The Brick Township Municipal Utilities Authority of the Township of Brick in the County of Ocean, State of New Jersey as follows: The public shall be excluded from discussion on the actions upon the hereinafter specified subject matter which is personnel. It is anticipated at this time that the subject matter will be made public if and when it is deemed to be in the public interest to do so and the need for confidentiality is no longer needed and action may be taken. This resolution shall become effective immediately. This Board will return to the public session at the conclusion of the Executive Session."

Comm. Curtis made a motion to go into exempt session. Seconded by Comm. Foster.

AYES: Comm. Foster, Flynn, Curtis, Fozman  
NAYS: None  
ABSTAIN: None

On motion duly made and seconded and a unanimous vote, the group returned to Open Session at 8:30 p.m.

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

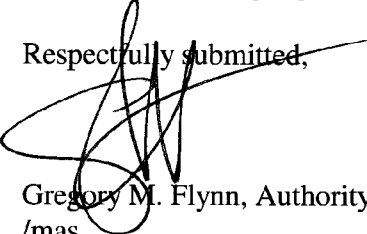
**22. CLOSING STATEMENT**

It was noted that the next Regular Public Meeting will take place on Monday, September 26, 2016 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**

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

  
Gregory M. Flynn, Authority Secretary  
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