

**Minutes of a Meeting of
The Brick Twp. Municipal Utilities Authority
Minutes of a PUBLIC MEETING Held on January 23, 2017**

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
Maria Foster
Susan Lydecker

Commissioners absent

George Cevasco

Also Present

Chris A. Theodos, Executive Director
Stephen T. Specht, Dir. Engineering/Ops
Joseph Maggio, Dir. Water Quality
John Clifford, CFO
Gary Vaccaro, Dir. Compliance/Technology
Marie Sylvester, Executive Supervisor
Ben Montenegro, MUA General Counsel
Chuck Fallon, MUA Auditor
Sue Brasfield, MUA Engineer
Mark Kitrick, Labor Counsel

4. ADOPTION OF DIRECTORS' REPORTS

Vice Chairman Fozman asked for a motion to adopt the Directors' Reports. Comm. Flynn made a motion. Seconded by Comm. Lydecker.

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

5. APPROVAL OF MINUTES

Vice Chairman Fozman asked for a motion to approve the minutes of December 13, 2016 Special Meeting public and exempt and December 19, 2016 public and exempt session.

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

AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,
NAYS: None
ABSTAIN: Lydecker – December 19, 2017

6. CORRESPONDENCE

Vice Chairman Fozman stated that we received a letter from Mayor John Ducey thanking the Authority for participating in the Festival of Trees event.

7. BILL RESOLUTION

Comm. Flynn read the Bill Resolution dated January 23, 2017 in the total amount of \$3,446,142.33 as follows:

Total Operating Vouchers:	\$	638,294.24
Total Payroll:		1,402,518.84
Total Capital Vouchers:		1,401,678.49
Escrow:		3,650.76
Total Bill Resolution	\$	3,446,142.33

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

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

8. TREASURER'S REPORT

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

Unrestricted Funds:

Total Revenue Funds:	\$	8,597,481.11
Total General Funds:		15,220,584.27

Total Unrestricted Funds: 23,818,065.38

Restricted Funds:

Rate Projection Maintenance Fund:	2,503,356.08
Working Capital Fund:	462,854.21
NJEIT Processing Fund:	875,998.50
Total Bond Funds:	4,868,286.64
Total Other Restricted Funds:	1,549,354.27
Total Restricted Funds	21,396,168.87
Total of All Fund Accounts:	45,214,234.25

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

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

9. DEVELOPER APPLICATIONS

9.1 Preliminary Applications - No Further Action Required - NONE

9.2 Other Applications

Director Specht reviewed the following developer applications for the Board to consider.

2181 Mr. F. Frank Sadeghi, PE, ARYA Properties, LLC, Major
Subdivision – Braden Estates/Block 1091, Lot 1, Route 70
& Old Squan Road, Final, 6 Residential

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

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

2193 Pioneer Hose Fire Company No. 1, Mr. Edward Slowinski,
Secretary, Pioneer Hose Company, Building Addition – Major
Site Plan, Drum Point Road & Johnson Road, Preliminary &
Final, 1 Commercial

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

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

93. Release of Bonds - NONE

10. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

11. CUSTOMER ACCOUNTS RECONCILIATIONS

Director Clifford presented the following credits for consideration by the Board.

One Time Credit

- a. **Account 9400003-1**, 979 Cedar Bridge Ave, Cedarbridge Holding Inc. A One-time credit is recommended in the amount of \$1,603.95 due to leaky sinks and toilets. The quarter in question rose to 439,000 gallons while average usage is 217,000 gallons. All repairs have been made and we have verified there are no other leaks.

Comm. Curtis asked, "Is this an apartment building or a house? You have multiple toilets leaking and multiple sinks?"

Director Clifford advised, "I believe it is a commercial property. I don't know the specifics based just on the address, but based on the address I believe there are primarily commercial properties over there. I imagine this is probably a large building."

Comm. Flynn asked, "When you send out and give these credits do you send out a letter stipulating that it is a one-time credit?"

Director Clifford stated, "These one-time credits when they are over \$1,000 are handled by Customer Accounts. I review them and I say OK and then Beverly handles from there. I don't know that a letter is sent out. We can make that part of our process. It is probably a good idea."

Comm. Flynn stated, "If this is commercial property we should definitely have correspondence so that they understand clearly that it is a one-time credit."

Comm. Lydecker stated, "Just for clarification 979 Cedar Bridge Avenue is the Brick House Bar and Grill."

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

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

Comm. Flynn asked if we know this hasn't happened before and if it was verified.

Director Clifford stated, "I would assume so. When Beverly goes through her process when someone requests a credit, she goes through and she scans that detail in the Edmunds billing system. If she spots something she will deny it because they have already received one. Can I verify that each particular one was verified that way? No I cannot, but as part of our documentation process we may want to institute something where we have a checklist. There is no formal documentation that I am aware of at this time. There is a request, she goes in and calculates what the credit would be based upon average usage. I look at it and make sure her math is correct."

Comm. Fozman asked, "Can we somehow mark these accounts to show that they have received a one-time credit?"

Director Clifford replied, "It is in the transaction detail in the system, but if you would like we could certainly institute a checklist."

- b. **Account 11752805-0**, 231 Chambers Bridge Rd, Helen Fayad. A One-time credit is recommended in the amount of \$1343.85 due to leaky toilets. The quarter in question rose to 223,000 gallons while the average use is 37,000 gallons. All repairs have been made and we have verified there are no leaks.

Comm. Lydecker stated, "This is another business. The American E Liquid Company, it is not residential."

Comm. Flynn stated, "I think we should know that. That should be the first thing we should know on these credits."

Director Clifford agreed and stated, "I would think when you see such a large credit chances are it is commercial or multiple toilets unless they had a massive leak. Just for the record the way that the system works it does go by the property location, so even if the property had changed hands it would still show in the history whether or not a credit has been issued."

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

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

13. CONTRACT CLOSE-OUTS - NONE

14. AUTHORIZATION TO EXPEND APPROVED FUNDS

a. Renewal of Yearly Technical Service Agreement

Vendor: Candoris Technologies

Amount: \$5,750.00

Funding Source: Operating Account 90059-8650

Director Vaccaro stated, "This is a renewal of our yearly technical service agreement with Candoris Technologies for \$5,750.00 with the funding coming from Operating Account 90059-8650. This was discussed with the Construction Committee. Candoris provides network and hardware support on an as needed basis to IT. It is a benefit to us to have them available at will. The agreement covers 25 hours of technical support with a one year expiration from the date of activation. The cost went up \$150.00 from last year."

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

AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,

NAYS: None

ABSTAIN: None

b. Renewal of Service Contract for PinAAcle 900F Flame AA

Vendor: Perkin Elmer

Amount: \$5,551.20

Funding Source: Account 7058703

Director Maggio advised, "This is for the renewal of a service contract for a PinnAAcle 900F Flame AA which is a laboratory instrument that measures different metal concentrations. The vendor is Perkin Elmer. The cost of this expenditure is \$5,551.20. The funding source is 7058703."

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

AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,

NAYS: None

ABSTAIN: None

c. Renewal of Water Research Foundation Subscription

Vendor WRF

Amount: \$9,057.63

Funding Source: Account 900-8315

Director Maggio stated, "This is the renewal of our Water Research Foundation subscription. The vendor is WRF in the amount is \$9,057.63. The funding source is account 900-8315. This is an industry foundation that performs a great deal of research and provides resources to us. We take a great advantage of the resources that they provide."

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

AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,

NAYS: None

ABSTAIN: None

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

a. Authorization to Solicit Bids for Pipe and Appurtenances for Fiscal Year 2017/2018

Director Vaccaro stated, "The first one is an annual bid for pipe and appurtenances for fiscal year 2017/2018. This is an annual bid for water and sewer hydrant parts used by the Field Operations Department. Last year we had three low bidders and we selected from 84 items. We are scheduled to bid for advertisement in May."

b. Authorization to Solicit Bids for Road Patch Materials for Fiscal Year 2017/2018 –

Director Vaccaro advised that this the annual id for road patch materials, stone, asphalt, et. Last year seven items were included in the bid and we awarded it to six lowest bidders. The term is from April 1st to March 31st. The bid is scheduled for advertisement in February.

c. Authorization to Solicit Bids for Electrical Work for Fiscal Year 2017/2018 –

Director Vaccaro advised, "Bids for electrical work for contracts that's are performed typically for emergency situations. Usually we have awarded to three low bidders. Last year we only had one qualified bidder. The term of the contract would be from May 1st to April 30th of next year and the bid is scheduled for advertisement in March."

Comm. Lydecker asked, "Why do you think we went from three to one qualified bidder for the electrician?"

Director Vaccaro replied, "Part of the reason was I think because it wasn't a lot of work and they just didn't want to bid because they know it is not a lot of work. We do a lot in house. In talking to Director Specht and Maggio it is just good to have somebody just in case we need emergency work. We did discuss maybe not doing the bids."

Comm. Lydecker asked, "Why did you decide to do the bids?"

Director Vaccaro replied, "Sometimes we do have emergency work and it just benefits us to have somebody available that we can bring on board quickly if needed."

Comm. Curtis made a motion to approve items 15a, b & c. Seconded by Comm. Lydecker

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

d. Annual FY 17/18 Treatment Chemical Bid

Director Maggio advised, "We are requesting authorization to send out bids for our Annual fiscal year 17/18 treatment chemicals. This bid is for the chemicals that we use in the water treatment process."

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

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

e. Authorization to Issue a Request for Proposal for Professional Engineering Services for the Design, Permitting, NJEIFP Application, Bidding, Construction Administration/Management and Inspection for Water Main Replacement on Cartagena Drive, Cadiz Drive, Valencia Drive, Monterey Drive and Alhama Drive and the Water Main Lagoon Crossing from Granada Drive to Cartagena Drive –

Director Specht advised, "This is authorization to issue a request for proposal for professional engineering services for the design, permitting, NJEIFP application, bidding, construction, administration/management and inspection for the water main replacement on Cartagena Drive, Cadiz Drive, Valencia Drive, Monterey Drive and Alhama Drive as well as the water main lagoon Crossing from Granada Drive to Cartagena Drive. It is recommended that we send the RFP to Suburban Consulting Engineers who performed the condition assessment for us. I provided detailed information in my report. Based on their analysis we have some piping that is in poor condition. Approximately 1,200 feet is in poor condition. 1900 feet is in moderate condition, and 2500 feet is in good condition. Based on the corrosivity of the soil out there the remaining useful life is anticipated to be less than 12 years. The Township is in the process of doing curbing and base repair as well as storm drain improvements out in this area. They will be following up with some final paving in 2018, so I would like to proceed with the design and construction after that to get the work done before they do their final paving."

Comm. Fozman asked, "What is the life expectancy of the new pipe?"

Director Specht replied, "It has been recommend that we go with the C900 PVC pipe which is more suitable in this corrosive soil material that we have out there. The pipe should last 100 years."

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

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

16. ADOPTION OF PERSONNEL ACTIONS

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

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

17. OLD BUSINESS

18. NEW BUSINESS

18.1 Waiver Request for the Application, Review and Inspection Fees for Pioneer Hose Fire Company Station No. 22 – Developer Application No. 2193; Pioneer House Company Building Addition; Drum Point Road and Johnson Road

Director Specht advised, "This is a waiver request for the application, review and inspection fees for Pioneer Hose Fire Company Station No. 22- Developer Application No. 2193. It is for the application we just previously spoke about for the addition to their fire house on Drum Point Road and Johnson Road. I received a letter on January 6th requesting this waiver per our Resolution 53-03, which states that if it is a public agency they can request through the Board of Commissioners a waiver of the inspection, review, processing fees, and application fees. We have done this in the past for other agencies within the Township and I would also recommend we waive these fees for Pioneer Hose."

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

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

19. RESOLUTIONS

- 01-17 Approval of 2017/2018 Authority Budget Resolution - Water
- 02-17 Approval of 2017/2018 Authority Budget Resolution – Sewer

Director Clifford stated, “We have resolutions 01-17 and 02-17 for the approval of our Water and Sewer Budgets at this time. I am going to go over some highlights of the budget. I can then take any questions that you might have. We do have a balanced budget at approximately \$34.8 million dollars. We do not at this time need a rate increase to support these budgets. In the way of expenses, our operating costs are down by 9% or a total of \$328, 645.00 from last year. Some of the highlights - Salaries and wages we did budget for a 3% increase because we don’t have contracts at this time so we just went with the old contracts. We did also receive an increase in our health benefits from our broker over last year. We are budgeting for 152 positions. So compared to last year the budgeted positions are the same. In salaries, wages and benefits we have a net increase of 4.46% when you factor in salaries as well as 3% raise or a \$1,000 whichever is greater. Due to the refunding of our old bonds, permanent financing of notes and some additional new borrowing, we realized an additional reduction in debt service of \$1.7 million this year. That helped us to absorb the increase in personnel and benefits costs as well as some other small fluctuations for budgeted items. This reduction in debt service allows us to keep rates stable for the fifth consecutive year. On the revenue side, we have annual service charges budgeted for \$32.8 million and that is down \$450,000 from the prior year. We had budgeted \$1.4 million in that number for bulk sales to our three customers Lakewood, Point Pleasant Beach and Point Pleasant Borough. I would like to say over the past few months, the Finance Committee has reviewed the capital budget for 2017/2018 with each of the directors to prioritize projects by importance of need. During these discussions the Executive Director reiterated that it was the goal of himself and the Board of Commissioners to utilize lower cost NJEIT funding in each and every case that would be allowable under the program. By doing so the Authority will realize significantly lower interest and borrowing costs in the future. For Comparisons sake, last year about 85% of the projects proposed were proposed to be funded by conventional financing and 4% were proposed NJEIT. This year at Executive Director Theodos’ direction, 81% will be put through NJEIT and just 7% will be potentially funded by conventional financing. The funding mix has essentially been inverted to the lower cost program. Also last year internal funding or cash funding was used for just 4% of the total budgeted projects. This year we seek to fund about 12% of those with internal funding, further demonstration the Authority’s commitment to lowering the costs of projects and reduce pressure on rates going forward. I would like to stress for the commissioners as my predecessor did in years past, that the capital budget does not lock the Authority into spending a single penny. Each project still needs to make it through the proper committee and full Board for a vote. A complete budget package including capital budget was sent to the Commissioners after the last Finance Committee meeting. At that meeting we went through a final budget review on January 12th. My belief is that this is a good clean budget that actually decreases overall spending for the 2017/2018 year and my recommendation to the Board is that we pass these two resolutions tonight and send the budget off to the State for their scrutiny and approval. Thank you and I’ll take any questions at this time.”

Comm. Fozman asked, "We paid down our debt of \$1.7?"

Director Clifford replied, "We made a pay down yes as we were required to. However we did take on some additional debt. We lowered the payment essentially, but we borrowed some money to fund some projects as well as we made permanent financing on some of the notes that we had. So we got our debt locked in and anything going forward. As I understand it there is a consensus opinion to go to NJEIT for that to take advantage of those programs and lower our overall cost including interest on the projects."

Comm. Flynn asked, "What is the number of employees right now?"

Director Clifford replied, "We have 152 budgeted positions. Some of them may be part time seasonal, but we have accounted for all of them."

Director Vaccaro stated, "I think it is 134 full time employee. I just happened to ask Teri today because I had to complete an OSHA log. That does not include Commissioners."

Director Theodos stated, "The 152 includes the commissioners and part timers and seasonal."

Comm. Flynn asked for a current organizational chart that shows the vacant positions. There are 152 slots in this organization what I am asking for is a chart showing 152 slots and where the vacancies are."

Mr. Fallon stated, "I did look at the budget and it very plausible."

Comm. Foster made a motion to adopt Resolution 01-17. Seconded by Comm. Flynn

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

Comm. Curtis made a motion to adopt Resolution 02-17. Seconded by Comm. Lydecker

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

03-17 A Resolution Rescinding Resolution No. 57-16 - Authorizing the transfer
Of Authority Payroll and FSA Accounts to Provident Bank

Director Clifford advised that Resolution No. 03-17 is a resolution rescinding resolution No. 57-16 authorizing the transfer of the Authority payroll and FSA accounts to Provident Bank. Essentially

what happened here was after crunching the numbers and looking at Director Planko's analysis, the potential savings to the Authority would have been somewhere under \$4,000 per year when we factored in additional costs that would be brought on by wire transfers and everything else. It came down to less than \$2,000 a year and we just made a judgment call that this was not worthy of the process of switching banks. To further try to get more of our bang for our buck out of TD, we are going to try to negotiate some of the costs down for some additional savings.

Comm. Flynn asked what we were charged \$22,000 for.

Director Clifford advised, "That is for our Trustee. We are required to have a Trustee. TD Wealth Management was our Trustee. Chuck can probably give you the more legal reasons for that and why we are required to have that."

Chuck Fallon advised, "When they created the Authority that is in your as long as you have bonds you are required to have a Trustee. That is what protects the public with their money. The fee that you are referring to is a normal fee that the trustee charges based upon the number of bond issues that you have outstanding. So every time you go out for a bond issue it is going to increase."

Comm. Flynn asked, "And obviously you feel confident with them handling the accounts?"

Director Clifford replied, "Yes. Cathy Alessi is our representative from TD Wealth Management and she does a monthly flow of funds and she insures that our bond reserve requirements are met. Our revenue fund is required to be at a certain level per our bond resolution. She insures that all that money is there. Then what we do is we take out idle funds and she is the one that manages our investments. She makes the transfer from the revenue account. She does all the administrative part of that."

Chuck Fallon added, "She is an extra outside person that is actually looking at your bank accounts."

Comm. Flynn made a motion to adopt Resolution 03-17. Seconded by Comm. Lydecker

AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,

NAYS: None

ABSTAIN: None

04-17 Resolution Authorizing the Retention and Payment of Fleisher Forensics for Additional Expert Witness Services on Behalf of the Authority for Litigation Support in Pending Matter BTMUA V. AM-Liner East, Et. Al., Docket No. OCN-L-1424-15

Director Specht advised, "This is a resolution Authorizing the Retention and Payment of Fleisher Forensics for Additional Expert Witness Services on Behalf of the Authority for Litigation Support in Pending Matter BTMUA V. AM-Liner East. We had an original resolution that limited Fleisher Forensics under Resolution 74-16 to \$15,000. We are now entering into our third mediation and I know Mr. Montenegro and I will discuss it in exempt session, we are moving ahead and making progress. This is just to allocate additional funding

for our expert witness who has provided detailed information to support our case. This will increase the not to exceed amount to \$35,000.”

Comm. Curtis made a motion to adopt Resolution 04-17. Seconded by Comm. Lydecker

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

05-17 Change Order No. 3/Final Quantities Change Order in the Amount of \$44,565.51 to Layne Christensen Company for ASR Well No. 15A; Contract No. 708003

Director Specht advised, “This is change order No. 3/Final Quantities Change Order in the Amount of \$44,565.51 to Layne Christensen Company for ASR Well No. 15A; Contract No. 708003. As I detailed in my monthly report, there are nine potential change orders that we are incorporating into Change order No. 3. We are also reducing the contract for unused allowance items. I would recommend approval of this change order.”

Comm. Curtis made a motion to adopt Resolution 05-17. Seconded by Comm. Lydecker

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

06-17 Authorizing the Purchase of 3 Rotary Control Valves from Harold Beck & Sons in the Amount of \$18,776.50 Funded from Account 799008B

Director Maggio replied, “Resolution 06-17 Authorizes the Purchase of 3 Rotary Control Valves from Harold Beck & Sons in the Amount of \$18,776.50 Funded from Account 799008B. These controllers are essential to automatic operation of our sand filter system. These valves are nearing 20 years old and this is a preventative maintenance item. It is an important piece of equipment.

Comm. Curtis made a motion to adopt Resolution 06-17. Seconded by Comm. Foster

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

07-17 A Resolution Ratifying the Final Payment/Amended Emergency Contracts Pursuant to NJSA 40A:11-6 for Repairs/Inspection Services to Well #12

Director Maggio advised, “Back in November we had a resolution authorizing the final payment

for the emergency work at Well 11 & Well 12. There was an issue with the final cost for Well 12. The language was not very clear in terms of what the final amount was. Some of the initial investigatory work was omitted. So this resolution basically corrects that error and clearly acknowledges that the total for the work at Well 12 was \$80,014.00.”

Comm. Flynn made a motion to adopt Resolution 07-17. Seconded by Comm. Lydecker

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

20. PUBLIC DISCUSSION

At this point in the meeting, Vice Chairman Fozman opened up the meeting to the public, there being none he closed that portion of the meeting.

Exempt Session

Counselor Montenegro stated, “I we could at this time have a resolution on a motion to go into closed session at this point in the meeting of The Brick Township Municipal Utilities Authority on January 23rd for the purpose of discussing litigation/personnel/contracts, Whereas Section 8 of the Open Public Meetings Act NJSA 10:4-14 permits the exclusion of the public from a meeting in certain circumstances, and Whereas this public body is of the opinion that such circumstances exist. Now therefore be it resolved by The Brick Township Municipal Utilities Authority in the County of Ocean, State of New Jersey as follows: the public shall be excluded from discussion on the hereinafter specified subject matters being pending litigation OCN-L-1424-15, and personnel, contract negotiations. It is anticipated at this time that the subject matters will be made public if and when confidentiality is no longer needed and action may be taken. This resolution shall become effective immediately.”

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

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

At this point in the meeting, 7:52 p.m. the group entered exempt session.

On a motion and second and unanimous vote in exempt session the group returned to open session at 8:50 p.m.

Resolution No. 08-17

Vice Chairman Fozman stated, "We have Resolution 08-17, for the award of a Non Fair and Open Contract authorizing Public Strategies Impact, hereinafter referred to as PSI to provide consulting services for grant funding and legislative action."

Comm. Flynn made a motion to adopt Resolution No. 08-17. Seconded by Comm. Lydecker

AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,

NAYS: None

ABSTAIN: None

21. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF

Director Maggio stated, "Thank you for everything."

Counselor Montenegro advised he had nothing further to discuss.

Director Theodos stated, "I wanted to thank the Directors and our CFO and the Finance Department for the outstanding job of assisting and putting together a very comprehensive budget. It is one that will allow for no rate increase this year, and actually provides a savings of over \$300,000.00 in expenses over last year's budget."

Comm. Lydecker advised she had nothing further to report.

Comm. Flynn stated, "I want to say hello to Bill who will be coming on board at the reorganization meeting."

William Neafsey, seated in the audience introduced himself.

Vice Chairman Fozman advised, "Bill Neafsey will be our new commissioner starting in February."

Comm. Foster stated, "It is a pleasure to work with everyone here. Thank you all for your lovely Christmas cards that you sent. Looking forward to next month."

Vice Chairman Fozman stated, "I would like to thank all our professionals for doing a great job and PSI and his company for helping us, and John for the budget, and all the directors for doing an outstanding job this year and looking forward to another good year."

23. ADJOURNMENT

Comm. Foster made a motion to adjourn. Seconded by Comm. Flynn.

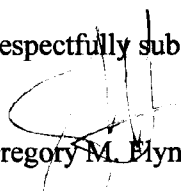
AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,
NAYS: None
ABSTAIN: None

24. CLOSING STATEMENT

Ms. Sylvester read the following statement: *The next Meeting of the Authority will be Annual Reorganization Meeting on Wednesday, February 1, 2017 at 9:30 a.m. All meetings take place in the Main Conference Room of the Authority's Administration Building located at 1551 Highway 88 West.*

There being no further business to discuss the meeting adjourned at 9:05 p.m.

Respectfully submitted,


Gregory M. Flynn, Authority Secretary

GAF/mas