

**Minutes of a Meeting of
The Brick Twp. Municipal Utilities Authority
Minutes of a PUBLIC MEETING Held on February 27, 2017**

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 6, 2017, 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

Maria Foster
Susan Lydecker
Thomas C. Curtis
James Fozman
Gregory M. Flynn
William Neafsey

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 Brasefield, MUA Engineer

4. EXEMPT SESSION

Chairman Flynn advised that Exempt Session will be held at the end of the meeting.

5. ADOPTION OF DIRECTORS' REPORTS

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

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

NAYS: None

ABSTAIN: None

6. APPROVAL OF MINUTES

Comm. Lydecker made a motion to adopt the minutes of the January 23, 2017 Regular and Exempt meeting and the February 1, 2017 Reorganization Meeting. Seconded by Comm. Curtis

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

7. CORRESPONDENCE - None

8. BILL RESOLUTION

Comm. Curtis read the Bill Resolution dated February 27, 2017 in the total amount of \$5,045,123.00 as follows:

Total Operating Vouchers:	\$	1,620,399.28
Total Payroll:		1,002,748.31
Total Capital Vouchers:		2,410,815.53
Escrow:		11,159.88
Total Bill Resolution	\$	5,045,123.00

Comm. Fozman made a motion to approve the Bill Resolution. Seconded by Comm. Lydecker

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

8. TREASURER'S REPORT

Comm. Lydecker read the Treasurer's Report balances for the month ending January 31, 2017 as follows:

Unrestricted Funds:

Total Revenue Funds:	\$	8,838,795.48
Total General Funds:		15,220,624.67
Total Unrestricted Funds:		24,059,420.15

Restricted Funds:

Rate Projection Maintenance Fund:		2,503,356.08
Working Capital Fund:		462,854.21
NJEIT Processing Fund:		824,898.50
Total Bond Funds:		6,301,886.70
Total Other Restricted Funds:		1,550,274.46
Total Restricted Funds		21,355,032.82
Total of All Fund Accounts:		45,414,452.97

Comm. Foster made a motion to approve the Treasurers Report. Seconded by Comm. Fozman

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

9. DEVELOPER APPLICATIONS - None

10. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

11. CUSTOMER ACCOUNTS RECONCILIATIONS

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

- a. Account 2442509-0, 284 Dutchmans Point RD, Patrick Daniello A Sewer credit is recommended in the amount of \$2329.57 due to a broken pipe. The quarter in question rose to 339,000 gallons while average usage is 62,000 gallons. This is a single family home and no other credits have been issued. All repairs have been made and verified and the meter is NJ AMERICAN.

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

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

- b. Account 2680602-0, 244 Route 35 North, Mantoloking Beach House. A Sewer credit is recommended in the amount of \$7888.58 due to a broken pipe. The quarter in question rose to 957,000 gallons while the average use is 19,000 gallons. This is a single family home and no other credits have been issued. All repairs have been made and verified and the meter is NJ AMERICAN.

Comm. Curtis expressed surprise that no one noticed a million gallons of water coming out of this house. Director Clifford stated that this was determined to be leak was between the house and main water line in the street and not within the house. In addition he stated that this was actually occurring for two quarters and we denied it because once he saw that his usage was elevated he should have notified the Authority.

Chairman Flynn asked if we have established a policy to provide a notification that these credits are one time only. Director Clifford stated that he does not know if we provide follow up letters. However, sewer credits are not necessarily one time credits.

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

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

12. CONTRACT CLOSE-OUTS - NONE

13. AUTHORIZATION TO EXPEND APPROVED FUNDS

a. AEA Annual Membership

Amount: \$5,900.00

Funding Source: Operating Account 902-8315

Director Theodos explained that annual membership renewal in the AEA provides the authority with educational and advocacy services and two of our directors are actively involved in leadership roles within the organization.

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

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

NAYS: None

ABSTAIN: None

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

a. Authorization to Proceed with the Purchase/Replacement of V591, a 2007 Ford E-250 Van with a 2017 Ford Transit 150 RWD Low Roof Van

Director Specht presented this purchase request for authorization to the Board and stated that the existing 2007 Van has approximately 71,000 miles and we will be able to purchase a replacement transit van under State contract for approximately \$20,000. He added that \$25,000 has been budgeted this year for the purchase. Director Specht advised that the old van will become a pool van or shuffled around somewhere and an older vehicle with more miles will be taken out of the line.

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

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

NAYS: None

ABSTAIN: None

15. ADOPTION OF PERSONNEL ACTIONS

Comm. Curtis expressed concern with the current personnel upgrades in light of the fact that we are in the middle of contract negotiations and stated that we should be holding off until after the negotiations are finalized

Comm. Lydecker questioned who decides what the increase is for a promotion. Director Theodos stated it is recommended by the supervisor and the director and it basically follows the prior practice of the Authority.

It was discussed that this matter will be discussed further in exempt session.

Chairman Flynn asked for a motion to adopt the personnel items as they are set forth in the Executive Director's report.

Comm. Fozman made a motion to approve the personnel items. Seconded by Comm. Foster

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

16. OLD BUSINESS

17. NEW BUSINESS

17.1 Request to Utilize Reservoir

- a. **Organization: St. Vincent DePaul**
Description: Walk for the Poor Fundraiser
Date: Saturday, September 30, 2017 from 8:30 a.m. to Noon
Special Needs: None
No. of Participants: 40
Contact: Kathy Wintersteen
Event Status: 8th year

Director Specht recommended this request be approved.

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

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

17.2 Clearing of Utility Easements – Phase IV

Director Specht advised that we are in the fourth phase of our easement clearing which should wrap it up. He advised that we do provide notice to the adjacent property owners as well as obtain the proper tree removal permits from the Township of Brick. Director Specht advised that the work will be started in the fall of 2017/Winter 2018.

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

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

18. RESOLUTIONS

- 21-17 Resolution of The Brick Township Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing the Chief Financial Officer and/or the Executive Director to deposit monies in any bank, savings and loan or trust company having its place of business in the State of New Jersey and which his organized under the Laws of the United States or the State of New Jersey

Director Clifford advised that this resolution is to satisfy the request of our banks to provide for authorization for the Executive Director and CFO to create bank accounts and move money between accounts.

Chairman Flynn asked if this is a change in existing policy. Director Clifford advised that it is more of an augmentation. Authority Auditor Chuck Fallon stated that the past practice was for the CFO to come to the Board and advise that he would like to transfer accounts, but in this case you are talking about short term investments that you have already approved in your cash management plan.

Comm. Curtis made a motion to adopt Resolution No. 21-17. Seconded by Comm. Fozman

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

22-17 Award of Contract to H2M for the Design, Permitting, and Bidding Support for Water Supply Master Plan Improvements at the William Miller Water Treatment Plant

Director Maggio advised that this resolution will authorize the award of a time and materials contract in the amount of \$235,000.00 to H2M Architects and Engineers for engineering services through design permitting and bidding for some projects that have been identified in the water supply master plan to improve water quality at the Water Treatment Plant.”

Comm. Foster made a motion to adopt Resolution No. 22-17. Seconded by Comm. Curtis

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

23-17 Award of FY 2017-2018 Chemical Bid

Director Maggio explained that this resolution authorizes the purchase of the supply of all our water treatment plant chemicals which is done on a yearly basis. He added that the only unusual thing with this bidding process is we are awarding a two year contract for the supply of Alum because pricing was more favorable if we commit to two years. Also on the supply of Zinc Orthophosphate we rejected the low bidder because they were supplying a chemical composition that did not meet our specifications and are awarding to the second highest bidder Shannon Chemical. It was noted that this has been done in coordination with the Authority’s general Counsel.”

Comm. Foster made a motion to adopt Resolution No. 23-17. Seconded by Comm. Fozman

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

24-17 Authorizing Purchase of Microsoft SQL Server 2016 Standard Licenses - \$23,419.70 – Operating Account No. 9098703

Director Vaccaro explained that the purchase of this Microsoft license is a critical program that is used to store and retrieve data. He explained that it is the backbone of several of our key software programs and we are legally required to have this license. Director Vaccaro added that it is being purchased on State contract for a five year period.

Comm. Curtis made a motion to adopt Resolution No. 24-17. Seconded by Comm. Lydecker

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

25-17 Change Order No. 1 in the Amount of \$16,913.60 to Thomas Controls, Inc. – William Miller Water Treatment Plant Generator and Electrical Improvements; Contract No. 711003 from the Contract Allowance Line Item of \$100,000.00

Director Specht explained that we have a \$100,000 allowance built into the contract so you will not see an increase in the contract price. He explained that it is a two part change order - the first part is to install two additional meters for the incoming feeds to motor control center G and our new switchboard for the 2500 Kba transformer as well as the 1500 kba transformer in the amount of \$14,108.00. The second part of the change order is for furnishing of LED lighting in lieu of the specified fluorescent lighting. He indicated that we are converting all of our lighting at the Authority to LED energy efficient lighting and generally the pay back on these fixtures is two to three years. The total for this work is \$2,805.00, making the total change order \$16,913.60. Director Specht recommended approval of this resolution.

Comm. Curtis made a motion to adopt Resolution No. 25-17. Seconded by Comm. Fozman

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

26-17 Authorizing the NJDEP Treatment Works Approval Permit Application Fee for the Rehabilitation/Upgrades of Seven (7) Wastewater Pump Stations (WWPS) to the Treasurer, State of New Jersey for \$18,550.40; Capital Project No. 816002 – WWPS Upgrades: BURNT TAVERN MANOR WWPS, CAPE BRETON WWPS, GREEN BRIAR II WWPS, LANES MILL WWPS, LAURELBROOK WWPS, PINE MEADOWS WWPS, RIVIERA WWPS, SEAVIEW VILLAGE WWPS AND SLOPING HILL WWPS

Director Specht advised that this resolution is for seven wastewater pump stations that are currently under design by CME. He explained that they completed the application form and for us to get our treatment works approval permit we must submit the appropriate application fee in the amount of \$18,550.40. Director Specht recommended approval of this resolution.

Comm. Curtis made a motion to adopt Resolution No. 26-17. Seconded by Comm. Lydecker

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

20. PUBLIC DISCUSSION

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

Exempt Session

Counselor Montenegro read the following resolution for exempt session into the record, "We request a resolution on a motion to go into closed session at the February 27, 2017 meeting of The Brick Township Municipal Utilities Authority for the purpose of discussing litigation/ personnel/ contracts, Whereas Section 8 of the Open Public Meetings Act NJSA 10:4-12 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 a. pending litigation OCN-L-1424-15, and personnel and 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. Fozman made a motion to approve the resolution to go into closed session. Seconded by Comm. Foster

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

The Commissioners then entered exempt session at 7:35 p.m. and all public were asked to leave.

On motion duly made and seconded and a unanimous vote in closed session the group returned to open session at 8:50 p.m.

21. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF

Director Specht provided a status of the generator project stating that there is training today and they were fired up last week. He expressed that hopefully we will be on line with the new generators by sometime next week.

Director Maggio stated that he appreciates the support with the GAC project and that it will be a very important project for the Authority going forward.

Director Vaccaro stated that he is pleased to say that the Authority has been given an Environmental Stewardship Award from NJDEP. He explained that it is for any public or private agency and they recognize voluntary or pro-active measures taken by the agency above what you are normally required to do.

Director Maggio also complimented Director Maggio and Director Specht's staff for the work they put in, specifically Rob Karl, Bill Duckworth and Dan Reilley.

Director Clifford stated that we have final approval for our budget so at the March meeting it will be formally adopted.

Director Theodos commended Director Clifford, the Finance Department and the Directors for their persistence in compiling a budget which provided for no increase to the ratepayers for the fifth consecutive year,

Chairman Flynn reminded everyone that Board meetings will now be held on the last Thursday of each month.

Comm. Fozman asked if this change in meetings will require our billing to be altered. Director Clifford replied that our billing for our services will not change. He added that we may see some issues with certain vendors due to the fact that since the meetings are on Thursday the checks will not go out until the following Monday or Tuesday.

23. ADJOURNMENT

Comm. Lydecker made a motion to adjourn. Seconded by Comm. Fozman.

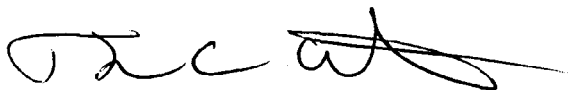
AYES: Comm. Flynn, Curtis, Foster, Lydecker, Fozman,
NAYS: None
ABSTAIN: None

24. CLOSING STATEMENT

Ms. Sylvester read the following statement: *The next Meeting of the Authority will be a regular public meeting on Thursday, March 30, 2017 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.*

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

Respectfully submitted,



Thomas C. Curtis, Authority Secretary

TCC/mas