

The Brick Twp. Municipal Utilities Authority
Minutes of a PUBLIC MEETING Held on April 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
Thomas C. Curtis
William Neafsey
Gregory M. Flynn

Absent

James Fozman
Susan Lydecker

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
Dave Schroth, MUA General Counsel
Chuck Fallon, MUA Auditor
Sue Brasfield, MUA Engineer
William Wells, Authority Labor Counsel

Ms. Sylvester advised that Comm. Neafsey will be voting this evening in the absence of Commissioner Fozman.

4. EXEMPT SESSION

Chairman Flynn advised that Exempt Session will be held after the completion of the Authority business.

5. ADOPTION OF DIRECTORS' REPORTS

Comm. Foster made a motion to adopt the Directors' Reports. Seconded by Comm. Neafsey.

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

6. APPROVAL OF MINUTES

March 30, 2017 Regular and Exempt

Comm. Curtis made a motion to approve the minutes of the March 30, 2017 Regular and Exempt meetings. Seconded by Comm. Foster.

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

7. CORRESPONDENCE - None

8. BILL RESOLUTION

Comm. Curtis read the Bill Resolution dated April 27, 2017 in the total amount of \$3,343,549.34 as follows:

Total Operating Vouchers:	\$	643,901.86
Total Payroll:		2,239,182.53
Total Capital Vouchers:		460,464.95
Escrow:		- 0 -
Total Bill Resolution	\$	3,343,549.34

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

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

8. TREASURER'S REPORT

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

Unrestricted Funds:

Total Revenue Funds:	\$	7,002,293.17
Total General Funds:		14,504,125.87
Total Unrestricted Funds:		21,506,419.04

Restricted Funds:

Rate Projection Maintenance Fund:		2,854,735.25
Working Capital Fund:		462,991.16
NJEIT Processing Fund:		865,274.08
Total Bond Funds:		9,113,430.81
Total Other Restricted Funds:		1,552,533.17
Total Restricted Funds		21,870,655.83
Total of All Fund Accounts:		43,377,074.87

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

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

10. DEVELOPER APPLICATIONS

10.1 Preliminary Applications - No Further Action Required - NONE

10.2 Other Applications

Director Specht presented the following Developer Applications to Board for approval.

2150 Mr. Bhupen Patel, Shaili Management Co., Hardee's Restaurant, Bay Harbor Plaza, 55 Brick Blvd., Final, 1 Commercial Unit

In regard to this application, Director Specht advised we granted preliminary approval back in 2014, however, it was held up in a lawsuit which has now been resolved. He explained that the applicant will be required to extend the water main approximately 80 feet and will also be required to install a 6" diameter sewer lateral to an existing sewer main north of the Bay Harbor Plaza which is approximately 14 feet deep. Director Specht recommended approval of this application.

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

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

2197 Mr. F. Frank Sadeghi, PE, Arya Properties, Metedeconk Landing, Major Subdivision, Drum Point Road & Law-Win Court, 16 Units, Residential

Director Specht advised this is a preliminary application for 16 residential units that will be required to come back for final approval. He added that the sewer main will be extended from Drum Point Road approximately 1,200 feet with 5 new precast sanitary manholes and 4" diameter sewer laterals. The water main will be an 8 inch water main extending from Lauren Court approximately 740 feet and there will be three new hydrants installed as well as 16 one inch diameter water services. Director Specht recommended preliminary approval of this application.

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

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

10.3 Release of Bonds - NONE

11. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

12. CUSTOMER ACCOUNTS RECONCILIATIONS - NONE

13. CONTRACT CLOSE-OUTS - NONE

14. AUTHORIZATION TO EXPEND APPROVED FUNDS

a. **Sea Avenue Storm Water Pump Station – County of Ocean; The Replacement of a Corroded Pipe Joint on the 36” Diameter Discharge of Diesel Pump No. 3**

Amount: \$18,335

Vendor: by Quad Construction

Funding Source: Reimbursable from the County of Ocean

Director Specht advised that this expenditure is for the Sea Avenue Pump Station that we operate and maintain for the County of Ocean. Director Specht explained that two bids were received and we requested a third bid but did not receive one. He added that Ocean County has already approved this expenditure on their end.

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

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

b. **Oasis modeling Software Package**

Amount: \$12,500

Vendor – Hydrologics

Funding Source: Capital Project Acct. 716009

Director Maggio advised this software will serve as the computer platform for several of the decision making tools that our consultant will be preparing as part of the water supply master plan.

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

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

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

16. ADOPTION OF PERSONNEL ACTIONS

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

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

17. OLD BUSINESS

18. NEW BUSINESS

18.1 Request to Utilize Reservoir

Director Specht presented the following requests to utilize the Reservoir.

a. Organization: Not Applicable - Individual

Description: Doggy Day Trip 2 Meet and Greet with Donation Requests for the Monmouth and Ocean County SPCA

Date: Sunday, June 11, 2017 from 1:00 p.m. to 4:00 p.m.

Special Needs: Tent and Table

No. of Participants: 40-50

Contact: Lindsay Jones

Event Status: 1st Year

Director Specht advised that after discussing this request with his staff there is a concern with the quantity of dogs at the Reservoir at one time. He stated that it would require additional clean up and increased liabilities with the human to dog interaction. Director Specht stated that he would not recommend approval of this request.

Chairman Flynn stated that he feels we should trust Director Specht's recommendation in this matter and the potential for issues with this type of event since it is not an event that fits in with our comfort zone.

Comm. Neafsey made a motion to deny this action. Seconded by Comm. Curtis.

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

b. Organization: Cornerstone Calvary Chapel

Description: 5k run to raise money for a youth mission to El Salvador

Date: Saturday, June 3, 2017 from 8:00 a.m. to 1:00 p.m. (Rain Date: Saturday, June 17, 2017 from 8:00 a.m. to 1:00 p.m.)

Special Needs: Equipment and Water Stations

No. of Participants: 100

Contact: Kimberly McCarrick

Event Status: 1st Year

Director Specht advised that while this is the first request by this group, we have held similar events like this in the past and would recommend approval.

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

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

19. RESOLUTIONS

45-17 Resolution Authorizing Award of Electrical Work

Director Vaccaro stated this is our annual bid for the selection of a contract to perform electrical work at Authority sites for fiscal year 2017/2018. He added that we had three bidders and we are proposing to award the bid to the lowest responsible bidder which is Starlite Electric.

Comm. Curtis made a motion to approve Resolution No. 45-17. Seconded by Comm. Neafsey.

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

46-17 A Resolution Authorizing Change Order No. 2 for an Increase in the Contract Amount by \$10,186.66 and a Time Extension Through June 1, 2017 with Pillari Brothers Construction Corporation – Parkway Service Territory Water Main Interconnections on Cherry Lane and Redbud Lane, Water Main Upgrades on Winding River Lane and Water Main Extensions on East Granada Drive and Oak Knoll Drive; Contract No. 715006

Director Specht explained this resolution and recommended that it be approved.

Comm. Curtis made a motion to approve Resolution No. 46-17. Seconded by Comm. Foster.

AYES: Comm. Foster, Neafsey, Curtis, Flynn

NAYS: None

ABSTAIN: None

20. PUBLIC DISCUSSION

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

Ms. Sharon Eastwick, Business Manager, OPEIU, Local 32 stated that she represents the field staff and was wondering if the Commissioners had made a decision on the movement of the contract because she was told by our labor attorney that it will be discussed this evening as to whether to go back to the table or file for mediation.

Director Theodos advised that it will be discussed with the commissioners in closed session this evening.

At this time in the meeting, Counselor Schroth read the resolution to go into closed session as follows:

The Authority would now like to request a resolution for closed session at this point in the meeting of the BTMUA on 4/27/17 for the purpose of discussing 1) contracts-labor negotiations. 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 BTMUA, in the County of Ocean, State of New Jersey, as follows: the public shall be excluded from discussion on the hereinafter specified subject matter(s) contracts-labor negotiations. 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. This resolution shall become effective immediately.

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

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

At this point in the meeting, 7:20 p.m., the group entered exempt session

On motion duly made and seconded, and a unanimous vote in closed session, the group returned to open session at 8:00 p.m.

21. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF

Director Specht advised that Dickinson Road will be milled on Monday and paved on Tuesday. In reference to the generator project, he stated that the transfer was made one night last week to tie the new control building into the new switch gear so it is moving along well and we are on track to meet the contract extension date.

Director Maggio advised that we are in the middle of our first half of 2017 Lead and Copper Sampling in which we need to collect 60 customer samples. He explained that we are through 47 homes and the results have been good and we will be well within compliance.

Director Maggio stated that we were notified that we received a \$6,700 Barnegat Bay Public Outreach Grant that will allow us to hold several events including one rain garden event and three rain barrel construction events.

Chairman Flynn reminded Director Maggio to discuss with Director Theodos some information he sent over regarding a grant available through the Department of Defense.

Director Clifford advised that his staff wrapped up a project that allowed us to take almost \$200,000 from developer escrow and pull it in as revenue. He also thanked the Board for moving Heidi into his department to help out. In addition, Director Clifford stated his department is shorthanded and he wanted to publicly acknowledge the efforts of his department employees who are picking up the slack.

Chairman Flynn suggested that our new inspection fees should be made public to the contractors in some manner. Director Specht advised that he will include that in the review letters.

Authority Auditor Chuck Fallon stated that the unaudited results of the year ended March 31, 2017 budget to actual were provided to all Commissioners and the revenues came in with a positive variance of 5.5%. He added that the expenses also showed a positive variance of 6.3% meaning that the Authority spent less than what they budgeted.

Director Theodos announced that the Authority was selected to receive the 2017 Government Professional Development Award which was issued by the New Jersey State Society of Professional Engineers, given in recognition of the Authority's' employment practices and professional development programs and opportunities.

22. CLOSING STATEMENT

Ms. Sylvester advised that the next Meeting of the Authority will be a Public Meeting on Thursday, May 25, 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.


23. ADJOURNMENT

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

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

There being no further business to discuss the meeting adjourned at 8:50 p.m.

Respectfully submitted,



Thomas C. Curtis, Authority Secretary

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