

**Minutes of a PUBLIC MEETING held on August 29, 2023**

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

**2. OPENING STATEMENT**

Ms. DiMatteo 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 3, 2023 in the Asbury Park Press. Similar Notice was given to the Clerk of the Township of Brick and placed on the bulletin board maintained for this purpose by the Authority.*"

**3. ROLL CALL**

Members Present

Susan Lydecker  
Michael Blandina  
William Neafsey  
Paul Mummolo  
Harvey Langer  
Erin Wheeler  
Thomas Curtis

Also Present

Chris A. Theodos, Executive Director  
Stephen T. Specht, Dir. Engineering/Operations  
Gary Vaccaro, Dir. Compliance & Technology  
Joseph Maggio, Dir. Water Quality  
John Clifford, CFO  
Keri DiMatteo, Sr. Executive Admin. Assistant  
Nick Montenegro, Esq., MUA General Counsel  
Chuck Fallon, MUA Auditor  
Sue Brasefield, MUA Engineer

**4. Adoption of Directors' Reports**

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

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

**5. APPROVAL OF MINUTES**

Comm. Lydecker made a motion to adopt the July 26, 2023 regular meeting minutes. Seconded by Comm. Mummolo

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

**6. CORRESPONDENCE – NONE**

**7. BILL RESOLUTION**

Comm. Blandina read the Bill Resolution dated August 29, 2023 in the total amount of \$2,063,190.01 as follows:

Total Operating Vouchers:	\$	783,677.22
Total Capital Vouchers:		70,394.87
Total Payroll:		1,191,636.54
Escrow:		17,481.38
Total Bill Resolution:	\$	2,063,190.01

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

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis

NAYS: None

ABSTAIN: None

**8. TREASURER'S REPORT**

Comm. Lydecker read the Treasurer's Report balances for the month ending July 31, 2023 as follows:

**Unrestricted Funds:**

Total Revenue Funds:	\$	14,649,931.13
Total General Funds:		9,783,978.45
Total Working Capital Fund:		31,352.06
Total Processing Fund:		4,924,556.99
Total Unrestricted Funds:		29,389,818.63

**Restricted Funds:**

Rate Projection Maintenance Fund:		2,003,750.00
Construction Fund:		225,790.00
Total Bond Funds:		9,117,014.35
Total Other Restricted Funds:		1,790,196.08
Total Restricted Funds		13,136,750.43
Total of All Fund Accounts:		42,526,569.06

Comm. Blandina made a motion to approve the Treasurer's Report. Seconded by Comm. Mummolo

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis

NAYS: None

ABSTAIN: None



**9. DEVELOPER APPLICATIONS**

9.1 Preliminary Application - No Further Action Required – *NONE*

9.2 Other Applications – *NONE*

9.3 Release of Performance Bonds

2195      Arts Senior Living of Brick Township, LLC – Artis Senior Living Memory Care Facility, Block 1169, Lot 7 – 466 Jack Martin Blvd., Release of Performance Bond - C

Director Specht reviewed the above action with the Board. He explained that the applicant has met all of the requirements.

Director Specht recommended release of the performance bond of this project and the waiver of the maintenance bond.

Comm. Blandina made a motion to approve this action. Seconded by Comm. Mummolo

AYES:        Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis

NAYS:        None

ABSTAIN:    None

**10. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE**

**11. CONTRACT CLOSE-OUTS**

a.      P&A Construction, Inc. for the Cedarwood Park East and West Water Main Replacement; Brick Utilities' Capital Project No. 716001A; NJIB Project No. 1506001-008 (Final Payment; Reduction of Retainage from 2% to 0%

Director Specht reviewed the above action with the Board. He explained that P&A has met all of the requirements of this contract and has submitted the appropriate close out documentation.

Director Specht recommended final payment and reduction of retainage from 2% to 0%.

Comm. Blandina made a motion to approve this action. Seconded by Comm. Mummolo

AYES:        Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis

NAYS:        None

ABSTAIN:    None

**12. AUTHORIZATION TO EXPEND APPROVED FUNDS**

a.      Repair to the Air Conditioner No. 1 Heat Exchanger at the Water Treatment Plant Control Building by Dash Mechanical LLC for \$10,525.00; Brick Utilities' Operating No. 200-852

Director Specht reviewed the above action with the Board. He explained that earlier this year it was determined that the existing heat exchanger failed. We received three quotes and Dash Mechanical was the lowest bidder.

Director Specht recommended approval.

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

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

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

**a. Authorization to Bid for Water Testing Services**

Director Clifford reviewed the above action with the Board. He explained that this for additional testing services necessary to make sure the GAC process is working to our satisfaction.

Director Clifford recommended approval.

Comm. Blandina made a motion to approve this action. Seconded by Comm. Mummolo

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

**14. ADOPTION OF PERSONNEL ACTIONS**

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

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

**15. OLD BUSINESS - NONE**

**16. NEW BUSINESS - NONE**

**17. RESOLUTIONS**

51-23 A Resolution Authorizing the Execution of a Shared Services Agreement with the Township of Brick for the Laurel Manor Undersized Water Main Replacement; Brick Utilities' Capital Project No. 01-724-005X



Director Specht reviewed the above action with the Board. He explained the streets impacted by the upgrades for the undersized water mains are Freedom Road, Robertson Court and Laurman Avenue for a total replacement of approximately 1500 linear feet of pipe. We will do this in conjunction with the Township road reconstruction project in the area.

Director Specht recommended approval.

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

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

52-23 A Resolution Awarding Bid for Water Treatment Chemical – Zinc Orthophosphate

Director Clifford reviewed the above action with the Board.

Director Clifford recommended approval.

Comm. Mummolo made a motion to approve this action. Seconded by Comm. Blandina

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

53-23 A Resolution Authorizing Task Change Order No. 2 for an Increase of \$19,570.00 on a Not-To-Exceed Cost of the Work Basis with CME Associates for Additional Engineering Consulting Services for the Replacement of Well No. 11; Brick Utilities' Capital Project No. 718015

Director Specht reviewed the above action with the Board. He explained that this will allow us to complete the final phases of the Well 16 installation project.

Director Specht recommended approval.

Comm. Blandina made a motion to approve this action. Seconded by Comm. Mummolo

AYES: Comm. Lydecker, Blandina, Neafsey, Mummolo, Curtis  
NAYS: None  
ABSTAIN: None

**18. PUBLIC DISCUSSION**

Michael DeJianne, a BTMUA employee, addressed the Board on behalf of the members of the OPEIU Local 32. He asked the Board to recognize the current inflation status and the impact of health care costs, when negotiating their contracts. He thanked the Board for their consideration in this matter.

Nicholas Lotito, a BTMUA employee, also addressed the Board on behalf of the members of the OPEIU Local 32. He would like the Board to consider giving the Authority the same percentage as the

Town received in their last contract. He thanked the Board.

Chair Curtis explained to the members present at the meeting that the Board cannot discuss contracts since they are currently in negotiations. Therefore, there will be no reply from the Board.

John McConaghie from 125 Valencia Drive addressed the Board regarding outstanding insurance claims from Underground Utilities Corporation (UUC), the contractor that worked on the sewer main replacement project in their area.

He wanted to provide the Board with an update from the last meeting he attended. The residents offered Mr. Osori three dates for inspection, as requested in his July 26<sup>th</sup> email.

Mr. McConaghie asked the Board not to pay Underground Utilities or release their bonds.

Mr. McConaghie provided Chair Curtis and the Board with a copy of a letter. He also handed Ms. DiMatteo an OPRA request for information relating to the project.

Mr. Michael Spoonauer, from 122 Valencia Drive addressed the Board. He stated he hopes this project is over and the work was done correctly.

Chair Curtis stated that Underground Utilities will be back in the neighborhood on and off to finish up a few items. They were also in the neighborhood to repair a leak.

**19. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF – NONE**

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

Counselor Montenegro read the following into the record: Counselor Montenegro stated: “This is a Resolution to enter into executive session; 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 as follows: the public shall be excluded from discussion of and action upon the hereinafter specified subject matter. The general nature of the subject matter to be discussed is personnel. It is anticipated at this time that the subject matters will be made public if and when confidentiality no longer exists. Action may be taken this evening. This resolution shall become effective immediately.”

On a motion duly made and seconded the group entered into exempt session at 7:22pm.

On motion duly made and seconded in exempt session the group returned to open session at 7:49 pm.

**21. CLOSING STATEMENT**

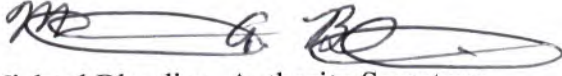
Ms. DiMatteo read the following closing statement: *The next Meeting of the Authority will be a Public Meeting on Thursday, September 28, 2023 at 7:00 p.m. All meetings take place in the Main Conference Room of the Authority's Administration Building located at 1551 Highway 88 West, Brick.*



**22. ADJOURNMENT**

On motion duly made and seconded, followed by a unanimous vote the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "MB", written over a horizontal line.

Michael Blandina, Authority Secretary

MB/kld