

**Minutes of a PUBLIC MEETING held on October 26, 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  
 Paul Mummolo  
 Harvey Langer

Absent

Thomas Curtiss  
 William Neafsey  
 Erin Wheeler

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  
 Jordan Volk, MUA Engineer

**4. Adoption of Directors' Reports**

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
 NAYS: None  
 ABSTAIN: None

**5. APPROVAL OF MINUTES**

Comm. Blandina made a motion to adopt the September 28, 2023 regular and exempt meeting minutes. Seconded by Comm. Lydecker

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
 NAYS: None  
 ABSTAIN: None

**6. CORRESPONDENCE – NONE**

**7. BILL RESOLUTION**

Comm. Blandina read the Bill Resolution dated October 26, 2023 in the total amount of \$2,440,083.41 as follows:

Total Operating Vouchers:	\$	425,991.68
Total Capital Vouchers:		527,118.83
Total Payroll:		1,485,892.41
Escrow:		1,080.49
Total Bill Resolution:	\$	2,440,083.41

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
 NAYS: None  
 ABSTAIN: None

**8. TREASURER'S REPORT**

Comm. Lydecker read the Treasurer's Report balances for the month ending September 30, 2023 as follows:

**Unrestricted Funds:**

Total Revenue Funds:	\$	17,051,924.82
Total General Funds:		9,484,079.35
Total Working Capital Fund:		19,792.51
Total Processing Fund:		4,887,374.21
Total Unrestricted Funds:		31,443,170.89

**Restricted Funds:**

Rate Projection Maintenance Fund:		2,003,750.00
Construction Fund:		227,553.74
Total Bond Funds:		8,803,694.03
Total Other Restricted Funds:		1,792,846.33
Total Restricted Funds		12,827,844.10
Total of All Fund Accounts:		44,271,014.99

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
 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

2297 Mr. Chaim Reiss, Shepherd Estates, LLC, Major Subdivision Plan, Block 2, Lot 5, Howell Township - Ramtown-Greenville Rd. - Release of Performance Bond – 6R

Director Specht reviewed the above action with the Board. He explained this is for the water main installation.

Director Specht recommended release of performance bond and issue the two-year maintenance bond.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo

NAYS: None

ABSTAIN: None

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

**11. CONTRACT CLOSE-OUTS** – *NONE*

**12. AUTHORIZATION TO EXPEND APPROVED FUNDS** – *NONE*

**13. AUTHORIZATION TO SEND OUT BIDS, RFQ'S & RFP'S** – *NONE*

**14. ADOPTION OF PERSONNEL ACTIONS**

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo

NAYS: None

ABSTAIN: None

**15. OLD BUSINESS** - *NONE*

**16. NEW BUSINESS** – *NONE*

**17. RESOLUTIONS**

64-23 A Resolution Adopting the 2022/2023 Annual Audit

Chuck Fallon reviewed the above action with the Board. He thanked the Authority staff for being so cooperative during the audit. He then reviewed required pages of the audit with the Board.

Mr. Fallon recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

65-23 A Resolution Authorizing the Transfer of Certain Funds to Working Capital Account

Director Clifford reviewed the above action with the Board. He explained that anytime we move money out of our general fund, we have to do so by resolution. This is for pay as you go projects, that are paid out of our working capital fund.

Director Clifford recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

66-23 A Resolution Authorizing the Annual Adoption of the Cash Management and Investment Plan

Director Clifford reviewed the above action with the Board. He explained that each member of the Board received a copy of the Cash Management Plan, which details how we are allowed to invest, what funds we do invest as well as a list of authorized depositories. This resolution is required once a year and he recommends approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

67-23 A Resolution Authorizing Award of a Contract to Municipal Maintenance in the Amount of \$48,250.00 from Account 01-724-008X for the Planned Maintenance of Transfer Pump

Director Maggio reviewed the above action with the Board. He advised that our transfer pumping is a critical pumping system that pumps finished treatment water from our clearwell into our finished water tank and then into the distribution system. As per our normal schedule, we are looking to do this maintenance during our low demand season.

Director Maggio recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None



68-23 A Resolution Authorizing the Purchase of a Three-Year Support Contract for Fortinet Equipment and Associated Security Products in the Amount of \$32,000.00 from Data Center Warehouse, LLC through National Cooperative Purchasing Contract Omnia R-200803; Funded from Account 01-502-8202

Director Vaccaro reviewed the above action with the Board. He advised that this purchase is for a three-year support contract for our Fortinet firewalls and associated security products. The purchase of a three-year contract at \$32,000.00 will provide savings of \$9,265.00.

Director Vaccaro recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

69-23 A Resolution Authorizing the Purchase of New Uninterrupted Power Supply (UPS) for the Filter Consoles in the amount of \$18,204 from Vendor Ocean Computer Group Funded from Account 01-799008X

Director Maggio reviewed the above action with the Board. He advised that our UPS system for the filter consoles was damaged during a power anomaly that originated in the utility power. Therefore, we need to replace it. This system keeps our filter operations going during temporary power outages. We submitted an insurance claim for the replacement of the unit and are waiting for a determination of the claim.

Director Maggio recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

70-23 A Resolution Approving the terms and to enter into a 3-year Agreement with the Supervisory Group and Authorizing the Chairman and Secretary to execute a 3-year Agreement on behalf of the Brick Township Municipal Utilities Authority.

Executive Director Theodos reviewed the above action with the Board. He advised that as a result of negotiations an agreement has been reached and ratified by the Supervisory Group, establishing terms and conditions of employment, compensations to be paid during the period January 1, 2023, through December 31, 2025. This resolution authorizes the Authority to execute a memorandum of agreement as well as a three-year agreement encompassing the terms of the memorandum of agreement.

Executive Director Theodos recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

71-23 A Resolution Approving the terms and to enter into a 3-year Agreement with the Professional and Office Technical Groups and authorizing the Chairman and Secretary to execute a 3-year Agreement on behalf of the Brick Township Municipal Utilities Authority

Executive Director Theodos reviewed the above action with the Board. He advised that as a result of negotiations an agreement has been reached and ratified by the Professional and Office Technical Groups, establishing terms and conditions of employment, compensations to be paid during the period January 1, 2023, through December 31, 2025. This resolution authorizes the Authority to execute a memorandum of agreement as well as a three-year agreement encompassing the terms of the memorandum of agreement.

Executive Director Theodos recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

72-23 A Resolution Authorizing Junior Lien Supplemental Resolution No. 13 Relating to the Junior Lien Bond Resolution of the Brick Township Municipal Utilities Authority, Authorizing the Issuance and Sale of up to \$9,000,000 Bonds and/or Notes in Respect of the Sewer Manhole Replacement Project Under the New Jersey Infrastructure Bank Financing Program

Director Clifford reviewed the above action with the Board. He advised that last month the Board adopted a resolution declaring our intent to reimburse ourselves for the sanitary sewer manhole replacement project. This resolution authorizes us to do so.

Director Clifford recommended approval.

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

AYES: Comm. Lydecker, Blandina, Langer, Mummolo  
NAYS: None  
ABSTAIN: None

**18. EXEMPT SESSION** – NONE  
(Personnel, Contracts & Potential Litigation Only)

**19. PUBLIC DISCUSSION**

Mr. & Mrs. John McConaghie from 125 Valencia Drive, are looking for an update from the



Authority, regarding an ongoing outstanding insurance claim with Underground Utilities Corporation (UUC), the contractor that worked on the sewer main replacement project in their area.

Mr. Montenegro advised Mr. & Mrs. McConaghie that he spoke to the Attorney John Osorio, regarding all of the claims of the homeowners. He indicated to Mr. McConaghie that they are going ahead to resolve all of the smaller claims, \$5,000.00 or less. Mr. Montenegro was advised that they are trying to distinguish pre-existing damage verses damage caused by the dewatering. Mr. Montenegro recommended that Mr. McConaghie contact Mr. Osorio, with regard to the information he may have sent him, and make sure the alleged damage is clearly defined and described. Make sure Mr. Osorio confirms he received all of the information he needs.

Mr. McConaghie stated that he will keep the Authority posted.

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

The Board thanked Mr. Fallon for a great job on the audit.

**21. CLOSING STATEMENT**

Chair Mummolo read the following closing statement: *The next Meeting of the Authority will be a Public Meeting on Thursday, November 30, 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 7:41p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M Blandina', with a long horizontal flourish extending to the right.

Michael Blandina, Authority Secretary

MB/kld