

Minutes of a PUBLIC MEETING held on March 27, 2024

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 6, 2024 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

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

Also Present

Chris A. Theodos, Executive Director
Alina Ferreira, Engineering Project Manager
Gary Vaccaro, Dir. Compliance & Technology
Joseph Maggio, Dir. Water Quality
John Clifford, CMFO
Keri DiMatteo, Administrative Supervisor
Nick Montenegro, Esq., MUA General Counsel
Chuck Fallon, MUA Auditor
Jordan Volk, MUA Engineer

Absent

Erin Wheeler

4. Adoption of Directors' Reports

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

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

5. APPROVAL OF MINUTES

Comm. Neafsey made a motion to adopt the February 27, 2024 regular meeting minutes. Seconded by Comm. Blandina

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

6. CORRESPONDENCE – NONE

7. BILL RESOLUTION

Comm. Curtis read the Bill Resolution dated March 27, 2024 in the total amount of \$3,764,645.14 as follows:

Total Operating Vouchers:	\$	2,417,091.08
Total Capital Vouchers:		199,560.08
Total Payroll:		1,147,993.98
Total Bill Resolution:	\$	3,764,645.14

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

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

8. TREASURER'S REPORT

Comm. Lydecker read the Treasurer's Report balances for the month ending February 29, 2024 as follows:

Unrestricted Funds:

Total Revenue Funds:	\$	14,364,868.15
Total General Funds:		13,088,869.74
Total Working Capital Fund:		23,761.57
Total Processing Fund:		4,932,423.14
Total Escrow Fund:		6,233.31
Total Unrestricted Funds:		32,416,155.91

Restricted Funds:

Rate Projection Maintenance Fund:		2,003,750.00
Construction Fund:		113,923.37
Total Bond Funds:		9,648,151.34
Total Other Restricted Funds:		1,686,154.84
Total Restricted Funds		13,451,979.55
Total of All Fund Accounts:		45,868,135.46

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

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

9. DEVELOPER APPLICATIONS

9.1 Preliminary Application - No Further Action Required

2346 Joann Casselli, Minor Subdivision, Lots 288 & 326, Block 352, 56 & 58, Tunes Brook Drive, Preliminary – NFA, 1R

Director Specht reviewed the above action with the Board. He explained that this is an adjustment of a lot line to the existing lot. They will be making the other lot smaller and building a new home on the new lot.

Director Specht recommended approval.

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

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

9.2 Other Applications

2341 Richard F. Savino, Selman Savino Properties LLC, Amended Preliminary & Final Major Site Plan - All American Auto, 949 Burnt Tavern Rd, Final, 1C

Director Specht reviewed the above action with the Board. He explained that this is a final application. Preliminary approval was granted by the Board in November 2023. The applicant will be building a 6,000 square foot office and showroom on the property. Water is available on Burnt Tavern Road. Sewer is not available; they will build an on-site subsurface disposal system.

Director Specht recommended approval.

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

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

2345 Brian McNamee, 872 Mantoloking Road Partners LLC, Preliminary & Final Major Site & CAFRA IP Plan, Block 550, Lot 4, 872 Mantoloking Road, Preliminary, 1C

Director Specht reviewed the above action with the Board. He explained that it is proposed to construct a 2,800 square foot one-story building for agricultural operation and parking area. This is a preliminary approval. The applicant will be required to come back for final approval.

Director Specht recommended approval.

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

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

Director Specht reviewed the above action with the Board. He explained that the applicant is proposing a two-story office building of approximately 13,000 square feet. They also have proposed a water main extension of approximately 150 feet and a sewer main extension of approximately 200 feet.

Director Specht recommended approval.

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

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

9.3 Release of Performance Bonds – NONE

10. UNANTICIPATED/EMERGENCY CAPITAL EXPENDITURES - NONE

11. CONTRACT CLOSE-OUTS - NONE

12. AUTHORIZATION TO EXPEND APPROVED FUNDS

- a. Replacement and Purchase of Two License Plate Recognition Cameras and Two Surveillance Cameras for the Reservoir Parking Lots in the Amount of \$10,663.20; Vendor - Open Systems Integrators, Inc. Funded Through State Contract Co-Op #65MCESCCPS, Bid #ESCNJ 20/21-13, Funded from Capital Project No. 01-921-002X

Director Vaccaro reviewed the above action with the Board. He explained that this request is to replace both parking lot license plate and entrance cameras at the Herbertsville and Wall parking lots. Our current parking lot cameras are outdated, have limited coverage, and do not provide adequate visibility at all times. The new cameras that we will be purchasing will be improving our coverage of both parking lots as well as upgrading our license plate cameras at each entrance.

Director Vaccaro recommended approval.

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

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

- b. Purchase Annual Renewal of Flood Insurance for Riverside Drive Pump Station - \$14,406.00; Vendor – Selective Insurance; Operating Account No. 01-100-1520

Director Vaccaro reviewed the above action with the Board. He explained that a separate flood insurance policy is required as the Riverside Drive Pump Station is in a designated AE flood zone. Our flood policy with JIF does not cover locations located in an AE zone. The policy provides coverage up to \$1,000,000.00 (\$500,000 each for building and contents) with a \$10,000.00 deductible.

Director Vaccaro recommended approval.

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

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

- c. Repair of Pump No. 2 at the Laurel Brook WWPS by Xylem Water Solutions USA, Inc. for \$14,632.00; Operating Account No. 01-199-8904

Director Specht reviewed the above action with the Board. He explained that we sent the pump to Xylem last week for evaluation. It was determined that it needs to be repaired as soon as possible, since this is one of our more important pump stations. It is actually the sludge feed from our wastewater treatment plant. The price to purchase a new pump would have been approximately \$50,000.00, therefore it is recommended at this time, to make improvements to this pump.

Director Specht recommended approval.

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

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

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

14. ADOPTION OF PERSONNEL ACTIONS

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

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

15. OLD BUSINESS - NONE

16. NEW BUSINESS – NONE

17. RESOLUTIONS

20-24 A Resolution Rejecting Bids for Water Treatment Chemicals-Carbon Dioxide

Director Clifford reviewed the above action with the Board. He explained that we received two bids, however, we were unable to cure material defects in the bids and are therefore rejecting the bids. This now allows us to negotiate for a contract.

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

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

27-24 A Resolution of the Brick Township Municipal Utilities Authority Authorizing the Extension of the Maturity Dates of Four Outstanding Construction Loans from the New Jersey Infrastructure Bank, evidenced by the Authority's \$1,609,341 Note Dated February 5, 2020, its \$17,094,937 Note Dated June 29, 2020, its \$1,818,601 Note Dated June 25, 2021 and its \$4,041,432 Note Dated June 25, 2021

Director Clifford reviewed the above action with the Board. He explained that this extends the construction notes for the GAC project, the meters project and Baywood water and Sewer project.

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

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

28-24 A Resolution Authorizing the Adoption of the 2025 Budget

Director Clifford reviewed the above action with the Board. He explained that this will formally adopt our budget, which was previously approved by the Board in January 2024 and approved by the State of New Jersey.

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

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

29-24 A Resolution Authorizing and Approving a Shared Service Agreement with the County of Ocean for the Replacement of 3 Manholes Associated with the Reconstruction and Resurfacing of Princeton Avenue from Post Road to Barnegat Bay under Ocean County Project No. 06-008-0111; Brick Utilities' Capital Project No. 818002A

Director Specht reviewed the above action with the Board. He explained that we have three manholes on Princeton Avenue that requires replacement and are in the County's construction zone. We will utilize the County's contractor, once their project is bid on.

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

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

30-24 A Resolution Declaring Items of Property Owned by the Authority That Are No Longer Required for the Uses and Purposes of the Authority as Surplus

Director Clifford reviewed the above action with the Board. He explained that this allows us to sell items to the public and use the money toward replacement items.

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

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

31-24 A Resolution Approving and Authorizing the Award of a Contract to Revize, LLC to Provide Design and Annual Support Services for a New External Authority Website and Employee Intranet Site in the Amount of \$18,205.00; Funded from Operating Account 01-502-8202

Director Vaccaro reviewed the above action with the Board. He explained that the Authority currently maintains both a public facing external website (brickmua.com) and an internal employee intranet site. Revize, will design a new external Authority site as well as an internal site to improve and enhance current features, providing a more user-friendly and informative content for customers and employees. In addition to design services, Revize will be hosting the sites, providing all security patches and updates, as well as providing annual technical support services. Revize was the lowest bidder at \$18,205.00 with a recurring service fee of \$3,900.00. Revize's annual fee will be locked into the first-year fee for five years under a five-year agreement. Additionally, Revize will provide a free redesign in year four.

Director Vaccaro recommended approval.

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

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

32-24 A Resolution Authorizing the Purchase a 2025 Freightliner 114SD Chassis with the Vactor Jet Vac Equipment through the Sourcewell Cooperative from GranTurk Equipment Co., Inc. for \$518,619.82

Director Specht reviewed the above action with the Board. He explained that we purchased a similar jet vac approximately a year ago and received it in February 2024 and are very happy with it. Therefore, we would like to purchase this one to replace vehicle 422. It is not expected to be here until the first quarter of 2025.

Director Specht recommended approval.

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

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

ABSTAIN: None

33-24 A Resolution for the Award of a Contract with EMSL Analytical, Inc. in the Amount of \$87,500 for Laboratory Analytical Services – Account Number 01-202-8701

Director Maggio reviewed the above action with the Board. He explained that these are process control samples that we need with our new filtration process. The proposal prices came in significantly lower than the budgeted prices.

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

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

NAYS: None

ABSTAIN: None

18. PUBLIC DISCUSSION

Mr. John McConaghie from 125 Valencia Drive, looking for a status update from the Authority regarding an ongoing insurance claim with Underground Utilities Corporation (UUC), the contractor that worked on the sewer main replacement project in their area.

Mr. McConaghie asked for a status of a meeting that was supposed to occur between the Authority, UUC and CNA.

Mr. Montenegro advised Mr. McConaghie that UUC originally agreed to meet with the Authority but has since declined to meet. He explained that the Authority has taken the maximum action that they can, which is withholding monies that are due to UUC based on a contract and their performance under the contract terms and conditions, as well as withholding their performance bond. Beyond that, there is nothing more the Authority can do. UUC and CNA has claimed that some of these claims of damage were pre-existing. At this point, the Authority can do all they can. Homeowners have to take whatever action they deem appropriate.

Mr. McConaghie stated that this situation has gone on for far too long and he and the other residents will not receive anything further from the Authority, except what Mr. Montenegro stated previously.

Mr. Allen Solomon from 144 Valencia Drive addressed the Board and explained the damage incurred to his property.

Mr. McConaghie advised that he will be sending the Authority an OPRA request for pre-construction photographs.

Chair Mummolo stated that he hoped there would be a better line of communication between the Authority and UUC.

19. COMMENTS FROM COMMISSIONERS, PROFESSIONALS & STAFF

Chair Mummolo wished everyone a Happy Easter.

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 are contract negotiations and litigation or anticipated litigation. 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 7:45 p.m.

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

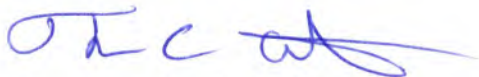
21. CLOSING STATEMENT

Chair Mummolo read the following closing statement: *The next Meeting of the Authority will be a Public Meeting on Thursday, April 25, 2024 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 8:51 p.m.

Respectfully submitted,



Thomas C. Curtis, Authority Secretary

TC/kld