



Berkeley Township MUNICIPAL UTILITIES AUTHORITY

42 Station Road
Bayville, NJ 08721
(732) 237-0100
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A Public Meeting of the Berkeley Township Municipal Utilities Authority was held on **Thursday, February 26, 2015** at 7:00 pm at the Berkeley Township Municipal Utilities Authority at 42 Station Road, Bayville, NJ 08721. Presided by Chairman Pizzi-present, Mr. Hale-present, Mr. Mullikin-present, Mr. Askew-absent, Mrs. Davis-present, Mr. Buscio-present.

Also present: Mr. Budesza-Attorney, Mr. McClelland-Engineer, Mr. Chiaravallo-Engineer, Mr. Waldron-Accountant, Mr. Blair-Chief of Operations, and Mrs. Nugent-Executive Director.

Appointment of Chairman:

Mrs. Davis nominated Mr. Hale for the appointment of the 2015 Chairman, second, Mr. Mullikin. Motion to appoint Mr. Hale as the Chairman of the Board: All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-abstained. Motion Carried.

Mr. Hale thanked the Board Members for approving his appointment as the Chairman. Mr. Hale expressed his appreciation and thanks to Mr. Pizzi.

Appointment of Officers:

Mr. Mullikin nominated Mr. Pizzi for the appointment of the 2015 Secretary, second, Mrs. Davis. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Mrs. Davis nominated Mr. Buscio for the appointment of the 2015 Treasurer, second, Mr. Hale. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Mr. Pizzi nominated Mr. Mullikin for the appointment of the 2015 Vice-Chairman, second, Mr. Buscio. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Mr. Hale congratulated the new officers and wished them well in their endeavors for the upcoming year.

Motion to approve the minutes from the meeting on January 22, 2015: Mrs. Davis, second, Mr. Mullikin. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to approve the Executive Director's Report from the meeting on January 22, 2015: Mr. Pizzi, second, Mrs. Davis. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to approve the Engineer's Report from the meeting on January 22, 2015: Mr. Mullikin, second, Mr. Buscio. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to approve the Accountant's Report from the meeting on January 22, 2015: Mrs. Davis, second, Mr. Buscio. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to approve the Attorney's Report from the meeting on January 22, 2015: Mr. Buscio, second, Mr. Pizzi. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Treasurer's Report:

Mr. Buscio stated Mr. Mullikin and Mr. Hale reviewed the payroll and operating expenses for the first three weeks (01/24/15-02/13/15). Mr. Mullikin and Mr. Pizzi reviewed the payroll and operating expenses for the last two weeks (02/14/15-02/27/15). The payroll expenses were in the amount of \$33,057.33. The operating expenses were in the amount of \$110,255.40.

Motion to approve the Treasurer's Report: Mr. Pizzi, second, Mr. Mullikin. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Executive Director's Report:

Mrs. Nugent stated the Township Council re-appointed Mr. Pizzi as Member #2 for a term of five years. Mrs. Nugent congratulated Mr. Pizzi on his re-appointment.

Assignment of Committee Positions:

Mrs. Nugent requested of the Board, per the instructions of the Chairman, the appointment of committees. Mrs. Nugent stated the first name referenced will be the Chairperson for that committee as follows: the Engineering Committee will be served by Mr. Mullikin and Mr. Pizzi; the Personnel Committee will be served by Mr. Hale and Mr. Buscio; the Safety Committee will be served by Mr. Pizzi and Mr. Hale; the Finance and Budget will be served by Mrs. Davis and Mr. Buscio; the Legal Committee will be served by Mr. Buscio and Mr. Askew; and the Buildings and Grounds Committee will be served by Mr. Askew and Mrs. Davis.

Motion to accept the assignment of the 2015 Committee Positions: Mr. Mullikin, second, Mr. Buscio. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of New Jersey Utility Authority Joint Insurance Fund (NJUAJIF) Representative:

Mrs. Nugent requested of the Board the appointments of the NJUAJIF Representative which will be served by Mr. Pizzi and Mr. Hale as members of the Authority Safety Committee. Mrs. Nugent stated she will serve as an alternate representative. Mrs. Nugent stated membership in the NJUAJIF will enable the Authority to actively participate in and attend its meetings.

Motion to accept the appointments for the 2015 NJUAJIF Representative: Mr. Buscio, second, Mr. Pizzi. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Adoption of the Cash Management Plan:

Mrs. Nugent requested of the Board the adoption of the 2015 Cash Management. Mrs. Nugent stated the Cash Management Plan provides guidance on investments, safe-keeping of funds, and audit procedures. The Cash Management Plan was reviewed and recommended for acceptance by Holman, Frenia & Allison.

Motion to adopt the 2015 Cash Management Plan: Mr. Pizzi, second, Mr. Buscio. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Designation of TD Bank, Ocean First, Wells Fargo & Capital One as Official Depositories:

Mrs. Nugent requested of the Board the designation of TD Bank, Ocean First, and Wells Fargo as the official Depositories of the Authority. Mrs. Nugent stated the Authority has accounts with TD Bank and Ocean First, Wells Fargo is referenced as an alternate.

Motion to accept the designation of TD Bank, Ocean First, and Wells Fargo as 2015 official depositories: Mrs. Davis, second, Mr. Mullikin. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Designation of Asbury Park Press, Star Ledger & Berkeley Times as official newspapers:

Mrs. Nugent requested of the Board the designation of the Asbury Park Press, the Star Ledger, and the Berkeley Times as the official newspapers for the Authority. These newspapers are the same as last year and are for the required legal notifications or display ads. Mrs. Nugent added the Star Ledger is referenced as an alternate.

Motion to authorize the Asbury Park Press, the Star Ledger, and the Berkeley Times as the 2015 official newspapers for the Authority: Mr. Buscio, second, Mr. Mullikin. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Mrs. Nugent stated the following eight resolutions are the appointments of the Authority’s 2015 professionals. All of the documents required for the appointment of professionals were submitted

and reviewed by an Authority Evaluation Committee. All of the referenced professionals were recommended by the Evaluation Committee for the 2015 positions. Mrs. Nugent stated the contracts were reviewed by the Authority Attorney, Mr. Budesá. Mrs. Nugent added the terms were accepted by the Review Committee. Mrs. Nugent stated these contracts are available for the Board Members' review.

Appointment of Authority Attorney:

Mrs. Nugent requested of the Board the appointment of the Authority Attorney to the law firm of Berry, Sahradnik, Kotzas, & Benson. Mrs. Nugent stated the named professional is Mr. John Sahradnik. Mr. Bob Budesá is the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Attorney to the law firm of Berry, Sahradnik, Kotzas, & Benson: Mr. Pizzi, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Authority Auditor:

Mrs. Nugent requested of the Board the appointment of the Authority Auditor to the firm of Holman, Frenia & Allison. Mrs. Nugent stated the named professional is Mr. Frank Holman. Mr. Brian Waldron is the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Auditor to the firm of Holman, Frenia & Allison: Mrs. Davis, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Authority Bond Counsel:

Mrs. Nugent requested of the Board the appointment of the Authority Bond Counsel to the firm of Gluck Walrath. Mrs. Nugent stated the named professional is Mr. Gluck. Mr. Howard Eichenbaum is the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Bond Counsel to the firm of Gluck Walrath: Mrs. Davis, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Employee Health Benefits Insurance Broker and Consultant:

Mrs. Nugent requested of the Board the appointment the Authority Employee Health Benefits Insurance Broker and Consultant to the firm of Conner Strong & Buckelew, Inc. with the named professional being Mr. Scott Davenport.

Motion to accept the appointment of the 2015 Authority Employee Health Benefits Insurance Broker and Consultant to the firm of Conner Strong & Buckelew, Inc.: Mrs. Davis, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Authority Engineer:

Mrs. Nugent requested of the Board the appointment of the Authority Engineer to CME Associates. Mrs. Nugent stated the named professional is Mr. Michael McClelland. Mr. Keith Chiaravallo is the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Engineer to the firm of CME Associates: Mr. Buscio, second, Mr. Pizzi-yes. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Authority Risk Manager:

Mrs. Nugent requested of the Board the appointment of the Authority Risk Manager to the firm of the John Hill Agency. Mr. J. Michael Hill will be the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Risk Manager to the firm of the John Hill Agency: Mrs. Davis, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Authority Conflict Attorney:

Mrs. Nugent requested of the Board the appointment of the Authority Conflict Attorney to the law firm of Dasti, Murphy, and McGuckin. Mrs. Nugent stated Mr. Chris Koutsouris is the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Conflict Attorney to the law firm of Dasti, Murphy, and McGuckin: Mr. Buscio, second, Mr. Pizzi. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Appointment of Authority Labor Attorney:

Mrs. Nugent requested of the Board the appointment of the Authority Labor Attorney to the law firm of Dasti, Murphy, and McGuckin. Mrs. Nugent stated Mr. Chris Koutsouris is the direct representative to the Authority.

Motion to accept the appointment of the 2015 Authority Labor Attorney to the law firm of Dasti, Murphy, and McGuckin: Mr. Buscio, second, Mr. Pizzi. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Mrs. Nugent stated the appointment of the Conflict Engineer is postponed until March 2015 pending receipt of their contract.

Transfer of \$20,000.00 from BTMUA Revenue Account to Renewal & Replacement Account:

Mrs. Nugent requested of the Board authorization to transfer \$20,000.00 out of the Revenue account into the Renewal & Replacement account. Mrs. Nugent stated this is a requirement of the Authority Bond documents. Mrs. Nugent stated it is a budgeted line item and this amount was recommended by the Authority Engineers. Mrs. Nugent stated the monies were already transferred with this being a follow up resolution.

Motion to authorize the transfer of \$20,000.00 into the Renewal & Replacement account: Mr. Buscio, second, Mr. Pizzi. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Authorize payment of \$86,254.00 to Berkeley Township:

Mrs. Nugent requested of the Board authorization to remit the payment of \$86,254.00 to Berkeley Township. Mrs. Nugent stated the Township has formally requested appropriation from the Authority's 2015 operational budget. Mrs. Nugent stated upon Board approval, payment is anticipated to be made to the Township March or April 2015.

Motion to authorize payment of \$86,254.00 to Berkeley Township: Mt. Pizzi, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Authorize final/fourth payment of \$21,264.40 to P&A Construction Phase V watermain installation:

Mrs. Nugent requested of the Board authorization for the fourth and final payment of \$21,264.40 to P&A Construction, contractors for the Phase V watermain installation. Mrs. Nugent stated included in this amount is the release of retainage for \$19,610.65. CME reviewed the punch list items and reported all items are addressed. Mrs. Nugent stated the maintenance and environmental bonds were presented and reviewed by the Authority Attorney. Mrs. Nugent stated the NJDEP also gave the project its approval.

Motion to authorize final/fourth payment of \$21,264.40 to P&A Construction: Mr. Pizzi, second, Mrs. Davis. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Authorize NJEIT application for Phase VI watermain installation and designate an official signer:

Mrs. Nugent requested of the Board authorization for the NJEIT application for the Phase VI water main installation project. Mrs. Nugent added this authorization also designates herself as an official signer.

Motion to authorize NJEIT application for Phase VI watermain installation and designate an official signer: Mr. Pizzi, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Authorize NJEIT application for Well #4/Phase II Production Well:

Mrs. Nugent requested of the Board authorization for the NJEIT application for Well #4/Phase II. Mrs. Nugent stated the Well #4/Phase I test well project was awarded to AC Schultes for \$393,000.00. The contracts are executed. Construction is anticipated to start in early spring. This Phase II application will start the process for the production well phase.

Motion to authorize the NJEIT application for Well #4/Phase II Well: Mr. Pizzi, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Pizzi-yes, Mr. Buscio-yes, Mrs. Davis-yes, Mr. Hale-yes. Motion Carried.

Progress Report:

Wire Transfer:

Mrs. Nugent stated a wire transfer for \$100,000.00 was requested from the Ocean First Revenue to the TD Bank Debt Service in February 2015.

NJUAJIF Executive Safety Meeting:

Mrs. Nugent stated the Authority received a "19 Years Loss Time Accident Free" certificate at the NJUAJIF meeting which took place on Wednesday February 25, 2015. Mrs. Nugent congratulated Mr. Blair who is the Authority Safety Officer for maintaining an excellent safety record throughout the years of his service. Mrs. Nugent stated the JIF offers management training classes. Mrs. Nugent stated some of these classes were offered at the League Convention, but are now available online. Mrs. Nugent added instructions to register are provided on the back of her Progress Report. The deadline for completion of this training is June 1, 2015. Mrs. Nugent stated the Authority receives a \$250.00 training credit toward the premium for each Commissioner that attends.

Mr. Pizzi congratulated the Authority staff and suggested providing luncheon for a job well done.

Motion to provide a safety recognition luncheon for the Authority staff not to exceed in the amount of \$125.00: Mr. Pizzi, second, Mrs. Davis. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Certificates of Deposit:

Mrs. Nugent stated CDs were purchased during February 2015.

Meters:

Mrs. Nugent stated the Authority's inventory of meters is becoming low. The Authority will soon go out to bid for water meters.

FEMA Meter Replacement:

Mrs. Nugent reported on the FEMA meter replacement program. Mrs. Nugent stated there are potentially 837 homes that were affected by Hurricane Sandy. Of those homes, approximately one-third or 284 meters were replaced to date. There are 113 homes that are disconnected from the Authority water system and another 90 homes are not habitable which combined amounts to another one-third of the Sandy affected homes. Mrs. Nugent stated the last one-third of these homes have either not responded or the homeowners feel their meters are not compromised because their meter had no contact with storm water due to its location.

Financial Disclosure Forms:

Mrs. Nugent stated the Financial Disclosure Forms are due by April 30, 2015. The Township Assistant Clerk will be handling this matter.

Engineer's Report:

Phase V Water Main Improvement Project:

Mr. Chiaravallo stated the Phase V project is completed and all close-out paperwork were submitted. Mr. Chiaravallo stated the cost of the project came in over \$200,000.00 below the original contract amount mainly because of favorable soil and weather conditions.

Well #4 Project:

Phase I – Test Well:

Mr. Chiaravallo stated the NJDEP gave its Authorization to Award the Phase I/Test Well portion of the project. Mr. Chiaravallo stated AC Schultes was awarded the contract and all of the associated paperwork and bonds were received. Mr. Chiaravallo stated a pre-construction meeting will be scheduled.

Phase II – Production Well:

Mr. Chiaravallo stated the Phase II Production Well project and the Phase VI Water Main Installation Project are both in preparation for the preliminary plans. Mr. Chiaravallo stated the documents and loan application must be submitted to the NJDEP prior to March 6, 2015 to be considered for the 2016 NJEIT funding cycle for both projects. At this point, the Authority will be eligible for funding.

Phase VI Water Main Improvement Project:

Mr. Chiaravalle referred the Board to the Authority's franchise area map. Mr. Chiaravalle highlighted areas of the map to illustrate where the projected Phase VI water main installation will be located. The Phase VI project will encompass the continuation of where the Phase V project left off, close various loops in the water system, and may extend the water main up Grand Central toward the Beachwood border.

Accountant's Report:

Mr. Waldron stated in his report:

Cash Position Report for January:

Total All Cash Fund Balance:	\$4,277,350.27
Total Restricted Balances:	\$2,607,142.49
Total Fund Available for Disbursement:	\$1,670,207.78

Mr. Waldron thanked the Authority on behalf of the firm of Holman, Frenia & Allison for its re-appointment for 2015. Mr. Waldron thanked Mrs. Nugent for allowing his firm to move the audit of the Authority forward several weeks ahead of schedule. Mr. Waldron added this will allow for plenty of time before the April 30, 2015 deadline.

Draft Rate Study:

Mr. Waldron stated his firm has prepared a 2015 rate study draft on behalf of the Authority. Mr. Waldron reviewed the key points of the draft rate review study and advised the Board Members to review the study more in depth at its convenience. Mr. Waldron stated his firm went over the report in detail with Mrs. Davis, Mrs. Nugent, and Mr. Pizzi. Mr. Waldron referred to his report and stated it may be required to potentially increase the rates. The Committee recommends to continue monitoring expenses and reassess after the current projects are completed.

Attorney's Report:

No report.

Committee Reports:

Old Business:

No Report.

New Business:

The Board Members discussed the Well #4/Phase I construction project and schedule.

Motion to open the public portion: Mr. Mullikin, second, Mr. Pizzi. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Motion to close the public portion: Mr. Mullikin, second, Mr. Pizzi. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Executive Session:

Motion to open Executive Session: Mr. Pizzi, second, Mr. Mullikin. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Litigation:

Chelsea Place

Cellular Antenna Tenant Leases

Motion to close Executive Session: Mr. Pizzi, second, Mr. Mullikin. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Motion to re-open public portion: Mr. Buscio, second, Mr. Pizzi. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

Motion to adjourn: Mr. Buscio, second, Mr. Pizzi. The motion was approved by voice vote. There were no “nay” votes. Motion Carried.

The meeting adjourned at 8:20 pm.

Respectfully Submitted,



Sandra J Walker
Office Clerk

The March 26, 2015 public meeting of the Berkeley Township Municipal Utilities Authority was canceled. The next public meeting will be held on Thursday, April 23, 2015 at 7:00 pm at the Berkeley Township Municipal Utilities Authority located at 42 Station Road, Bayville, NJ 08721.