



Berkeley Township
MUNICIPAL UTILITIES AUTHORITY

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A Reorganization Meeting of the Berkeley Township Municipal Utilities Authority was held on **Thursday, February 28, 2013** at 7:00 pm at the Berkeley Township Municipal Utilities Authority at 42 Station Road, Bayville, NJ 08721. Presided by Chairman Pizzi-present, Mrs. Davis-absent, Mr. Mullikin-present, Mr. Hale-present, Mr. Sudia-present, Mr. Buscio-present.

Chairman Pizzi took a moment to recognize and welcome Mr. Hale and Mr. Buscio as the Authority's new Commissioner and Alternate Commissioner respectively.

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

Motion to approve the minutes from the meeting on January 24, 2013: Mr. Mullikin, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Hale and Mr. Buscio abstained.

Motion to approve the minutes from the Executive Session from the meeting on January 24, 2013: Mr. Mullikin, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Hale and Mr. Buscio abstained.

Motion to approve the Executive Director's Report from the meeting on January 24, 2013. Mr. Sudia, second, Mr. Mullikin. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Hale and Mr. Buscio abstained.

Motion to approve the Engineer's Report from the meeting on January 24, 2013: Mr. Sudia, second, Mr. Mullikin. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Hale and Mr. Buscio abstained.

Motion to approve the Accountant's Report from the meeting on January 24, 2013: Mr. Sudia, second, Mr. Mullikin. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Hale and Mr. Buscio abstained.

Motion to approve the Attorney's Report from the meeting on January 24, 2013: Mr. Mullikin, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Hale and Mr. Buscio abstained.

Treasurer's Report:

Mr. Mullikin stated that he and Mr. Pizzi reviewed the payroll and operating expenses for the first two weeks and that he and Mr. Hale reviewed the following three weeks during the period

of (01/26/13-03/01/13). The payroll expenses were in the amount of \$31,285.25. The operating expenses were in the amount of \$56,401.47.

Motion to approve the Treasurer's Report: Mr. Hale, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Mr. Koutsouris suggested that the Commissioners vote on the resolution concerning amending the bylaws. This would allow Mr. Buscio to serve as a Board member and be permitted to participate in regard to the voting procedure.

Motion to approve amending and adopting the amended bylaws to reference Alternate Members of the Authority: Mr. Mullikin, second, Mr. Sudia. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Chairman Pizzi-yes. Motion Carried.

Mr. Koutsouris requested Mr. Pizzi to seat Mr. Buscio as Alternate Commissioner #1 for tonight's (03/28/13) meeting.

Mr. Pizzi stated that he is seating Mr. Buscio as the Alternate Commissioner #1 to replace Mrs. Davis for tonight's (03/28/13) meeting.

Executive Director's Report:

Appointment of Chairman:

Mrs. Nugent requested of the Board to make a nomination for the appointment of Chairman.

Mr. Mullikin nominated Mr. Pizzi for the appointment of Chairman, second, Mr. Hale. Mr. Pizzi asked if there were any other nominations. No nominations were brought forth.

Motion to appoint Mr. Pizzi as Chairman of the Board: Mr. Hale, second, Mr. Sudia. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Chairman Pizzi-yes. Motion Carried.

Mr. Pizzi thanked the Board Members for their nomination.

Appointment of Officers:

Mrs. Nugent requested of the Board per the recommendations of the Chairman the appointment of the officers as follows: Mrs. Karen Davis to serve as Vice-Chairwoman, Mr. Lloyd Mullikin to serve as Secretary, Mr. Michael Hale to serve as Treasurer, Mr. Sudia to serve as Commissioner, and Mr. Keith Buscio to serve as Alternate Commissioner #1.

Motion to accept the appointment of Officers: Mr. Hale, second, Mr. Mullikin. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Chairman Pizzi-yes. Motion Carried.

Assignment of Committee Positions:

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

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

Adoption of the Cash Management Plan:

Mrs. Nugent requested of the Board the adoption of the 2013 Cash Management Plan. Mrs. Nugent stated the Cash Management Plan designates the Authority's official depositories, provides permissible investment guidelines, provides safe keeping instructions according to the Board, it references the Authority's audit responsibilities, and the Authority's disposition of abandoned property. The Cash Management Plan was reviewed and recommended for acceptance by Holman and Frenia.

Motion to adopt the Cash Management Plan: Mr. Hale, second, Mr. Mullikin. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Chairman Pizzi-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, Wells Fargo, Ocean First, and Capital One as the official Depositories of the Authority. Mrs. Nugent stated that the Authority only uses TD Bank and Ocean First and the other two banks are referenced as alternates.

Motion to accept the designation of TD Bank, Ocean First, Wells Fargo & Capital One as official depositories: Mr. Buscio, second, Mr. Hale. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Chairman Pizzi-yes. Motion Carried.

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

Mrs. Nugent requested of the Board to authorize the Asbury Park Press, 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 for the Authority.

Motion to authorize the Asbury Park Press, Star Ledger, and the Berkeley Times as the official newspapers for the Authority: Mr. Hale, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Mrs. Nugent stated that the following nine resolutions should be approved separately. For the Board's consideration, all of the documents required for the appointment of professionals (under the non fair and open practice) were submitted and reviewed by the Authority Attorney. Mr. Koutsouris concurs that all of the paperwork is in order and all the stated rates are in compliance with the Board's instructions. There were no increases requested.

Appointment of Authority Attorney:

Mrs. Nugent requested of the Board the appointment of the Authority Attorney to the law firm of Dasti, Murphy & McGuckin, Ulaky, Cherkos & Connors with the named professional being Mr. Christopher Koutsouris.

Motion to accept the appointment of Authority Attorney to the law firm of Dasti, Murphy & McGuckin, Ulaky, Cherkos & Connors: Mr. Hale, second, Mr. Buscio. . All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-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 with the named professionals being Mr. Frank Holman and his representative Mr. Jerry Conaty.

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

Appointment of Authority Bond Counsel:

Mrs. Nugent requested of the Board the appointment of Authority Bond Counsel to the firm of Gluck Walrath with the named professional being Mr. Howard Eichenbaum.

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

Appointment of Authority Engineer:

Mrs. Nugent requested of the Board the appointment of Authority Engineer to CME Associates with the named professionals being Mr. Michael McClelland and his representative Mr. Keith Chiaravallo.

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

Appointment of Authority Labor Attorney:

Mrs. Nugent requested of the Board the appointment of Authority Labor Attorney to the law firm of Brian Di Stefano and he being the direct representative to the Authority.

Motion to accept the appointment of the Authority Labor Attorney to the law firm of Brian Di Stefano: Mr. Mullikin, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Appointment of Authority Conflict Attorney:

Mrs. Nugent requested of the Board the appointment of Authority Conflict Attorney to the law firm of Brian Di Stefano and he being the direct representative to the Authority.

Motion to accept the appointment of the Authority Conflict Attorney to the law firm of Brian Di Stefano: Mr. Hale, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-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 Authority Risk Manager to the firm of the John Hill Agency: Mr. Hale, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Appointment of Authority Conflict Engineer:

Mrs. Nugent requested of the Board the appointment of Authority Conflict Engineer to the Alaimo Group. Mr. Miles Powell will be the direct representative to the Authority.

Motion to accept the appointment of the Authority Conflict Engineer to the firm of the Alaimo Group: Mr. Mullikin, second, Mr. Sudia. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Appointment of Employee Health Benefits Insurance Broker and Consultant:

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

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

Authorize TD Bank Signature Cards:

Mrs. Nugent requested of the Board authorization for the Commissioners to sign the TD Bank signature cards.

Motion to authorize TD Bank signature cards to be signed by the Commissioners: Mr. Hale, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Authorize Ocean First Bank Signature Cards:

Mrs. Nugent requested of the Board authorization for the Commissioners to sign the Ocean First Bank signature cards.

Motion to authorize Ocean First Bank signature cards to be signed by the Commissioners: Mr. Hale, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Authorize Ocean First Bank Wire Transfer Agreement:

Mrs. Nugent requested of the Board authorization to execute the Wire Transfer Agreement with Ocean First Bank.

Motion to authorize the execution of the Wire Transfer Agreement with Ocean First Bank: Mr. Hale, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

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

Mrs. Nugent requested of the Board authorization to transfer \$20,000.00 into the Renewal & Replacement account. The review and budget of this transfer is a requirement of the Authority's bond covenant. Mrs. Nugent added that this is a budgeted line item and is scheduled for March.

Mr. Mullikin questioned if \$20,000.00 was put in the Renewal & Replacement account last year (2012). Mrs. Nugent replied that it is generally \$20,000.00 and that once the money goes in the account the funds become restricted. It is available in case something disastrous should occur, but must be replaced in the next budget year if used.

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

Authorization to pay Township Appropriation of \$88,100.00:

Mrs. Nugent requested of the Board authorization to appropriate funds from the Authority's operating expenses to the Township. The amount is \$88,100.00 and will be transferred to the

Township in April 2013. Mrs. Nugent added the amount is a calculated amount that has already been budgeted.

Mr. Mullikin questioned if this is the third year that the Authority has appropriated money to the Township. Mr. Pizzi replied that is correct.

Motion to appropriate \$88,100.00 from the Authority's operating expenses to the Township: Mr. Mullikin, second, Mr. Hale. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Mrs. Nugent stated that an Executive Session will follow tonight's meeting due to an employee annual review.

Progress Report:

Mrs. Nugent referred to her Progress Report and stated that items one through six are still progressing.

Hurricane Sandy

Mrs. Nugent stated that there were 129 Hurricane Sandy related water turn offs. This means that the water was shut off at the street, but the service charge continues.

Mrs. Nugent stated there are 19 confirmed cut and caps meaning that these homes have completely been disconnected from the water system and the service charge stops.

Wire Transaction:

Mrs. Nugent stated that the Finance Committee has approved a \$50,000.00 wire transfer from Ocean First Bank to TD Bank. Mrs. Nugent stated that these funds will flow to general investments.

NJUAJIF/MEL Credit:

Mrs. Nugent stated the Authority is part of the New Jersey Utility Authority Joint Insurance Fund (NJUAJIF). If the Authority's elected and appointed officials participate in the NJUAJIF Elected Official Training Seminar the Authority will receive a \$250.00 credit towards its insurance premium. Normally, these seminars are attended in person, but with Hurricane Sandy and the cancellation of the League of Municipalities, it is being offered online. Mrs. Nugent stated that so far two members have taken the online seminar.

Mr. Pizzi encouraged the Commissioners to attend and stated that on the back of Mrs. Nugent's Progress Report there are instructions on how to attend the seminar online.

NJSEM:

Mrs. Nugent stated that the Authority belongs to a utility co-op known as the New Jersey Sustainable Energy Joint Meeting (NJSEM). The Authority currently participates in the electrical portion of that co-op. Mrs. Nugent stated that the electrical co-op has been financially beneficial for the Authority. The Authority will participate in the natural gas co-op beginning in April 2013. The strike price of \$6.428 per MMBtu was set for the natural gas auction. The results of the bid came in at \$5.475 per MMBtu. This price is in keeping with the current JCP&L price. The benefit that should be noted is that this price is now locked in for 24 months beginning April 2013. Mrs. Nugent added that natural gas prices are projected to increase.

Mr. Pizzi requested Mrs. Nugent to report back to the Board in six month in how the Authority stands with the rates.

Northern Blvd/AT&T Cellular Antenna Tenant:

Mrs. Nugent reported to the Board that AT&T presented plans to the Authority to modify equipment on the Northern Blvd Tower which the Authority approved. AT&T hired an outside consultant who then hired a sub-contractor to do the work. The sub-contractor needed access to the Northern Blvd site on a Saturday and did not go through the proper channels required to gain access. Mrs. Nugent stated that the sub-contractor broke into the facility and damaged the gate. He left the site unsecured for the remaining part of the weekend. That following Monday morning the vandalism to the gate was discovered by an operational employee. That same sub-contractor returned to the Northern Blvd. site that same Monday. When questioned by the operational employee, the sub-contractor denied any involvement. Fortunately, the surveillance cameras captured the incident in its entirety. Mrs. Nugent stated that it was totally within the rights of the Authority to shut down the construction site and have the sub-contractor arrested for breaking and entry, but that the Authority declined to do so. The reasoning for this is that the ultimate party that would have been affected would be the tenant, AT&T. Therefore, the Authority requested AT&T to handle this internally, but to also inform the Authority of what action was taken. AT&T provided a written reprimand to the sub-contractor citing the Authority's complaints, the breaking and entry, and the destruction of the property. The consulting company informed the Authority that this reprimand will stay on file. This will affect their decision on whether to use this subcontractor for any future jobs. Mrs. Nugent stated that she requested the sub-contractor repair the gate as opposed to having AT&T or the outside consultant do the repairs. The Chief of Operations stated the repair was completed to his satisfaction.

Mr. Pizzi referenced the prior year's (2012) project of installing surveillance cameras at the Northern Blvd Tower and stated that there was not anything there before that. Mr. Pizzi added that this proved to be a good investment as it helped identify the perpetrators that damaged the fence.

Mrs. Nugent stated that to be fair, the consulting company accepted some of the fault regarding this. They stated they put time constraints and a lot of pressure on the sub-contractor. Mrs. Nugent added that they learned something from this as well.

Mr. Pizzi stated that the option of pressing charges is available for six months if anything more should occur.

Treatment Plant Sand/Media Filter Testing Results:

Mrs. Nugent stated that testing was performed on four of the six sand/media filters in the treatment plant. Mrs. Nugent was pleased to report that the results came back that the media is in good condition and is suitable for further service. No replacement is required. Mrs. Nugent stated that she was informed the media will be good for at least another five years before it needs to be tested again.

Roman Brothers/Brower Property:

Mrs. Nugent stated that Roman Brothers Construction has purchased the Brower property. This property is located on the south bound side of Route 9 just south of Bay Blvd. Mrs. Nugent referred the Board to the map and stated that the area is delineated in green. It is proposed that there will be ten buildings with eight apartments in each. Roman Brothers met with the Authority in an informal meeting to inquire about the water. Mrs. Nugent added that this will be an age restricted community.

MUAA Dinner Meeting:

Mrs. Nugent stated that the MUAA dinner meeting is scheduled for Thursday, March 14, 2013. Mrs. Nugent stated that she would be pleased to make reservations for anyone interested in attending.

Mr. Pizzi referred to the Roman Brothers 80 apartment project and questioned the potential impact on the Authority.

Mr. McClelland stated that the initial part of the review will include looping main construction and fire flow demands. Additional questions include ownership of water lines and how services are connected and metered.

Mrs. Nugent stated that per the Rules & Regulations, each single family dwelling or portion of a structure that is normally occupied by a single family dwelling means that each dwelling unit will get its own connection.

Engineer's Report:

Well #4:

Mr. Chiaravallo stated that CME is in preparation of the application to the NJEIT Loan Program to be submitted by March 4, 2013. The deadline for the NJEIT preliminary plans is Monday April 1, 2013. CME is preparing the Determination of Eligibility forms for the USDA funding as an alternative to the NJEIT funding to determine which funding route will be best for the

Authority. The preliminary plans for Well #4 are also required to be submitted to the NJDEP by April 1, 2013.

Mr. Chiaravallo stated that CME is preparing the Preliminary Assessment Report to identify the presence of potentially environmentally contaminated areas of concern at the proposed site for Well #4. Mr. Chiaravallo stated that no areas of concern were identified. CME is requesting a Letter of Interpretation from the NJDEP regarding wetlands south of the proposed site. Mr. Chiaravallo stated that these wetlands could possibly have a buffer or transition area that is into the proposed well site which may restrict some of the construction on site. Therefore, the NJDEP could provide information to where that line may be or what type of transition area that may be included.

Phase V Water Main Improvements Project:

Mr. Chiaravallo stated that the Phase V Water Main Improvement Project is also going along the same path as the well project. The loan applications will be submitted to NJEIT by March 4, 2013. The preliminary plans will be submitted by April 1, 2013 in order to comply with all the NJEIT requirements to qualify for the funding. Mr. Chiaravallo stated that CME is also submitting the Determination of Eligibility forms for the Phase V Project along with the Well #4 Project for the USDA funding.

Station Road Tank-Berkeley Township Antennas:

Mr. Chiaravallo stated that the Township's antenna installation contractor submitted information for CME's review and comments were provided to the Authority and to that contractor. Mr. Chiaravallo stated that CME is waiting for them to schedule a pre-construction meeting for the project.

Mr. Pizzi stated that the cost of the Phase V and Well #4 project is \$3,000,000.00 which may be funded by NJEIT. Mr. Pizzi stated that the Authority will submit an application to the USDA for the same amount. Mr. Pizzi stated that it will then be determined which loan will have the better rate or even to do a combination of the two. The USDA provides more choices in regard to longevity. The NJEIT loan allows a 20 year pay back period and the USDA is 40 years. Mr. Pizzi added that the Authority is on the right path in regard to this.

Mr. McClelland briefly discussed the NJEIT and USDA funding programs to finance capital improvement projects.

Mr. Mullikin stated that with the three wells, the Authority is able to meet the current needs of its rate payers. Mr. Mullikin added that with future growth the Authority may not be able to meet that need without a fourth well.

Accountant's Report:

Mr. Conaty stated in his report:

Cash Position Report for January 2013:

Total All Cash Fund Balance:	\$3,916,114.56
Total Restricted Balances:	\$2,600,156.98
Total Fund Available for Disbursement:	\$1,315,957.58

Mr. Conaty stated that his office will begin their audit of the Authority in about three weeks (week of 03/18/13). Mr. Conaty stated that he will set up an exit conference with the Finance Committee and that he and Mr. Holman will present the audit report for the April meeting.

Attorney's Report:

Mr. Koutsouris discussed the agreement to transfer ownership of the water main on the Central Regional School District (CRSD) property to the Authority. Mr. Koutsouris stated that CRSD's attorney is in receipt of the agreement. He will review and present the agreement to the CRSD Board. The Authority has no reason to force this ownership transfer. The Authority has an easement agreement to enter the property if any repairs are required. The Authority is in good shape in regard to this matter and CRSD's water connection was completed.

Mr. Koutsouris stated that acquisition of the adjacent Berkeley Township School Board property is progressing. Mr. Koutsouris stated that the Township of Berkeley has adopted an ordinance which removes the deed restriction for educational purposes only. This will allow for the physical acquisition of the Berkeley Township School Board property. Mr. Koutsouris stated that he and Mr. Chiaravalle will be submitting an application to the Planning Board and the Zoning Board for lot and use approvals. The contract or purchase agreement will have contingencies to include a successful application for the subdivision. If the contingency is not met there will be no harm as the Authority will not acquire anything. If the contingency is met we will close on the property.

Mr. Koutsouris thanked the Board for his re-appointment and stated that he appreciates the Board's confidence in him. Mr. Koutsouris added that he expects this to be a very big growth year for the Authority.

Mr. Pizzi referred back to the School Board property and stated that Mr. Blair informed him that it would be a great asset for the Authority to acquire. It will be a great fit for the Authority as it will allow for future growth. Mr. Pizzi stated that this property will be acquired at no cost and recommended that the Authority pay for the School Board's professional cost in regard to this.

Committee Reports:

Old Business:

No Report.

New Business:

Mr. Sudia stated that the light pole located at the entrance of the Authority building is not working and the whole entrance way is very dark. Mrs. Nugent thanked Mr. Sudia for calling it her attention and stated that she will ask the Chief of Operations to look into it.

Mr. Mullikin stated that yesterday (02/27/13) he, Mr. Pizzi, Mrs. Nugent, and Mr. Blair attended a breakfast meeting through the NJUAJIF which is a safety program for the Authority. Mr. Mullikin stated that the NJUAJIF recognized the BTMUA for 17 years of without a lost time accident. Mr. Mullikin read from the plaque and stated that the BTMUA was also recognized for its safety incentive program that was implemented ten years ago.

Mr. Mullikin stated that this is important as there are very few Authorities that have accomplished this.

Mr. Sudia offered his congratulations to all of the staff of the Authority. Mr. Pizzi stated that in the past he has requested recommendations from the Commissioners to reward the staff with celebratory lunches. Mr. Pizzi requested Mrs. Nugent to pick out a date that is convenient for all of the staff members. Mr. Pizzi also welcomed the Commissioners to join the staff for the luncheon.

Motion to present a congratulatory luncheon for the BTMUA staff not to exceed \$100.00: Mr. Sudia, second, Mr. Hale. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Mr. Pizzi asked the committees to look into two separate topics. Mr. Pizzi stated Mrs. Nugent's and Mr. Blair's contracts are up for renewal in April 2013. Mr. Pizzi stated that he is requesting the Personnel Committee (Mr. Sudia and Mr. Hale) to get together regarding this. Mr. Pizzi stated that the Authority has the resources of using a Labor Attorney regarding this and that Mr. Di Stefano (Labor Attorney) can act as a mediator/negotiator. Mr. Pizzi stated that the Labor Attorney will need to be advised if the Authority requires his services. Mr. Pizzi stated that he will be submitting a Letter of Recommendation from the Chairman based on his past observations in working with these two individuals.

Mr. Pizzi stated that health benefits have unofficially been on the agenda for the past few years regarding whether employees should receive health benefits after twenty-five years of service. Mr. Pizzi stated that as Chairman, he has advised employees if there are any questions or concerns they are welcome to bring it before the Board and it will be always be addressed. Mr. Pizzi stated that they will stay with that same standard. Mr. Pizzi stated that the issue of benefits will fall to the Legal Committee (Mr. Buscio and Mrs. Davis). Mrs. Nugent has already done a lot of research on this issue which will help the Legal Committee to get started. Mr. Pizzi stated that they should set up a meeting with Mrs. Nugent as she is informative of some of the questions that have come up. Mr. Pizzi stated that once the Legal Committee has made any decisions in regard to this issue it can be brought before the Board for discussion. Mr. Pizzi added that he is always open to any questions or concerns for his consideration.

Mr. Mullikin stated that state government and local civil service positions are able to receive health benefits after twenty-five years of service.

Mrs. Nugent stated that all of the Board Members and professionals will be receiving the Local Government Ethics Law Financial Disclosure statement. Mrs. Nugent added that this goes out to all of the Authority's appointed positions and the professionals. Mrs. Nugent stated that the form needs to be completed in its entirety and returned to Ms. Beverly Carle, the Township Clerk. Ms. Carle may be sending this out in a manual form or in an online link. Mrs. Nugent stated that she believes the deadline to complete the form is April 15, 2013.

Mr. Conaty stated that this is the Commissioners' responsibility to fill the forms out and submit it to the Township. If this is not done, there is actually a penalty that the State could impose. The Commissioners are liable for it personally, not the Authority.

Mr. Pizzi thanked the Board Members for the trust that they have placed in him. Mr. Pizzi stated that this past year (2012) has been a very productive year and is looking forward to another productive year. There are some projects coming up that will need to be finalized. Mr. Pizzi added that his door is always open and welcomes any new topic that may be brought to him. Mr. Pizzi stated that any concerns can be presented and it can be discussed as a group or given to any of the committees. A decision can be made and brought back before the Board. Mr. Pizzi stated that he is open to anything that may be of help to the Authority.

Motion to open the public portion: Mr. Hale, second, Mr. Buscio. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to close the public portion: Mr. Hale, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Executive Session:

Motion to open: Mr. Mullikin, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Topics Discussed:

Annual Review for Employee #1

Litigation:

Crystal Lake Rehabilitation Center

The Grand

GS/Realty/Foxmoor

Motion to close: Mr. Hale, second, Mr. Buscio. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to re-open the public portion: Mr. Hale, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion for approval for annual review for Employee #1: Mr. Mullikin, second, Mr. Hale. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

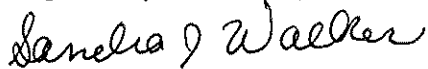
Motion for Legal Action – Crystal Lake Rehabilitation Center: Mr. Hale, second, Mr. Buscio. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Motion for Legal Action – The Grand: Mr. Hale, second, Mr. Sudia. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Hale-yes, Mr. Sudia-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Motion for Legal Action – GS Realty: Mr. Mullikin, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Motion to adjourn: Mr. Mullikin, second, Mr. Sudia. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Respectfully Submitted,



Sandra J Walker
Office Clerk

The next meeting of the Berkeley Township Municipal Utilities Authority will be held on Thursday, March 28, 2013 at 7:00 pm at the Berkeley Township Municipal Utilities Authority located at 42 Station Road, Bayville, NJ 08721.