



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, August 28, 2014** 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. Chiaravallo-Engineer, Mr. Waldron-Accountant, Mr. Blair-Chief of Operations, and Mrs. Nugent-Executive Director.

Motion to approve the minutes from the Public Meeting on July 24, 2014: Mr. Hale, second, Mr. Mullikin. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Pizzi and Mrs. Davis abstained.

Motion to approve the minutes from the Executive Session on July 24, 2014: Mr. Mullikin, second, Mr. Hale. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Pizzi and Mrs. Davis abstained.

Motion to approve the Executive Director's Report from the meeting on July 24, 2014: Mr. Buscio, second, Mr. Hale. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Pizzi and Mrs. Davis abstained.

Motion to approve the Engineer's Report from the meeting on July 24, 2014: Mr. Hale, second, Mr. Mullikin. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Pizzi and Mrs. Davis abstained.

Motion to approve the Accountant's Report from the meeting on July 24, 2014: Mr. Mullikin, second, Mr. Buscio. The motion was approved by voice vote. There were no "nay" votes. Motion Carried. Mr. Pizzi and Mrs. Davis abstained.

Treasurer's Report:

Mr. Hale stated he and Mr. Buscio reviewed the payroll and operating expenses for the first two weeks and he and Mr. Mullikin reviewed the last three weeks (07/26/14-08/29/14). The payroll expenses were in the amount of \$30,234.66. The operating expenses were in the amount of \$786,381.69. Mr. Hale stated the operational expenses include the Phase V construction payment of \$694,103.65 to P&A Construction.

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

Executive Director's Report:

Mrs. Nugent welcomed Mrs. Lori LeFaucheur to the Authority as a new staff member in the administrative office.

Mrs. Nugent stated the following two requests do not have formal written resolutions prepared, but written resolutions will be prepared.

Authorize Payment #1 to P&A Construction Payment \$694,103.65:

Mrs. Nugent requested of the Board authorization of Payment #1 to P&A Construction for \$694,103.65. Mrs. Nugent stated these expenses were reviewed and recommended for payment by CME Associates. The State NJEIT program has also approved the payment and released funds from the loan program to the Authority. Mrs. Nugent confirmed the funds are available for disbursement. Mrs. Nugent added the project is very near completion.

Motion to authorize Payment #1 to P&A Construction for \$694,103.65: Mr. Hale, second, Mr. Mullikin. All in favor. Roll Call. Mr. Hale-yes, Mr. Mullikin-yes, Mrs. Davis-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Assume Quick Chek Cash Maintenance Bond \$635.21 to recoup repair costs of \$5,164.05 + final paving:

Mrs. Nugent requested of the Board authorization for the assumption of the cash maintenance bond for the Quick Chek project. Mrs. Nugent stated on July 25, 2014 there was an emergency road repair performed due to a damaged water service pipe resulting in a water leak at the Quick Chek/Central Parkway and Route 9 project. Mrs. Nugent stated this was an emergency road opening and repair costing \$4,044.05. Mrs. Nugent stated Ocean Pipeworks responded on an emergency basis and charged the Authority the same emergency response rate that was charged to Aqua Water Company in 2012. Mrs. Nugent stated the Berkeley Township Police Department (BTPD) charged \$1,120.00 for traffic control. This brought the total to \$5,164.05. The emergency road opening will require final paving after 90 days to allow the ground to settle. Mrs. Nugent stated the final paving will occur approximately the same period of time P&A Construction (the Phase V water main installer) will be back to do final paving for the Phase V project. Therefore, the Authority will request a quote from P&A Construction along with two or three others. Due to this, the final asphalt costs are unknown. Mrs. Nugent stated there was a performance bond on the project. The Authority approved the project and released the performance bond. Mrs. Nugent stated the cash maintenance bond with interest is in the amount of \$635.21. Mrs. Nugent stated because this is all the Authority can recoup, it will assume the cash maintenance bond.

Motion to partially reimburse the Authority for the cost of repair and assume the Quick Chek cash maintenance bond \$635.21 that is currently being held: Mr. Hale, second, Mr. Buscio. All in favor. Roll Call. Mr. Hale-yes, Mr. Mullikin-yes, Mrs. Davis-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Mr. Mullikin questioned if this particular water leak was an unusual event. Mr. Blair confirmed this is correct. Mr. Blair stated the road realignment occurred after the water service was installed which may have caused damage when the road surface was being compacted.

Request to connect to Phase V watermain-408 Hayes Avenue:

Mrs. Nugent requested of the Board, on behalf of the Stewart family, approval to connect 408 Hayes Avenue to the Authority's water system. Mrs. Nugent stated Phase V is fully operational. Generally, the Authority would wait until the entire project is completed before the 90 day notices to connect are mailed to the residents. Mrs. Nugent stated the Stewart family has sand infiltrating their well system. Mr. Chiaravallo stated he spoke with the DEP regarding the Stewart family and received DEP approval. Mr. Chiaravallo stated the DEP informed him once the permit is issued to the Authority it may allow connections as long as the bacteria testing is good. Mr. Mullikin stated the Stewart family will be able to keep their well for outside use.

Motion to authorize the water connection of 408 Hayes Avenue due to hardship involving its failing well: Mr. Hale, second, Mr. Buscio. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

Mrs. Nugent provided the Board an update of the Phase V project regarding bills submitted to the loan program.

Progress Report:

Phase IV-Crystal Lake Rehabilitation Center (CLRC):

Mrs. Nugent stated CLRC has submitted the Tentative and Final plans. These plans were provided to CME.

Phase V:

Mrs. Nugent stated Phase V is nearing completion. Mrs. Nugent stated 409 Arlington Avenue has a foundation failure issue that occurred during the Phase V watermain installation. Mrs. Nugent stated the homeowners have submitted an insurance claim citing the Contractor. The residence is located approximately 100 feet from the watermain.

New Jersey State League of Municipalities (NJSLOM):

Mrs. Nugent stated the NJSLOM is scheduled for November 18-20, 2014. Mrs. Nugent stated she made reservations at Caesars in Atlantic City and asked the Board Members to confirm their availability at a later date.

FEMA Water Meter Replacement:

Mrs. Nugent stated over 150 meter replacements have been replaced through the FEMA program for Sandy affected homes. Mrs. Nugent stated FEMA is reimbursing the Authority 90% of the costs associated with the meters. Mrs. Nugent stated the Authority has submitted the expenses to FEMA which includes the new meters, the time involved in installation, and use of the Authority vehicles. Mrs. Nugent stated the Authority has not received the reimbursement yet, but FEMA acknowledges receiving the request.

Mrs. Nugent stated one of the meters replaced with the FEMA program was improperly installed and caused a water leak at one of the Sandy affected homes. Mrs. Nugent stated unfortunately the family had recently replaced all of their floors with a new laminate floor throughout the home. Mrs. Nugent stated the Authority's insurance company was notified and sent an adjustor to the home. Mrs. Nugent stated the homeowner will have to go through their insurance company to get a denial letter which will allow the Authority's insurance to cover the cost. Mr. Budesca stated even if their homeowners policy agrees to pay they may, at some point, look to be reimbursed by the Authority. Mr. Budesca stated more than likely the homeowner's policy will deny it due to the Authority being liable for the damage. Mrs. Nugent stated the homeowners have been very patient with the Authority and wants to resolve the matter.

Municipal Utilities Authority Association (MUAA) Dinner Meeting:

Mrs. Nugent stated the MUAA dinner meeting is scheduled for September 11, 2014 and reminders will be sent out to confirm attendance.

2015 Budget Preparation:

Mrs. Nugent stated the 2015 Budget is in preparation. Mrs. Nugent stated she is available for any comments or suggestions regarding it.

Mrs. Nugent stated Executive Session is required.

Engineer's Report:

Phase V Watermain Improvements:

Mr. Chiaravallo stated all of the watermains are installed and most of the water services are installed. Mr. Chiaravallo stated the final paving still needs to be completed.

Well #4 Project:

Mr. Chiaravallo stated the plans and specifications for the test well have been submitted to the DEP. Mr. Chiaravallo stated he waiting for the Authorization to Advertisement.

Northern Boulevard Water Storage Tank-Sprint Upgrades:

Mr. Chiaravallo stated CME is reviewing plans submitted from Sprint regarding upgrades on its antennas on the Northern Blvd Tank and will be providing comments to the Authority. Mr. Chiaravallo added Sprint is upgrading the upgrades just completed several months ago.

Mr. Mullikin questioned the length of time for the Authorization to Advertise regarding Well #4. Mr. Chiaravallo stated the DEP hasn't had it a long time for the final review and the funding group has to give its approval.

Accountant's Report:

Mr. Waldron stated in his report:

Cash Position Report for July:

Total All Cash Fund Balance:	\$3,948,263.74
Total Restricted Balances:	\$2,417,024.80
Total Fund Available for Disbursement:	\$1,531,238.94

Attorney's Report:

Mr. Budesza stated he will present his report in Executive Session.

Committee Reports:

Old Business:

No Report.

New Business:

No Report.

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

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

Executive Session:

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

Litigation:

Chelsea Place Planning & Zoning Board Status

Rate Study Negotiation (\$4,800.00)

Authorize CME to submit Phase VI Application to NJEIT Loan Program

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

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

Motion to authorize CME to make NJEIT funding application for Phase VI: Mr. Mullikin, second, Mr. Hale. All in favor. Roll Call. Mr. Hale-yes, Mr. Mullikin-yes, Mrs. Davis-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Motion to authorize rate study-4800: Mr. Hale, second, Mrs. Davis. All in favor. Roll Call. Mr. Hale-yes, Mr. Mullikin-yes, Mrs. Davis-yes, Mr. Buscio-yes, Mr. Pizzi-yes. Motion Carried.

Motion to authorize the direction provided to the Professionals regarding Chelsea Place: Mrs. Davis, second, Mr. Hale. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

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

The meeting adjourned at 8:27 pm.

Respectfully Submitted,



Sandra J Walker
Office Clerk

The next meeting of the Berkeley Township Municipal Utilities Authority will be held on Thursday, September 25, 2014 at 7:00 pm at the Berkeley Township Municipal Utilities Authority located at 42 Station Road, Bayville, NJ 08721.