



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, **May 25, 2017** at 7:00 pm at the Berkeley Township Municipal Utilities Authority at 42 Station Road, Bayville, NJ 08721. Presided by Chairwoman Davis-present, Mr. Mullikin-present, Mr. Cammarato-present, Mr. Hale-present, Mr. Askew-absent, Mr. Elliott-absent.

Also present: Mr. Budesza-Attorney, Mr. Chiaravallo-Engineer, Mr. Waldron-Accountant and Mrs. Nugent-Executive Director.

After the salute to the flag, Mrs. LeFaucher read the Open Public Meeting Statement.

Motion to approve the Public and Executive session meeting minutes and the following reports from the meeting on April 27, 2017: Mr. Hale, second, Mr. Cammarato. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Cammarato-yes, Mr. Hale-yes, Mrs. Davis-abstained. Motion Carried.

- Executive Director's Report
- Engineer's Report
- Attorney's Report

Treasurer's Report:

Mr. Hale stated for the four week period from 04/29/17 – 05/26/17 the payroll expenses totaled \$35,319.85 and the operational expenses totaled \$108,829.21. Included in the operational expenses is the purchase of the 2017 F450 utility box truck for \$55,398.00 which was previously authorized. Mr. Hale and Mr. Cammarato reviewed the four weeks.

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

Executive Director's Report:

Accept Performance Bond for Hickory Farms Phase III:

Mrs. Nugent requested of the Board acceptance of the Performance Bond for the Hickory Farms Phase III project. This project received formal approval from the Board at the last meeting (04/27/17). The total amount of the bond requested as set forth in the requirements of the Engineer's report dated May 2, 2017 is \$369,097.41. The 10% cash portion of the bond was presented in cash form and was deposited.

Motion to accept the Performance Bond for Hickory Farms Phase III: Mr. Hale, second, Mr. Mullikin. All in favor. Roll Call. Mr. Mullikin-yes, Mr. Cammarato-yes, Mr. Hale-yes, Mrs. Davis-yes. Motion Carried.

Accept Performance Bond for Dollar General:

Mrs. Nugent requested of the Board acceptance of the Performance Bond for Dollar General. The Performance Bond amount requested as per the Engineer's letter dated May 8, 2017 is \$21,803.04.

Motion to accept the Performance Bond for Dollar General: Mr. Hale, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Cammarato-yes, Mr. Hale-yes, Mrs. Davis-yes. Motion Carried.

Revise Rate Schedule to not charge fire protection per NJS 40:62-139 – Furnishing water for special purposes and credit Tallwoods (6 years x \$382.50 = \$2,295.00) & CLRC (2 years x \$212.50 = \$425.00) for previously charged annual fire protection:

Mrs. Nugent provided the Board Members a copy of a NJ statute she received from the Tallwoods Care Center Auditor. The statute states the Authority is not permitted to charge a nursing home a flat rate fire protection service charge. Mrs. Nugent stated the Authority has charged Tallwoods a service charge of \$382.50 annually. The Authority Attorney reviewed the statute and recommends a six year service charge refund of \$2,295.00. This also applies to Crystal Lake Rehabilitation Center (CLRC) which is entitled to a two year refund of \$425.00. Mr. Budesca stated a motion will be required for authorization to refund the monies back to Tallwoods and CLRC.

Motion for authorization to issue refunds for service charges to Tallwoods and CLRC and revise the rate schedule: Mr. Mullikin, second, Mr. Hale. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Cammarato-yes, Mr. Hale-yes, Mrs. Davis-yes. Motion Carried.

Mr. Budesca stepped out of the meeting due to a conflict of interest for the discussion regarding the Berkeley Island Park project Performance Board at 7:08 pm.

Discussion:

Accept participation in the Berkeley Island Park Project Performance Bond

Mrs. Nugent stated the Berkeley Island Park project has requested the Authority consider participation in the Performance Bond for the entire project in lieu of a performance bond specific to the Authority as required by its Rules and Regulations and cited in the Final Approval Resolution# 2017-0034. A copy of the Performance Bond was reviewed by the Authority's Conflict Attorney (Mr. Koutsouris) who gave his recommendation. There is a bond in place that covers the entire project. The same contractor, Eagle Construction, is performing the inside park renovations and installing the water main along Brennan Concourse from Grant Avenue into the park. The water portion of the project will install water services for two commercial properties (marinas) and two residential houses along Brennan Concourse. The Authority will be reimbursed for any associated professional fees. All of the fees were formalized and have been deposited. A Certificate of Insurance which specifically names the Authority and CME is on file.

Waive cash portion of the Berkeley Island Park Project Performance Bond

Mrs. Nugent stated the Berkeley Island Park project has requested the Authority waive the 10% cash portion of the Performance Bond as required by the Final Approval Resolution# 2017-0034 . Mr. Koutsouris provided his recommendation. Mrs. Davis questioned if the Board is in agreement the Authority will be well protected during the project. Based on the Attorney's recommendation the Board concurred, yes. Mrs. Nugent stated Mr. Koutsouris will formalize this authorization in a resolution.

Mrs. Nugent stated the County requested the connection fee amount of \$249,700.00 be reviewed. Mrs. Nugent stated the number was based off water usage calculations the applicants' engineer provided to the Authority and was based on a peak day in the middle of July. The Authority will allow a review of a revised water usage estimate.

Mr. Budesca re-entered the meeting at 7:13 pm.

Progress Report:

- Phase VI - 25 homes are fully connected – billing was initiated
- MUAA –MUAA dinner meeting is scheduled for June 8, 2017
- Vacations – Brian/ June 20- 28– Michele/June 26 – July 3
- New Utility Box Truck F450 – Delivered – lettering completed

Engineer's Report:

Well #4 Project:

Phase II – Production Well

Mr. Chiaravallo stated there were grading issues on the plans that needed to be addressed which are now completed. Mr. Chiaravallo stated authorization to advertise for the project has not been issued.

Accountant's Report:

Mr. Waldron submitted the March 2017 Cash Position Report and read into record the April Cash Position Report:

Cash Position Report for April:

Total All Cash Fund Balance:	\$4,966,471.54
Total Restricted Balances:	\$2,583,766.60
Total Fund Available for Disbursement:	\$2,382,704.94

Mr. Waldron stated he met with the Finance Committee to discuss the details in the 2016 audit report. Mr. Waldron reviewed the highlights of the 2016 audit with the Board and presented each member with a written copy of the draft. Mr. Waldron stated it was a clean audit report and the Year to Date budget is appropriate. There were no comments or recommendations. The Authority had an appropriate budget performance and is paying its debt down quickly. Mr. Waldron stated the Board Members are required to sign an affidavit confirming they have received and read the audit, specifically the comments and suggestions section. Mr. Waldron re-iterated a clean unmodified opinion with no comments or suggestions was issued. Mr. Waldron offered his availability to the Board Members for any further questions. The 2016 Audit will be posted to the website and distributed to the State and to all regulatory entities.

Motion to accept the 2016 Audit: Mr. Hale, second, Mr. Mullikin. All in Favor. Roll Call. Mr. Mullikin-yes, Mr. Cammarato-abstained-until he reads the report, Mr. Hale-yes, Mrs. Davis-yes. Motion Carried.

Attorney's Report:

Will present in Executive Session.

Committee Report:

Old Business:

Mr. Cammarato requested confirmation of Resolution# 29-2017 authorizes final approval and tonight's resolution approved the Performance Bond. Mrs. Nugent confirmed Resolution# 29-2017 was for approval of the project itself. The motion before the Board tonight gave approval for the Performance Bond only. Mr. Cammarato reiterated Resolution# 29-2017 section 3 regarding the inspection observation requirement to CME.

Mr. Mullikin stated he, Mr. Elliott and Mr. Blair met with a consultant from Aqua Water Company regarding Aqua's test well results. Mr. Mullikin stated Aqua provided the results of the report to the State and CME. Mr. Chiaravallo stated they are currently reviewing the information and will report any possible concerns. Mrs. Davis questioned if the State is expected to give its approval. Mr. Chiaravallo replied the State will most likely approve it as long as no issues or problems are anticipated for the Authority or the other wells in the surrounding area. Mrs. Davis questioned if it will draw water from the same aquifer (Piney Point) as the Authority. Mr. Chiaravallo replied yes. Mr. Mullikin stated for the record Aqua's consultant is Mr. Anthony Bonasero from the consulting firm of East Latitude.

New Business:

Mr. Cammarato stated he will not be able to attend the July 27, 2017 meeting.

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

Topic Discussed:

Chelsea Place

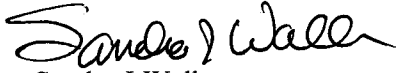
Motion to close: Mr. Mullikin, second, Mr. Cammarato. The motion was approved by voice vote. There were no "nay" votes. Motion Carried.

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

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

The meeting adjourned at 9:05 pm.

Respectfully Submitted,

A handwritten signature in black ink that reads "Sandra J Walker". The signature is written in a cursive, flowing style.

Sandra J Walker
Office Clerk

The next meeting of the Berkeley Township Municipal Utilities Authority will be held on Thursday, June 22, 2017 at 7:00 pm at the Berkeley Township Municipal Utilities Authority located at 42 Station Road, Bayville, NJ 08721.