

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Eleven Hundred Sixty-eight

Agenda

April 28, 2015

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, April 28, 2015 at 4:30 P.M. at the office of the Authority, 340 West Water Street, Toms River, New Jersey 08753.

The following were present:

Juan Carlos Bellu, Chairman
Joseph Bilotta, Vice-Chairman
Carmen Memoli, Commissioner
Virginia Haines, Commissioner
Deborah Clement, Commissioner
Charles Valvano, Alt. Commissioner
Tariq Siddiqui, Alt. Commissioner
Stephen Acropolis, Executive Director/Sec'y.-Treas.
James Gluck, Esq., Counsel
James Lafferty, Director of Operations
Rosemary Rosetto, Controller
Nicholas Otten, Authority Engineer
Bernard Rutkowski, Regulatory Compliance/Safety Officer
Kelly Bellu, Administrative Bookkeeping Specialist
Georgia Benyola, Executive Secretary/Assistant Sec'y.

The regular Meeting #1168 was called to order at 4:30 p.m., April 28, 2015 by Chairman Bellu.

Ms. Benyola, Assistant Secretary, reported that in accordance with the Open Public Meetings Law, P. L. 1975, c. 231, notice of this meeting was posted on the Township Bulletin Board, the Authority Bulletin Board, filed with the Clerk's Office, and published in the Asbury Park Press.

Ms. Benyola called the roll. Mr. Siddiqui, Mr. Valvano, Mrs. Clement, Miss Haines, Mr. Memoli, Mr. Bilotta and Mr. Bellu were present.

Minutes of Meetings for Approval

A. *Meeting #1167* *March 24, 2015* *New Submission*

A motion was made by Miss Haines and seconded by Mrs. Clement to approve the minutes of Meeting #1167 March 24, 2015 as written. A roll call vote was taken with Miss Haines, Mrs. Clement, Mr. Memoli and Mr. Bellu all casting affirmative votes. Due to his absence, Mr. Bilotta abstained.

A motion was made by Miss Haines and seconded by Mrs. Clement to approve the minutes of the Executive Session #1167 March 24, 2015 as written. A roll call vote was taken with Miss Haines, Mrs. Clement, Mr. Memoli and Mr. Bellu all casting affirmative votes. Mr. Bilotta abstained.

Disbursements

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to approve payment of the disbursements as listed in the amount of \$1,883,795.26. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Memoli, Miss Haines and Mr. Bellu all casting affirmative votes.

Additional Disbursements

A motion was made by Mrs. Clement and seconded by Miss Haines to approve payment of the additional disbursement as listed in the amount of \$4,777.99 for postage. A roll call vote was taken with Mrs. Clement, Miss Haines, Mr. Memoli, Mr. Bilotta and Mr. Bellu all casting affirmative votes.

Mr. Acropolis took a moment to let everyone know that the Authority was advised that the Township tax sale is scheduled for October this year.

Trust Fund for Contracts

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to approve the release from the Trust Fund for Contracts as listed in the amount of \$500.00. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Memoli, Miss Haines and Mr. Bellu all casting affirmative votes.

Ratification of Investment & Transfer Resolutions

A motion was made by Mrs. Clement and seconded by Mr. Memoli to ratify the monthly transfer and investment resolutions. A roll call vote was taken with Mrs. Clement, Mr. Memoli, Mr. Bilotta, Miss Haines and Mr. Bellu all casting affirmative votes.

Financial Reports

A motion was made by Mr. Memoli and seconded by Mr. Bilotta to enter the financial reports 6A-F into the record. A roll call vote was taken with Mr. Memoli, Mr. Bilotta, Miss Haines, Mrs. Clement and Mr. Bellu all casting affirmative votes.

Finance & Investments:

Mr. Valvano reported that interest rates have barely moved and the ten year Treasury bond is at 1.92%. Once again, Mr. Valvano reiterated that we are currently letting our cash reserves increase. Mr. Valvano also reported that it was widely rumored that there was going to be a Federal Reserve rate increase in June; however, now the NY Fed President advised Ms. Yellen to put it aside for a while. If rates do go up it's probably going to be later in the year, if that. Mr. Valvano then mentioned that JP Morgan Chase Bank has told some of its depositors that they have so much money that they may charge their depositors for deposits they leave at the bank.

Mr. Valvano asked that a motion be made to reinvest the available funds in the Ocean First Account. A motion was made by Mr. Memoli and seconded by Mr. Bilotta to reinvest the available funds of \$55,161.31 in the Ocean First Trust Custodial Account. A roll call vote was taken by Mr. Memoli, Mr. Bilotta, Miss Haines, Mrs. Clement and Mr. Bellu all casting affirmative votes.

Operating Reports

A motion was made by Miss Haines and seconded by Mr. Bilotta that the operating reports be accepted as presented. A roll call vote was taken with Miss Haines, Mr. Bilotta, Mr. Memoli, Mrs. Clement and Mr. Bellu all casting affirmative votes.

Development Applications/Major Sub Divisions

A motion was made by Mrs. Clement and seconded by Miss Haines to approve the preliminary application for Sub-Division #D-1049. A roll call vote was taken with Mrs. Clement, Miss Haines, Mr. Memoli and Mr. Bellu all casting affirmative votes. Mr. Bilotta abstained.

The next Authority meeting was confirmed for Tuesday, May 26, 2015 at 4:30 p.m.

Adoption of Resolutions Authorizing Capital Purchases

A motion was made by Mrs. Clement and seconded by Mr. Bilotta approving the following resolutions, 9A-2A and 9A-2B:

1. Ratification of IPC capital purchases; and
2. Authorization was given to purchase the following options for the 410L John Deere Backhoe from Jesco for a cost of \$30,460.65. Options are a) 5 year 5000 hour comprehensive warranty b) Gem 1.25 Side Dump Bucket and c) Indeco HP100ABF hydraulic hammer.

A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Memoli, Miss Haines and Mr. Bellu all casting affirmative votes.

A motion was made by Miss Haines and seconded by Mrs. Clement approving the following resolutions, 9A-3 through 9A-8:

3. Authorization was given to the QPA to re-advertise for the solicitation of bids for the 2015 On-Call Roadway Pavement Restoration Contract; and
4. Authorization was given to award an Emergency Contract to Mathis Construction Co., Inc. to replace broken pipe on Delaware Avenue for an amount not to exceed \$130,000.00; and
5. Authorization was given to award bid contract for the service of Eighteen (18) Generators, Pump Stations and Portable Generators to Atlantic Switch & Generator for an amount of \$12,150.00; and
6. Authorization was given to award three additional professional contracts to the 2015 Engineering Pool. The firms to be added to the pool will be Alaimo Group Consulting Engineers, CME Associates and WJH Engineering; and
7. Authorization was given to accept a subsidiary contract for automotive parts, supplies and repairs for vehicles less than 15,000 lbs. GVWR and for vehicles over 15,000 lbs. GVWR is hereby awarded to the vendors listed on the lead agency (Stafford Township) resolution no. 2015-13; and
8. Authorization accepting all right, title and interest by bill of sale for one sanitary sewer grinder pumping station located upon Block 413, Lot 12 from the Township of Toms River.

A roll call vote was taken with Miss Haines, Mrs. Clement, Mr. Bilotta, Mr. Memoli and Mr. Bellu all casting affirmative votes.

Review-Photovoltaic System

Mr. Acropolis reviewed the memo sent by the Purchasing Agent, Rich MacDonald, with the Commissioners, summarizing the April 14th kick off meeting with the professionals connected with the project. The project is broken up into four sections: 1-Procurement of Panels & Appurtenances; 2-Bid Specifications & Plans; 3-Construction Administration & Inspections; and 4-Battery Back for System, which Mr. Acropolis explained in more detail. Mr. Acropolis also mentioned that Mr. MacDonald had another meeting again this morning and everything is moving along as expected. Mr. Acropolis believes that as a utility that prides itself of being environmentally friendly, the Authority is constantly looking into various ways to protect the environment and the solar energy project will show that we are serious about our environment.

Before proceeding to the next item, Mr. Acropolis asked the Chairman if we could have a discussion regarding the paving of the Authority Main Complex parking lots. Since we are going to be paving the lots, Mr. Acropolis feels that this would be a good time to build a canopy over the gas pumps in the back. The canopy will protect the pumps from weather elements, drivers won't be rushing to get out of the pouring rain, which usually causes spillage, protects the key list entry system, and provides more lighting by the pumps just to name a few good reasons. If we don't do it now before the paving is completed, there would most likely be a moratorium of ten years on parking lot openings. The canopy will be similar to the one recently completed at the Public Works gas pumps. The bid specifications are currently being completed for the paving. The Board approved proceeding further investigation of the canopy also.

Unfinished Business

Toms River Parking Authority remains tabled. Attorney has not been available to review the agreement as yet. Mr. Siddiqui will try to find out what is causing the delay.

Committee Reports

Legal – Mr. Gluck reported that all the lawsuits that we had pending have been settled with the exception of the lien from the tax sale. We are now waiting on their side to provide us with the accounting of how much they think is due and owing. They have not produced that as yet. Mr. Gluck mentioned that there is a status conference on May 17, 2015. Mr. Gluck noted that nothing else is pending unless we do not get paid from the contractor that broke through our sewer line earlier this month as reported.

Mr. Acropolis noted that there are two contractors that have damaged our properties. One has been invoiced for striking the side of the TRMUA main damaging the wall and then pumping cement in the hole. The repair and cleaning of the line took TRMUA personnel approximately twelve hours to complete. The other contractor had broken the lateral when failing to cut and cap properly. TRMUA personnel made the appropriate repairs and secured the area on the same day. Attempts to contact this

contractor have been unsuccessful and will be forwarded to legal for resolution.

Mr. Acropolis also wanted to mention that the Authority received notice from FEMA that the Authority is eligible for another draw down of CDL funds. Upon reviewing the matter, it was recommended by our auditor to accept the CDL funds for 2015, which may be converted to a grant at a later date.

Public Comment

Chairman Bellu opened the meeting to comments from the Public. With no public comments, Chairman Bellu closed the public portion of the meeting.

Correspondence

Mr. Acropolis received an email from a ratepayer who wanted to thank the crew who took care of her sunken driveway. The crew consisted of William McDonald, Ryan Carr, Dion Smith and Frank Pascarella, who the ratepayer stated did a great job, were polite and professional and quick to respond to her issue. She thanked everyone for doing the work at her home so promptly and pleasantly.

Executive Session

No executive session was held.

With no further business before the Board, a unanimous voice vote was made to adjourn the meeting at 5:50.