

**TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Eleven Hundred Eighty**

Agenda

April 26, 2016

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, April 26, 2016 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

Frank Holman, Auditor

Carmen Memoli, Vice Chairman

Brian Waldron

Joseph Bilotta, Commissioner

Tyler Donnelly

Deborah Clement, Commissioner

Charles Valvano, Commissioner

Tariq Siddiqui, Alt. Commissioner

Stephen Acropolis, Executive Director/Sec'y.-Treas.

James Gluck, Esquire, Counsel – Absent

Daniel Leone, Esquire - Attended

Rosemary Rosetto, Controller

Nicholas Otten, Authority Engineer

Bernard Rutkowski, Regulatory Compliance/Safety Officer

Kelly Bellu, Administrative Bookkeeping Specialist

Georgia Benyola, Executive Secretary/Assistant Secretary

Meeting #1180 was called to order at 4:30 p.m., April 26, 2016 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, Mr. Bilotta, Mr. Memoli and Mr. Bellu were present.

Minutes of Meetings for Approval

A. Meeting #1179

March 22, 2016

New Submission

A motion was made by Mrs. Clement and seconded by Mr. Memoli to approve the minutes of Meeting #1179 March 22, 2016 with the following changes:

1. A motion was made by Mr. Memoli and seconded by Mrs. Clement to rescind the motion made at Meeting #1179 to approve the extension of the Executive Director's contract, subject to approval by the Labor Attorney. A roll call vote was taken with Mr. Memoli, Mrs. Clement, Mr. Siddiqui and Mr. Bellu all casting affirmative votes. Mr. Bilotta abstained.

2. A motion was made by Mr. Memoli and seconded by Mrs. Clement to rescind the motion made at Meeting #1179 to approve the stipend dates and the additional stipend for the Administrative Bookkeeping Specialist. A roll call vote was taken with Mr. Memoli, Mrs. Clement, Mr. Siddiqui and Mr. Bellu, all casting affirmative votes, with the exception of Mr. Bellu abstaining from voting on the Administrative Bookkeeping Specialist. Mr. Bilotta abstained.

3. A motion was made by Mr. Memoli and seconded by Mrs. Clement to approve the stipend dates and the additional stipend for the Administrative Bookkeeping Specialist. A roll call vote was taken with Mr. Memoli, Mrs. Clement, Mr. Siddiqui and Mr. Bellu all casting affirmative votes, with the exception of Mr. Bellu abstaining from voting on the Administrative Bookkeeping Specialist. Mr. Bilotta abstained.

A roll call vote to approve the minutes of Meeting #1179 was taken with Mrs. Clement, Mr. Memoli, Mr. Siddiqui and Mr. Bellu all casting affirmative votes. Mr. Bilotta abstained.

B. Meeting #1177

January 26, 2016

New Submission

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve the minutes of Meeting #1177 January 26, 2016 as written. A roll call vote was taken with Mrs. Clement, Mr. Valvano, Mr. Memoli, Mr. Bilotta and Mr. Bellu all casting affirmative votes.

Disbursements

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve payment of the disbursements as listed in the amount of \$1,285,072.19. A roll call vote was taken with Mrs. Clement, Mr. Valvano, Mr. Memoli, Mr. Bilotta and Mr. Bellu, all casting affirmative votes.

Additional Disbursements

A motion was made by Mr. Memoli and seconded by Mr. Bilotta to approve payment of the additional disbursements as listed in the amount of \$389.35. A roll call vote was taken with Mr. Memoli, Mr. Bilotta, Mr. Valvano, Mrs. Clement and Mr. Bellu all casting affirmative votes.

Ratification of Investment & Transfer Resolutions

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

Financial Reports

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

Finance & Investments:

Mr. Valvano reported that he checked for CMO quotes. Several did not pass and the ones that met the requirements were over par. A finance meeting was held with Mr. Bilotta to discuss the trajectory of interest rates which is high at the present time. Mr. Valvano requested the input of the commissioners on investing if he can find rates over 2% and under par, for the \$688,000 available. All in agreeance of accepting quotes for CMOs for which Mr. Valvano will purchase if one should meet the requirements. A motion was made by Mr. Valvano and seconded by Mrs. Clement to move the new principle payments for investing of \$79,523.66 to Ocean First Trust account. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Memoli, Mr. Bilotta and Mr. Bellu all casting affirmative votes.

Operating Reports

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

Development Applications/Major Sub Divisions

None for submission.

Authority Meeting

The next Authority meeting was confirmed for Tuesday, May 24, 2016 at 4:30 p.m.

Audit Report 9A-6

Holman, Frenia and Allison, P.C. submitted the 2015 year-end audit report.

Adoption of Resolutions/Approvals

A motion was made by Mr. Bilotta and seconded by Mr. Valvano approving the following resolutions, 9A-2B through 9A-5 and 9A-7 through 9A-10:

2B. Authorization was given to purchase the ArcGIS GeoEvent Extension, ArcGIS GeoEvent Configuration Support and Web GIS Launch Kit from ESRI, 1325 Morris Drive, Suite 201, Chesterbrook, Pa., 19087 at a cost not to exceed \$33,409.00; and

3. Authorization was given to approve the Generator Service Agreement be awarded for a second year to Atlantic Switch & Generator, Hainesport, NJ, at a cost not to exceed \$12,150.00; and

4. Authorization was given awarding the Sanitary Sewer Rehabilitation- Main Replacement Project Contract No. PB-01-15 to Montana Construction Corp., Inc., Lodi, NJ, in the amount of \$1,369,111.00; and

5. Authorization was given awarding the Sanitary Sewer Pipe Rehabilitation-Main Replacement Project Contract No. SC-01-15B to National Water Main Cleaning Company, Kearny, NJ, in the amount of \$539,854.00; and

7. Authorization was given to approve Change Order No. 1 to increase the contract issued to All Surface Asphalt Paving, Inc. by \$35,000 for additional work to be completed; and

8. Authorization was given to approve Change Order No. 3 to increase the contract issued to Altec Building Systems Corp by \$6,741.51, representing additional work to complete the installation of the Photovoltaic System; and

9. Authorization was given approving appraisal of Hall Realty Consultants and authorizing General Counsel to initiate bona fide negotiations with the owners of certain property known as Block 443.13, Lot 10, on the Tax Map of Toms River; and

10. Authorization was given approving modification of an Easement Agreement between the Toms River MUA and the owners of certain properties known as Block 794.29, Lots 32, 34 and 35.

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

Unfinished Business

None

Committee Reports

Legal

1. Mr. Leone reported their office is in the process of preparing the final bill for Kara Homes. The TRMUA will be reimbursed for all legal fees.
2. A settlement conference has been rescheduled for the Erez Health Care Lien for May 9th.
3. Mr. Leone stated the office received two appraisals for the condemnation, one valued the portion of the land at \$500, the second at \$3600. Both appraisals will be further reviewed for details. A letter was sent to the property owners to engage in bona fide negotiations.
4. Anchorage Harbor Easement- Mr. Leone stated the attorney for the association has requested a survey of the easement. Owen & Little will be providing survey of the land. The association will also be requesting consideration.
5. 3 Bayshore Drive- The agreement has been submitted for approval and signature.
6. Berkeley MUA- Mr. Leone has been reaching out to the authority to finalize the agreement. It will be submitted for next month's meeting.
7. Conrail Project- Mr. Leone has been in contact with the representatives from Conrail and was informed that the acquisition of the property would be time consuming and involve environmental testing which is costly. They are willing to lease the property, although no monetary figures have been discussed yet. Mr. Leone will look into leasing fees as well as the option to acquire the property.

8. Mr. Acropolis stated that there is an additional piece of property located across the highway that the MUA might own. He will be looking at the original property deed and survey for more information.

Personnel

Mr. Memoli reported that an employee submitted a request to donate sick time to another employee. The request was discussed by the personnel committee and they recommended to hold off on the request and review again in September, as it is in the best interest of the Authority at this time.

Engineering

Mrs. Clement reported that progress has been made on Pump Station 13; on schedule to be completed this summer. The capital project for pipe rehabilitation was awarded to Montana Construction with 10 pipes for bursting and 20 for dig/replace and will be estimated to take one year for completion. The second phase of the project for pipe cleaning and TV was awarded to National Water Main Cleaning. Mrs. Clement also reported that the emergency project involving the pipe bursting at the McDonald's resulted in replacing the 4" lateral with a 6", costing \$80,000. Additionally, the Solar Project was activated and the status/activity of the panels can be reviewed via the TRMUA website.

Land Use

Mr. Bilotta reported a septic tank was found under the back maintenance property bathroom during paving preparations. It will be cut, capped and covered, as it is too deep and costly to remove.

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

None

Resolution to Enter Executive Session

No resolution was required at this meeting.

With no further business before the Board, a motion was made by Mrs. Clement and seconded by Mr. Bilotta to adjourn the meeting at 5:05 p.m. The motion was carried by a unanimous voice vote.