

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Eleven Hundred Ninety-five

Agenda

July 25, 2017

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, July 25, 2017 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 - Absent

Carmen J. Memoli, Vice Chairman

Joseph G. Bilotta, Commissioner

Deborah L. Clement, Commissioner

Charles S. Valvano, Commissioner

Tariq M. Siddiqui, Alt. Commissioner

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

James Gluck, Esquire, Counsel

Rosemary Rosetto, Controller

Nicholas Otten, Authority Engineer

Bernard Rutkowski, Regulatory Compliance/Safety Officer

Cindy Toye, Administrative Bookkeeping Specialist - Absent

Georgia Benyola, Executive Secretary/Assistant Secretary

Meeting #1195 was called to order at 4:30 p.m., July 25, 2017 by Vice-Chairman Memoli.

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 and Mr. Memoli. Mr. Bellu was unable to attend.

Minutes of Meetings for Approval

A. Meeting #1194 June 27, 2017 New Submission

A motion was made by Mr. Bilotta and seconded by Mr. Valvano to approve the minutes of Meeting #1194 June 27, 2017 as written. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Disbursements

A motion was made by Mr. Valvano and seconded by Mr. Bilotta to approve payment of the disbursements as listed in the amount of \$901,032.79. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Siddiqui and Mr. Memoli, with the exception of All Around Fence, all casting affirmative votes.

Additional disbursements

A motion was made by Mr. Bilotta and seconded by Mr. Valvano to approve the additional disbursements as listed in the amount of \$4,906.85. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

Trust Fund for Contracts

A motion was made by Mr. Bilotta and seconded by Mr. Valvano to approve the release from the Trust Fund for Contracts as listed in the amount of \$2,044.50. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Ratification of Investment & Transfer Resolutions

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

Financial Reports

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

Finance & Investments:

Mr. Valvano reported that the Finance Committee met briefly this month. They rolled over the CD that they have at Lakeland Bank for the 13 month special at 1.26%. Mr. Valvano stated that this month they will be building reserves as they have in the past. The 10 year Treasury Bond is at 2.32%. Interest rates have moved up slightly and it does appear that the Federal Reserve will raise its rates once or twice this year.

Mr. Valvano then made a motion, which was seconded by Mr. Bilotta, to reinvest the available funds of \$56,314.14 into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Operating Reports

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

Development Applications/Major Sub Divisions

A motion was made by Mr. Siddiqui and seconded by Mr. Bilotta to approve the preliminary application for Sub Division #D-1053. A roll call vote was taken with Mr. Siddiqui, Mr. Bilotta, Mrs. Clement, Mr. Valvano and Mr. Memoli all casting affirmative votes.

Authority Meeting

The next Authority meeting was confirmed for Tuesday, August 22, 2017 at 4:30 p.m.

Adoption of Resolutions/Capital Purchases

A motion was made by Mr. Bilotta and seconded by Mr. Valvano approving the following resolutions, 9A-2B through 9A-6:

9A-2B - Authorization was given to award Atlantic Plumbing Supply Corp, 702 Joline Ave, Long Branch, NJ 07740, the Bid for the Purchase and Delivery of Four (4) Sanitary Sewer Rigid See Snake Camera Inspection Units and Locators, Contract No.SCIU-2017, in the amount of \$30,224.00; and

9A-3 - Authorization was given to approve Change Order No.1 and that the contract issued to Montana Construction be increased by \$108,260.58 and the contract be commensurately increased from \$1,369,111.00 to \$1,477,371.58 to do contract modifications (1 through 7) as needed to successfully complete Contract #PB-01-15, Sanitary Sewer Pipe Rehabilitation; and

9A-4 - Authorization was given to ratify and approve to contract the services of Oxford Engineering Co., 336 Point Street, Camden, NJ 08102 to reconstruct the Fueling Island at a cost not to exceed \$11,560.00; and

9A-5 - Authorization was given to award the Sewer and Manhole Rehabilitation Project Contract No.SR-01-16C to En-Tech Corp. D/B/A En-Tech of New Jersey Corp, 91 Ruckman Road, Closter, NJ 07624, in the amount of \$1,528,691.00; and

9A-6 - Authorization was given to award the Replacement Force Main for P.S.#15 and #20 Re-bid Contract No.SR-03-09B to J.C. Contracting, Inc., 681 Mill Street, Rahway, NJ 07065 in the amount of \$452,789.00 for the Base Bid and Alternate Bid "B".

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

Unfinished Business

Mr. Gluck asked the Vice-Chairman if we could have a motion to bring up from the table the resolution and authorization to enter into the Shared Services Agreement with the Toms River Schools. Counsel reached a consensus with Mr. Leone and would like the Board's approval and resolution that was tabled at the last meeting. A motion was made by Mr. Bilotta and seconded by Mr. Valvano to bring up from the table the issue for approval. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes. Another motion was made by Mr. Bilotta and seconded by Mr. Valvano to approve the Shared Services Agreement and resolution. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Committee Reports

Legal

Earle Asphalt - Mr. Gluck reported that he received a call from Earle Asphalt this week requesting a settlement number. Counsel noted that the company was sued for the manhole damages, they are in default and they have not answered the complaint. The project manager called Counsel and said that the papers were misplaced and buried under paperwork at some other desk. Counsel related his conversation

to the Board and after further discussions, the Board agreed that if full payment is not received, Counsel should proceed and file for judgement.

Ocean Beach III–West Bay View Drive – Counsel reported that there was a conference call with Mr. Rutkowski to discuss the paving project and to get everyone on the same page. Counsel feels that there must be some guidelines. His concerns are that we need to have everyone together in one agreement. The agreement should specify that Ocean Beach III has allowed us to come in and has agreed that this work be done. We also need to figure out what the cost share is and exactly what the scope of the project is going to be. The water company has already committed to the project, in addition to the TRMUA, and all should be included in that one agreement; however, we still need to know whether the gas company will commit to this project in order to include them in the agreement or not. Another concern mentioned by Counsel was that we will need authorization to access their roads, since they are owned by Ocean Beach III. We will need construction easements to be recorded, since Counsel doesn't recall seeing any recorded easements in that area. Mr. Rutkowski noted that basically there are no easements, we are waiting to hear from the gas company and the project is out for bid. Mr. Gluck commented that he, Dan Leone and Bernie Rutkowski will work on it and get the formality end of it together while waiting to hear from the gas company.

Recent Rule Changes by Local Finance Board – Counsel reported that there has been a change in the way we have to award contracts. We now have to attach the certification of the funds stated within the resolutions and also state the maximum amount of the contract. Mr. Gluck also noted that he has been working this week with Rich MacDonald, QPA. Mr. MacDonald has recommended that the maximum amount of the contract should be 20% over the bid, since that's the maximum you would be able to do with a change order without having to go to the DCA for approval.

Counsel ended by stated that he also worked on the reviews for both of the bids that were sent to him and prepared the resolutions, which were approved earlier this evening.

Engineering

Mr. Siddiqui mentioned that Mrs. Clement got sick the morning of the Committee Meeting and could not attend. Mr. Siddiqui and Mr. Otten had the engineering meeting and thoroughly went over Mr. Otten's report. Mr. Siddiqui shared some of the highlights from the July Committee Meeting as follows:

OCUA Infiltration – It was mentioned at the meeting that on July 13, OCUA indicated that their manhole inspections were complete. This was in response to the letter from Mr. Acropolis, dated June 13, regarding OCUA Manholes within the Toms River sewer service area, which were found to exhibit groundwater infiltration. OCUA indicated that they will transmit their inspection findings soon and will keep TRMUA updated with respect to completion of all needed manhole repairs, rehabilitation, etc.

NJEIT - Pump Station 15 & 20 Supplemental Force Mains (SR-03-09b) - Mr. Siddiqui proceeded to say that 2 bids were opened for this project on July 20, 2017. The apparent low bid was submitted by JC Contracting from Rahway, NJ in the amount \$453,000. JC Contracting performed similar work for TRMUA within the past couple of years when they installed supplemental Force Main #s 26 & 28, and their workmanship and professionalism were very favorable. Mr. Siddiqui also noted that this was the original Kmetz project, which was withdrawn and it took about six months to get to this point.

CAPITAL PROJECT: Dig/Replace (PB-01-15) – This project has been ongoing since November 2016 and is now in the midst of addressing punch-list items. As a result of TRMUA inspections, additional priority pipe rehab candidates were added to the contract throughout the course of the project. These rehab additions to the project resulted in a contract increase to approximately \$1.5M from approximately \$1.4M, an 8% increase to original contract bid.

Land

Mr. Bilotta noted that there was nothing new to report.

Personnel

Mr. Memoli mentioned that a new line maintenance worker started this past Monday and is now in his 90 day probationary period. Mr. Memoli also mentioned that there was a preliminary interview conducted with another potential candidate by Mrs. Toye/Mr. Rutkowski and will be interviewed again by the Director when he returns.

Mr. Rutkowski reported to the Board that Mr. Holman found an error in a CDL calculation. Both he and Mr. Holman sat in with a FEMA call today and were informed that the CDL loan will be completely forgiven. Mr. Rutkowski made reference to his Monthly Safety Report which stated the Authority would have to pay the remaining balance of \$780,446 to FEMA; but now the CDL loan is completely forgiven.

Public Comment

Vice-Chairman Memoli opened the meeting to comments from the public. With no public comments, the Vice-Chairman closed the public portion of the meeting.

Correspondence

None

Resolution to Enter Executive Session

No executive session was held.

With no further business before the Board, a motion was made by Mr. Bilotta and seconded by Mr. Valvano to adjourn the meeting at 4:50 p.m. The motion was carried by a unanimous voice vote.