

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

Agenda

June 23, 2015

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, June 23, 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. - Absent  
Wayne Frohlich, 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.

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The regular Meeting #1170 was called to order at 4:30 p.m., June 23, 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 #1169*                      *May 26, 2015*                      *New Submission*

A motion was made by Miss Haines and seconded by Mrs. Clement to approve the minutes of Meeting #1169 May 26, 2015 as written. A roll call vote was taken with Miss Haines, Mrs. Clement, Mr. Memoli, Mr. Bilotta and Mr. Bellu all casting affirmative votes.

### **Disbursements**

A motion was made by Mrs. Clement and seconded by Mr. Memoli, with the exception of Toms River Board of Education, to approve payment of the disbursements as listed in the amount of \$1,144,768.71. A roll call vote was taken with Mrs. Clement, Mr. Memoli, Mr. Bilotta, Miss Haines and Mr. Bellu all casting affirmative votes.

There were no additional disbursements listed.

### **Ratification of Investment & Transfer Resolutions**

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

### **Financial Reports**

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

### **Finance & Investments:**

Mr. Valvano reported that it is now abundantly clear that the Federal Reserve is eventually going to raise the interest rates. The Fed Chair gave a speech about it 1½ weeks ago and it wasn't a matter of are you going to do it but when you're going to do it. The Fed Chair agreed that it is going to happen but she's not agreeing to a time frame. They are speculating that the earliest may be September against speculation the latest being December around Christmas time. According to Mr. Valvano, rates are definitely going up at least once, maybe several times more. Other than agreeing that they are going to go up, Fed Chair, Ms. Yellen, is not agreeing to how many or how long it's going to take. Mr. Valvano also mentioned that the ten year Treasury bond yield right now is 2.40%, which is a little higher than the last time we met. With our funds still limited, we only have enough funds for one purchase. Mr. Valvano feels that, at this point, perhaps we should wait and see how things play out. Mr. Bellu does not believe that rates will increase this year. He feels that if the rates are in the 2.40% range, Mr. Valvano should look to purchase another CMO. The Board agreed with Mr. Bellu.

Mr. Valvano asked that a motion be made to reinvest the available funds in the Ocean First Account. A motion was made by Mrs. Clement and seconded by Mr. Bilotta to reinvest the available funds of \$90,994.58 in the Ocean First Trust Custodial Account. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Memoli, Miss Haines 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**

No applications were submitted for approval.

**The next Authority meeting was confirmed for Tuesday, July 28, 2015 at 4:30 p.m.**

### **Adoption of Resolutions Authorizing Capital Purchases**

A motion was made by Mr. Bilotta and seconded by Miss Haines approving the following resolutions, 9A-2A through 9A-4:

2. Ratification of Electrical Improvements awarding a contract to Bahr & Sons for services through the Ocean County Co-Op based on estimate in the amount of \$12,439.36; and
3. Authorization was given to the Qualified Purchasing Agent (QPA) to commence with negotiations for the Furnish and Delivery of Flood Panels for three (3) Sanitary Sewer Pump Stations; and
4. Authorization was given that the 2015 On-Call Roadway Pavement Restoration Project is hereby awarded to L&L Paving Company, Inc., as per the schedule of prices agreed upon, being that this is a unit price contract and funds will be certified prior to the scheduling of any work.

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

### **Approval for In-Between Meeting Check Item #9A-5**

A motion was made by Miss Haines and seconded by Mrs. Clement to approve a check for \$5000 payable to the Toms River Police Department for special duty traffic operations. Mr. Bellu questioned why this request was just introduced especially when this project was discussed in detail at the last meeting. It was Mr. Bellu's understanding that this was an on-going project and the attenuator would be there for protection, so the police would not be needed. Mr. Lafferty noted that the work is being done on heavy traffic road and he feels that it would be safer with the police.

### **Unfinished Business**

None

### **Committee Reports**

Legal – Mr. Gluck was unable to attend this afternoon and sent Wayne Frohlich, Esq. from his office to cover during his absence. Mr. Frohlich reported on the following matters:

- Mr. Frohlich reviewed the 2015 On-Call Road Restoration Bid Contract and recommendation was made to award the bid to the low bidder, L& L Paving Company, Inc. The resolution was also completed and the bids were returned to the Authority.
- Mr. Frohlich reported that Mr. Gluck met with Rosemary to review EREZ Calculations. Next step is to meet with the Township Tax Collector. A status conference will be held in court on July 13, 2015.
- Mr. Frohlich reported that a motion is being filed with the court to re-open the bankruptcy for the purpose of finding the proper party who would be able to sign and transfer title relating to certain real property that includes sewer pumping stations from Kara Homes to the Toms River MUA. Mr. Lafferty stated that he will provide Mr. Frohlich with the expense list, which was currently updated to date, when needed. Mr. Frohlich also mentioned that as he was leaving to come to the meeting tonight, he received a letter from Kara's attorney asking for additional time to see if he could sign off on the deeds and to look into the escrow accounts being held.

- Mr. Frohlich reported that no word came back from Berkeley Township Sewerage Authority yet regarding the expired agreement referring to Pelican Island.
- Mr. Frohlich mentioned that Mr. Gluck is still working on the Killarney Drive easement.
- Mr. Frohlich reported that Mr. Gluck had sent collection letters to the two contractors, EMC, Inc. and Ararat Aggregate Corp, for damages done on Authority property. There still has been no contact from either one and the thirty day deadline will be over in a couple of days. Permission to file suit was authorized.
- Mr. Frohlich mentioned that the firm is also researching the ability to use drones for survey of easements, properties and TRMUA assets.

Ad Hoc-Union Contract - Mr. Bellu commented that he and Miss Haines are now in labor negotiations with the Teamsters. The second meeting was held yesterday with Labor Counsel, HR Administrator, Miss Haines and Mr. Bellu. Later in the afternoon, the Teamster rep called to say that he was unable to attend. The Committee met with the other attendees and was able to discuss some items. Mr. Bellu noted they are progressing but would like to iron out some matters with Mr. Guaschino.

#### Island Heights

Mr. Bellu requested that Mr. Rutkowski explain the recent event with Island Heights. Mr. Rutkowski reported that Jeff Silver called him over the weekend. Mr. Silver said they had a blockage on Garden Ave, which is between West End and Central closer to Route 37. They had an overflow heading out to Dillons Creek and were looking for assistance. After speaking with Mr. Acropolis, Mr. Rutkowski spoke with Mr. Silver advising him that the Authority does not have a shared service agreement with them and that we are no longer able to assist them. Mr. Rutkowski did provide Mr. Silver with the name of a contractor TRMUA had utilized in the past, who would be able to perform such services as needed. Mr. Lafferty also heard that one of their lines had a partial collapse.

#### Engineering

Mrs. Clement highlighted some of the items from the Engineering Report as follows:

- Pump Stations 10 and 21 generators were successfully raised to higher elevations. These locations had been threatened from Hurricane Irene and are now 1 foot higher.
- The supplemental/parallel Force Main 16 construction completion is expected to resume in mid to late July.
- Force Mains for Pump Stations 26 and 28 are scheduled to be installed via directional drill procedure later this summer.
- SONAR inspection is expected to begin this summer. Contractor will be inspecting 3 ½ miles of 42" and 48" diameter pipe. Upon completion and quantifying of debris, a follow up contract can be put out for the proper removal/disposal of the debris.
- Three new projects have been prepared, identifying manhole and sewer candidates for relining. The Authority is expecting to receive Consultant proposals later this week. This will be the 4<sup>th</sup> Lining Rehab contract developed by the Authority in 5 years. So far in the last 4 to 5 years, the Authority has rehabbed 300 manholes and 17 ½ miles of pipe.
- The Authority continues to demonstrate lower historical flows to the OCUA. Since the year 2010, however, Jackson MUA began adding flows to TRMUA and for 2014, they generated 2.2 million gals/yr., which tripled in 4 years. Mrs. Clement did note, however, that Jackson MUA is still within their agreement guidelines.

Mr. Bellu asked if there was anything else to report. Mrs. Rosetto just wanted to remind everyone that they will be starting the 10-year process next month.

**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**

Miss Haines commented on the email sent to the Director by one of our ratepayers thanking Bill McDonald and his crew for doing an excellent job at her home. The ratepayer also mentioned that her property was left in perfect condition and that she was treated with complete professionalism and kindness. Miss Haines and the Board congratulated Billy and his crew for the excellent job.

**Executive Session**

No executive session was held.

With no further business before the Board, a motion was made by Mrs. Clement and seconded by Miss Haines. A unanimous voice vote was made to adjourn the meeting at 5:00 pm.