

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

Meeting Number Twelve Hundred Nineteen

Agenda

June 25, 2019

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, June 25, 2019 at 4:30 P.M. at the office of the Authority, 340 West Water Street, Toms River, New Jersey 08753.

The following were present:

Carmen J. Memoli, Chairman

Tariq M. Siddiqui, Vice-Chairman

Joseph G. Bilotta, Commissioner

Deborah L. Clement, Commissioner

Charles S. Valvano, Commissioner

Ben A. Montenegro – Alt. Commissioner

Dr. Alfonso J. Manforti – Alt. Commissioner - Absent

Robert J. DiBiase, Ex. Director/Sec’y.-Treas.

James Gluck, Esquire, Counsel

Rosemary Rosetto, Chief Financial Officer - Absent

Nicholas Otten, Authority Engineer - Absent

Bernard Rutkowski, Regulatory Compliance/Safety Officer

Cindy Toye, Administrative Bookkeeping Specialist

Georgia Benyola, Executive Secretary/Assistant Sec’y.

Meeting #1219 was called to order at 4:30 p.m., June 25, 2019 by 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 then called the roll. Mr. Montenegro, Mr. Valvano, Mrs. Clement, Mr. Bilotta, Mr. Siddiqui and Mr. Memoli were present. Dr. Manforti was unable to attend.

2A Final Audit Draft - 2018

A motion was made by Mr. Valvano and seconded by Mr. Bilotta to accept the 2018 Audit. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes. The Board Commissioners will certify by Resolution and upon their oath sign the Group Affidavit stating that each member has personally reviewed the annual audit report, which will be sent to the Local Finance Board.

Minutes of Meetings for Approval

A. Meeting #1218 - May 28, 2019 - New Submission

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to approve the minutes of Meeting #1218, May 28, 2019 as written. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Siddiqui, Mr. Valvano and Mr. Memoli all casting affirmative votes.

Disbursements

A motion was made by Mr. Siddiqui and seconded by Mr. Valvano to approve payment of the disbursements as listed in the amount of \$1,146,767.34. A roll call vote was taken with Mr. Siddiqui, Mr. Valvano, Mrs. Clement, with the exception of her RX reimbursement, Mr. Bilotta and Mr. Memoli, with the exception of the expenditure for Dynamic Testing Service and EZnergy, all casting affirmative votes.

Additional Disbursements

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to approve payment of the additional disbursements as listed in the amount of \$209.66. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Valvano, Mr. Siddiqui and Mr. Memoli 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, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

Financial Reports

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

Finance & Investments: 6G

Mr. Valvano stated that the NJIB loan closed successfully and when he spoke with Mrs. Rosetto, she pointed out to him that this was a draw-down loan and if capital projects are needed, funds will be disbursed from that loan. As mentioned last month, the Finance Committee is going to have a meeting where they're going to invite the Executive Director and CFO and talk about revenue needs for the Authority. He and Mr. Bilotta are looking forward to the occasion.

Mr. Valvano then made a motion, seconded by Mr. Bilotta to reinvest the available funds of \$33,610.37 into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

Operating Reports

A motion was made by Mr. Siddiqui and seconded by Mrs. Clement that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mr. Siddiqui, Mrs.

Clement, Mr. Valvano, Mr. Bilotta and Mr. Memoli all casting affirmative votes.

Development Applications-Major Sub Divisions

There were no applications submitted for approval.

Authority Meeting

The next Authority meeting was confirmed for Tuesday, July 23, 2019 at 4:30 p.m.

Adoption of Resolutions/Capital Purchases

9A-2A – There were no IPC Purchases for ratification.

9A-3 - A motion was made by Mrs. Clement and seconded by Mr. Bilotta authorizing the purchase and installation of one (1) 45kw natural gas generator for pump station 10 (\$40,670.00) and one (1) 30kw natural gas generator for pump station 26 (\$35,417.00) to Troller Electric, LLC, available through the Educational Services Commission of NJ in the total amount of \$76,087.00, pending approval and receipt of funding through the NJ Infrastructure Bank and that the Executive Director is authorized to execute and the Assistant Secretary to attest to the proposed form of agreement aforesaid. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Siddiqui, Mr. Valvano and Mr. Memoli all casting affirmative votes.

9A-4 - A motion was made by Mr. Bilotta and seconded by Mr. Siddiqui authorizing the purchase and installation of two (2) Franklin Miller Dimminutor Open Channel Comminutors to Pumping Services, Inc. available through the North Jersey Wastewater Cooperative in the amount of \$134,320.00, pending approval and receipt of funding through the NJ Infrastructure Bank and that the Executive Director is authorized to execute and the Assistant Secretary to attest to the proposed form of agreement aforesaid. A roll call vote was taken with Mr. Bilotta, Mr. Siddiqui, Mrs. Clement, Mr. Valvano and Mr. Memoli all casting affirmative votes.

9A-5 - A motion was made by Mrs. Clement and seconded by Mr. Bilotta authorizing the purchase and delivery of one (1) Closed Circuit TV, Sanitary Sewer Inspection Truck available through the HGAC-Buy bid number SC-01-18 to Cues, 3600 Rio Vista Avenue, Orlando, Florida 32805 in the amount of \$355,177.00 and that the Executive Director is authorized to execute and the Assistant Secretary to attest to the proposed for of agreement aforesaid. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

9A-6 - A motion was made by Mrs. Clement and seconded by Mr. Valvano authorizing that the two appropriation transfers, one for \$7,500.00 and one for \$50,000.00, be made to the approved 2019 budget. A roll call vote was taken with Mrs. Clement, Mr. Valvano, Mr. Siddiqui, Mr. Bilotta and Mr. Memoli all casting affirmative votes.

Unfinished Business

None

Committee Reports

Legal

1. Shared Services Agreement: Counsel found out last month that the Township granted a shared services agreement for the TRMUA gas pump to the Toms River BID. Apparently, the explanation was that there was a new CFO and she did not realize that the MUA is separate from the Township. Counsel spoke with the Executive Director and brought it to his attention. Mr. Gluck will need to renew the shared services agreement but before he does that, the BID asked if the Commissioners would entertain them to include in that shared services agreement a vehicle maintenance service. Mr. DiBiase asked for a follow up meeting to discuss it further with Counsel and he also mentioned that he would like to have our mechanic get involved to see what can or cannot be done for BID.

2. Island Heights - Their service agreement will expire on July 31, 2019. Mr. Gluck stated that they are interested in renewing the agreement. Chairman Memoli asked if the Borough is willing to make an investment in their system. He feels that we could entertain it but they too have to step up, as there is a lot more involved and there's potential that could be disastrous. Counsel will have to ask them. The Director asked Counsel if it would be appropriate to have a separate meeting, just on this issue, and have the appropriate parties at this meeting before they go talk to Island Heights and Counsel would negotiate for them. Counsel mentioned that he spoke to the Township solicitor, the Borough solicitor and Mr. Zabarsky but he had not heard back from anyone.

3. Pitale/Lavallette-Litigation: The Pitale litigation is still in discovery and the discovery end date has be extended. There are two more defendants that have been added.

4. Mr. Gluck stated that we did get sued by an individual named Mr. D'Alessandro over an OPRA response they provided for him. D'Alessandro had asked for his legal bills and Counsel at that time had privileged information that needed to be redacted. Since then a lot had passed. Mr. Gluck has now connected with D'Alessandro's attorney and the two have agreed on a strategy which could settle this dispute.

5. Grease Trap Ordinance: The grease trap ordinance was sent to the Township for review.

6. Mr. Gluck mentioned that he participated with Bond Counsel to wrap up the documentation for the NJ Infrastructure Bank Financing, which closed on June 19, 2019.

Engineering

Mr. Siddiqui had an Engineering Committee meeting yesterday. Mr. Siddiqui noted that there was nothing to report other than routine items this month.

Regionalization

Mr. Siddiqui also had a Regionalization Committee meeting. The Committee reviewed many shared service agreements with the Director. Mr. Siddiqui stated that Mr. DiBiase mentioned that each agreement was different and he would like to standardize them and standardize the rates for all of them, which Mr. Siddiqui thought was a good idea. He also stated that Mr. DiBiase mentioned that we may be under billing some of them. Mr. Siddiqui remembered discussing that a couple of years ago to look into it for Beachwood but they never did. Mr. Siddiqui thought this was a good time to bring it up, as they can work on it for the next few months and have it ready for next year. Mr. DiBiase also gave the Committee updated copies of the agreements for review.

Mr. Siddiqui commented that the Committee did look at the Island Height agreement that was discussed previously in Mr. Gluck's report. Mr. Siddiqui, however, did hear that a report was done by an engineer, a few years back, regarding Island Heights. Mr. Siddiqui asked for a copy of the report. He mentioned that it would be a good idea to look it over and if there were any questions and/or recommendations discuss it before talks begin with the Borough. Chairman Memoli feels that it will refresh their memory. Mr. Gluck wanted to make sure that everyone understood that this engineer's report is not the same as the shared services that were discussed by Mr. Siddiqui.

Regarding the 12 inch main that was just mentioned in the shared services, the Director said that the Foreman sent a crew out to video and back flush, to make sure everything was okay, and it was pristine. There wasn't any problem with the main that goes into the County hole and passes through Island Heights, as that is the MUA's responsibility. It's the other added items that concern the Director. Mr. Siddiqui is interested in receiving the copy of the report as he feels it will be helpful once reviewed.

Land Use

Mr. Bilotta noted that there was nothing reported this month.

Personnel

Mr. Bilotta stated that he had two issues for the Board's consideration and approval. First of all, the Committee is looking to hire a temporary Data Input Clerk to codify the TRMUA's resolutions/minutes on the website. This will be a temporary position during the summer months. A motion was made by Mr. Bilotta and seconded by Mr. Siddiqui to proceed with the hiring of a temporary Data Input Clerk during the summer months. A roll call vote was taken with Mr. Bilotta, Mr. Siddiqui, Mrs. Clement, Mr. Valvano and Mr. Memoli all casting affirmative votes.

Secondly, Mr. Bilotta is also looking to hire a back-up IT Technician. The position for a part-time IT Technician was discussed and agreed upon that it would be posted internally. A motion was made by Mr. Bilotta and seconded by Mr. Valvano to proceed with the hiring of a part-time IT Technician, subject to Union approval. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

Public Comments

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

Correspondence

The Executive Director received a letter from a resident from Apple Court. The Director noted that the calls and letters all have the same theme – Bill McDonald’s crew is professional, clean and informative. The resident was very impressed that there was an element of respect from the crew. There was no extraneous noise e.g. shouting or loud voices, which is normally the case when this type of work is being done. At the end of the day, the crew made sure that the work area was tidy with everything tucked neatly with the work site creating a safety barrier. The resident noted that these men clearly represented the MUA in a most positive way. The Director commented that this was a very nice compliment for the Foreman and his crew and a copy of the letter will be placed into each of their files.

Another letter was received from a resident from Merrimac Drive commending Bill McDonald and his crew’s outstanding work, noting their fast response time and quick repair of damaged pipe.

Resolution to Enter Executive Session

No executive session was held.

With no further business to come before the Board, a motion was made by Mr. Bilotta and seconded by Mr. Valvano to adjourn the meeting at 5:27 p.m. The motion was carried by a unanimous voice vote.