

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

Meeting Number Twelve Hundred Thirty-four

Agenda

September 22, 2020

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, September 22, 2020 at 4:30 P.M. at the office of the Authority, 340 West Water Street, Toms River, New Jersey 08753.

The Following were present or were on conference call (as directed by NJ Governor's Executive Order #107 due to COVID19):

Carmen J. Memoli, Chairman – conference room

Tariq M. Siddiqui, Vice-Chairman – conference room

Deborah L. Clement, Commissioner – conference line

Charles S. Valvano, Commissioner – conference room

Ben A. Montenegro, Commissioner – conference room

Joseph G. Bilotta, Alt. Commissioner – conference room

Dr. Alfonso J. Manforti, Alt. Commissioner – conference room

Robert J. DiBiase, Executive Director/Sec'y.-Treas. – conference room

Joseph D. Coronato, Esquire, Counsel – conference room

Rosemary Rosetto, Chief Financial Officer – conference room

Nicholas Otten, Authority Engineer – conference room

Bernard Rutkowski, Regulatory Compliance/Safety Officer – conference room

Cindy Toye, Administrative Bookkeeping Specialist - conference room

Georgia Benyola, Executive Secretary/Assistant Sec'y. – conference room

Meeting #1234 was called to order at 4:30 p.m., September 22, 2020 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 called the roll. Dr. Manforti, Mr. Bilotta, Mr. Montenegro, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli were present.

Minutes of Meetings for Approval

A. Meeting #1233 - August 25, 2020 - New Submission

A motion was made by Mr. Valvano and seconded by Mr. Montenegro to approve the minutes of Meeting #1233 August 25, 2020 as written. A roll call vote was taken with Mr. Valvano, Mr. Montenegro, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

A motion was made by Mr. Valvano and seconded by Mr. Montenegro to approve the Executive Session Meeting #1233 August 25, 2020 as written. A roll call vote was taken with Mr. Valvano, Mr. Montenegro, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

Disbursements

A motion was made by Mr. Siddiqui and seconded by Mrs. Clement to approve payment of the disbursements as listed in the amount of \$443,757.69 A roll call vote was taken with Mr. Siddiqui, Mrs. Clement, Mr. Montenegro, Mr. Valvano and Mr. Memoli all casting affirmative votes.

Additional Disbursements

There were no additional disbursements listed.

Ratification of Investment & Transfer Resolutions

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

Financial Reports

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

Finance & Investments: 6G

The Committee spoke with the CFO, Mrs. Rosetto. She is currently working on the calculations for the budget and the revenue needs for the Authority. The other item which was mentioned at the previous meeting, Mr. Valvano informed the Board that the Authority is getting data from the Township for the upcoming tax sale in October.

Mr. Valvano also mentioned that it's been a long time since he had given a state of what is going on in the economy and with interest rates. This past month the Federal Reserve had said that they expect interest rates to stay near zero for at least through 2023. Interest rates will be extremely low for a long time and since we are going to be borrowing some money in the future, it will be good for the Authority. The Commissioner also noted additional information and unemployment statistics.

Mr. Valvano made a motion seconded by Mrs. Clement to reinvest the available funds of \$43,067.99 into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

Operating Reports

A motion was made by Mr. Siddiqui and seconded by Mr. Valvano that the operating reports 7A-7G

were accepted as presented. A roll call vote was taken with Mr. Siddiqui, Mr. Valvano, Mrs. Clement, Mr. Montenegro 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, October 27, 2020 at 4:30 p.m. in the TRMUA Conference Room according to social distancing.

Adoption of Resolutions/Capital Purchases

9A-2A – There were no IPC Purchases for Ratification

9A-3 - Resolution – Reimburse Expenditures

A motion was made by Mr. Siddiqui and seconded by Mr. Valvano authorizing that the Toms River Municipal Utilities Authority is declaring its official intent to reimburse expenditures for project costs from the proceeds of debt obligations of the Authority, including in connection with its participation in the NJEIT/NJIB bank financing program. A roll call vote was taken by Mr. Siddiqui, Mr. Valvano, Mrs. Clement, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

9A-4 - Approval – 5 Year Plan 2021-2026

A motion was made by Mr. Valvano and seconded by Mr. Siddiqui to approve the 5-Year Plan 2021–2026 as presented. Mrs. Clement asked about the two air conditioning units that were bought. Mr. DiBiase mentioned that the two rooms were without air conditioning and would have had to send the occupants home, as it was constantly warm during that time. They were also looking to get estimates. The Chairman asked about the attic fans and was told by Mrs. Rosetto that the fans were very large and costly.

The topic of our 5 year capital plan was discussed. Mr. Coronato was interested in an explanation for specific items and how the expenditure was determined. An example of these items was the attic fans. The Executive Director explained the scope of the expense and why it was necessary.

Counsel outlined the process for a shared services agreement that went back some years ago. In this situation, the only concern Counsel had was that the agreement was not attached with the resolution. Normally, Mr. Coronato stated that he would attach the resolution to the agreement or contract, if that's the case, so that the Board members could have time to review the documents. The Board agreed to this process going forward.

Unfinished Business

Executive Director

Committee Reports

Legal

Mr. Coronato noted that he just got a conversation to finish up with the Berkeley contract with Mr. Montenegro. Other than that, there was nothing else to report.

Engineering

Mr. Siddiqui stated that they had their Committee meeting yesterday. Mr. Otten updated them with the progress of the two contracts that were awarded during the summer and Mr. Siddiqui thinks that they will proceed and start in the fall. The one significant thing in Mr. Otten's report is that he filed the application for that loan with the NJ Infrastructure Bank, for up to \$10M. The Board will pass the resolution today. Mr. Siddiqui also mentioned that On-Call Paving Contract (RPAR-20) was awarded to L&L Paving Company. TRMUA will manage the RPR-20 and be involved with the Contractor at each paving location.

Mr. Siddiqui spoke about Pelican Island, in which TRMUA and Berkeley have a shared agreement from 5/24/16 to 11/30/20. Mr. Coronato is reviewing the agreement.

Land Use

None at this time.

Personnel

Discussion in executive session.

AD HOC-UNION Contract

Negotiations in executive session.

Public Comments

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

Correspondence

None at this time.

Resolution to Enter Executive Session

Counsel read the resolution to enter executive session. A motion was made by Mr. Montenegro and seconded by Mr. Valvano to adopt the resolution to enter Executive Session at 4:50 p.m. to discuss personnel matters, litigation/potential litigation and contractual matters. The motion was carried by unanimous voice vote.

Public Session Reconvened at 5:49

Coming back in public session, the following motions were approved:

A motion was made by Mr. Valvano and seconded by Mrs. Clement authorizing that the position of Assistant Customer Account Clerk be posted. Mr. Valvano also authorized the Director to post the position immediately. A roll call vote was taken by Mr. Valvano, Mrs. Clement, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

A motion was made by Mr. Valvano and seconded by Mrs. Clement to offer employment to the position of Line Maintenance Operator to Thomas Graham. If he declines, Mr. Valvano authorizes the Executive Director to post a Line Maintenance Worker. A roll call vote was taken by Mr. Valvano, Mrs. Clement, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes

A motion was made by Mr. Valvano and seconded by Mr. Siddiqui that the Lead Mechanic will be getting immediately \$4,260.00 raise. The extra compensation that this individual is making currently will go away. Based on this \$4,260.00 as well, the job description of the individual will be changed. A roll call vote was taken by Mr. Valvano, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative Ayes and Mrs. Clement cast an affirmative Nay.

A motion was made by Mr. Valvano and seconded by Mrs. Clement for the annual appropriation from the Toms River Municipal Utilities Authority to the Toms River Township shall be given in the month of October, 2020 in the amount of \$984,344.00. A roll call vote was taken by Mr. Valvano, Mrs. Clement, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

A motion was made by Mr. Valvano and seconded by Mrs. Clement that the Union Contract as presented in the record has been agreed upon. A roll call vote was taken by Mr. Valvano, Mrs. Clement, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

Adjournment

With no further business to come before the Board, a motion was made by Mr. Siddiqui and seconded by Mr. Montenegro to adjourn the meeting at 5:49 p.m. The motion was carried by a unanimous voice vote.