

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

Meeting Number Twelve Hundred Ten

Agenda

September 25, 2018

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, September 25, 2018 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

Deborah L. Clement, Vice-Chairperson

Joseph G. Bilotta, Commissioner

Charles S. Valvano, Commissioner

Tariq M. Siddiqui, Commissioner - Absent

Ben A. Montenegro – Alt. Commissioner

Alfonso J. Manforti – Alt. Commissioner - Absent

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

Daniel G. Leone, Esquire, Counsel

Rosemary Rosetto, Chief Financial Officer

Nicholas Otten, Authority Engineer

Bernard Rutkowski, Regulatory Compliance/Safety Officer

Cindy Toye, Administrative Bookkeeping Specialist

Georgia Benyola, Executive Secretary/Assistant Sec'y.

Meeting #1210 was called to order at 4:30 p.m., September 25, 2018 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, Mr. Bilotta, Mrs. Clement and Mr. Memoli were present. Mr. Siddiqui and Mr. Manforti were unable to attend.

Minutes of Meetings for Approval

A. Meeting #1209 - August 28, 2018 - New Submission

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to approve the minutes of Meeting #1209, August 28, 2018 as written. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

A motion was made by Mr. Valvano and seconded by Mr. Bilotta to approve the minutes of the Ex. Meeting #1209, August 28, 2018 as written. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

Disbursements

A motion was made by Mr. Bilotta and seconded by Mr. Valvano to approve payment of the disbursements as listed in the amount of \$ 2,354,349.53. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mr. Montenegro, Mrs. Clement and Mr. Memoli 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 \$1,689.25. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Montenegro, Mr. Valvano and Mr. Memoli all casting affirmative votes.

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. Bilotta 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-6F into the record. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mrs. Clement, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

Finance & Investments: 6G

Mr. Valvano mentioned that the Finance Committee report last month was very involved and lengthy. This month when they met, the Committee directed Mrs. Rosetto to obtain clarification from our Auditor regarding future investments, CMOs/CD purchases, and how the 397 rule applies to our situation. Mrs. Rosetto will present it to Mr. Holman and advise the Committee.

Mr. Valvano made a motion, seconded by Mrs. Clement, to reinvest the available funds of \$36,972.56 in the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Montenegro, Mr. Bilotta and Mr. Memoli all casting affirmative votes.

Operating Reports

A motion was made by Mr. Bilotta and seconded by Mr. Valvano that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mr. Bilotta, Mr. Valvano, Mr. Montenegro, Mrs. Clement 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 23, 2018 at 4:30 p.m.

Adoption of Resolutions/Capital Purchases

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

A motion was made by Mr. Bilotta and seconded by Mrs. Clement approving the following resolutions, 9A-3 through 9A-7:

9A-3 - Authorization was given to continue member participation in the cooperative NJPA Purchasing System which is now known as Sourcewell. The Authority does hereby authorize the Executive Director to enter into an agreement and participate in the Sourcewell Cooperative Purchasing System; and

9A-4 – Authorization was given to the Executive Director to enter into an agreement to participate in the Hunterdon County Educational Services Commission Cooperative Pricing System; and

9A-5 – Authorization was given to ratify the appointment of Robert J. DiBiase as Executive Director and his employment contract, as well as being appointed to the positions of Secretary/Treasurer and OPRA Custodian, all effective as of September 5, 2018; and

9A-6 – Authorization was given to ratify actions of the Board of Commissioners to authorize Change Order No.2 and final payment for the West Bay View Drive Improvement Project to DeFino Contracting Company; and

9A-7 - Authorization was given releasing the Performance Bond and Acceptance of the Maintenance Bond for DeFino Contracting Company for the West Bay View Drive Improvements Project.

A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Montenegro, abstained on #9A-5, Mr. Valvano and Mr. Memoli all casting affirmative votes.

9A-8 Resolution – Auto Mandatory Direct Deposit

A motion was made after some discussion by Mrs. Clement and seconded by Mr. Bilotta authorizing Mrs. Toye to sign up the remaining eight (8) people for direct deposit for payroll, after meeting with them individually. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

9A-9 Resolution of Retirement

There was a resolution for retirement that the Chairman wanted to table so that the Board could fine tune some of the wording and then represent it to Mr. Acropolis, since he was not able to attend tonight. A motion was made to table the resolution for the next meeting. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Montenegro, Mr. Valvano and Mr. Memoli all casting affirmative votes.

9A-10 Resolution – Reimbursement Expenditures

9A-11 Resolution – Rate Study

Chairman asked the Board to table resolutions 9A-10 and 9A-11 as they were not yet ready to discuss either one, as they wanted to go over some more numbers with the Auditor. A motion was made by Mrs. Clement and seconded by Mr. Bilotta to table the Reimbursement Expenditures and the Rate Study until the October meeting. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

Rate Hearing will also be posted at the end of the week in time for the October meeting. The Chairman mentioned that our attorney will conduct the rate meeting and will obtain the stenographer.

Unfinished Business

None

Committee Reports

Legal

1. West Bay View Drive - Mr. Leone stated that the payment on the improvement project was completed last week.

2. Earle Asphalt – At the last meeting, Mr. Leone informed everyone that they received the Default Judgement signed by the Judge. After serving Earle with a copy of the Default Judgement, Earle contacted the office of Gluck/Allen to give them an offer. Counsel noted that they haven't yet received an offer but will have an updated at the next meeting.

3. OPRA Request – Mr. Leone mentioned that their office is assisting in the OPRA request and they have most of it done. There's one more item that will be completed tomorrow.

4. Intersection – Before being asked, Counsel noted that they are working on the letter for the intersection outside.

5. No executive session required.

Engineering

Mrs. Clement had a conversation via phone on Monday, September 24, with Executive Director DiBiase and Mr. Otten in Mr. Siddiqui's absence. Some highlights from Mr. Otten's report were presented by Mrs. Clement as follows:

1. Capital Project – Sewer/MH Rehab Lining (SR-01-16B) - The Contractor recently completed the Cured In Place lining of 10 large diameter pipe segments, 42" & 48". This was a total of 2,100 LF within the Fischer Blvd/Bay Ave vicinity and it went from Hereford Close, Dove Street, Egret Dr.-Bay Ave, Fischer Blvd, Cottonwood Dr. and Garfield Ave.

In addition, initial pre-contract inspections had revealed significant deterioration of these 50 year old reinforced concrete pipes, with this high traffic intersection.

Bond Counsel was tabled as noted earlier. Mr. Otten has a number of projects for rehab, which is also being tabled until the upcoming meeting.

Land

There were no current updates at this time.

User Charge

The Chairman asked for a quick update on the user charge. Mrs. Clement had no comments at this time. The Chairman noted that the Committee was going to be meeting to firm up the rate study.

Personnel

Mr. Bilotta mentioned that an off duty supervisor has been receiving calls at night at home but is not being compensated for it. Mr. DiBiase explained that the on-call duty people would call this supervisor because of his expertise on pump stations, especially if alarms were going off. Mrs. Clement had some questions and asked if someone could get the information so that they can discuss it further at the next meeting. She and the Chairman would like to know how many calls, on average, this supervisor has received over the course of a few months, the employee's hourly rate and how it would affect us contract wise. The Chairman suggested we get guidance from the labor attorney to make sure this could be done.

Mr. Bilotta reported that a Line Maintenance Operator tendered his resignation and his last day is October 12th. Chairman Memoli stated that we should start the process of replacing him. After some discussion, it was decided to post the job on the website and internally on October 2nd for a Line Maintenance Worker. Once the interviews are conducted, the Personnel Committee will offer their recommendation to the Board. A motion was made by Mrs. Clement and seconded by Mr. Bilotta authorizing that the position of the Line Maintenance Worker be posted internally and the website. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Montenegro, Mr. Valvano 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

Mr. DiBiase received correspondence from Rutgers University reporting that students in their MBA courses did a Statewide rate study for all MUAs on water/sewer and the TRMUA fared pretty well. Mr. DiBiase will attend a discussion meeting at Rutgers.

Resolution to Enter Executive Session

No executive session was held.

With no further business to come before the Board, a motion was made by Mrs. Clement and seconded by Mr. Bilotta to adjourn the meeting at 5:20 p.m. The motion was carried by a unanimous voice vote.