

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Twelve Hundred

Agenda

December 19, 2017

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, November 28, 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
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.
James Gluck, Esquire, Counsel
Rosemary Rosetto, Controller
Nicholas Otten, Authority Engineer
Bernard Rutkowski, Regulatory Compliance/Safety Officer
Cindy Toye, Administrative Bookkeeping Specialist
Georgia Benyola, Executive Secretary/Assistant Secretary

Meeting #1200 was called to order at 4:30 p.m., December 19, 2017 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, Mr. Bilotta, Mr. Memoli and Mr. Bellu were present.

Minutes of Meetings for Approval

A. Meeting #1199 November 28, 2017 New Submission

A motion was made by Mr. Bilotta and seconded by Mr. Memoli to approve the minutes of Meeting #1199 November 28, 2017 as written. A roll call vote was taken with Mr. Bilotta, Mr. Memoli, Mr. Valvano, Mrs. Clement and Mr. Bellu all casting affirmative votes.

Disbursements

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve payment of the disbursements as listed in the amount of \$2,044,361.06. A roll call vote was taken with Mrs. Clement, Mr. Valvano, Mr. Memoli, with the exception of All Around Fence and Dynamic Testing Services, Mr. Bilotta and Mr. Bellu, with the exception of All Around Fence, all casting affirmative votes.

Additional disbursements

A motion was made by Mr. Memoli and seconded by Mr. Valvano to approve payment of the additional items as listed in the amount of \$1,494.95. A roll call vote was taken with Mr. Memoli, Mr. Valvano, Mrs. Clement, Mr. Bilotta and Mr. Bellu all casting affirmative votes.

Ratification of Investment & Transfer Resolutions

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

Financial Reports

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

Finance & Investments:

Mr. Valvano mentioned that the available funds for investing report had not been received as yet due to the early meeting date this month. Since we are still building reserves, Mr. Valvano made a motion, seconded by Mr. Bilotta, to reinvest the funds that become available into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mr. Memoli, Mrs. Clement and Mr. Bellu all casting affirmative votes.

Operating Reports

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

Development Applications/Major Sub Divisions

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve the final application for Sub-Division D-889A, North Bay Commons, North Bay Ave, So. Of Green Leaf Court. A roll call vote was taken with Mrs. Clement, Mr. Valvano, Mr. Memoli, Mr. Bilotta and Mr. Bellu all casting affirmative votes. There was no discussion prior to the motion.

Authority Meeting

The next Authority meeting was confirmed for Tuesday, January 23, 2018 at 4:30 p.m. and the December 29, 2017 meeting is cancelled.

Adoption of Resolutions/Capital Purchases

A motion was made by Mrs. Clement and seconded by Mr. Valvano approving the following resolutions, 9A-2A through 9A-5 and 9A-7:

9A-2A - Authorization was given to ratify IPC Purchases; and

9A-2B - Authorization was given to ratify the purchase of a replacement motor from Downs Ford, Inc., 360 Route 37 East, Toms River, NJ 08753, to repair truck 70 at a cost not to exceed \$5,341.17; and

9A-2C - Authorization was given to purchase one contractor duty container with tarp system at a total cost not to exceed \$4,915.00 from Dejana Truck and Utility Equipment, 490 Pulaski Rd, Kings Park, NY 11754; and

9A-3 - Authorization was given to approve Change Order No.1-final and that the contract issued to All Surface Asphalt Paving, Inc., for the 2016-2017 On Call Roadway Pavement Restoration Project, be decreased by \$287,463.75 and the contract be commensurately decreased from \$389,165.00 to \$101,701.25; and

9A-4 - Authorization was given to approve Change Order No.1-Final and that the Contract #SR-01-15B, Sewer and Manhole Rehabilitation, issued to North American Pipeline Services be decreased by \$110,180.56 and the contract be commensurately decreased from \$1,107,294.20 to \$997,113.64; and

9A-5 - Authorization was given to approve Change Order No.2-Final and that the Contract #PB-01-15, Sanitary Sewer Pipe Rehabilitation, issued to Montana Construction be increased by \$91,739.21 and the contract by commensurately increased from \$1,477,371.58 to \$1,569,110.790,002.20; and

9A-7 - Authorization was given to adopt this resolution to renew membership with the Central Jersey Health Insurance Fund (CJHIF) and the Toms River Municipal Utilities Authority (TRMUA), such membership to commence on January 1, 2018 and ending on December 31, 2020 at 12:00 AM provided, however, that the TRMUA may withdraw at any time upon 90 day written notice to the CJHIF. The Executive Director is hereby authorized to execute and Assistant Secretary to attest to the resolution and the Indemnity and Trust Agreement.

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

9A-6 Resolution to Adopt Budget

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to adopt the Authority Budget for Fiscal Year 2018 as approved by the State of New Jersey, Department of Community Affairs, Division of Local Government Services. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Memoli and Mr. Bellu all casting affirmative votes.

Unfinished Business

None

Committee Reports

Legal

1. Mr. Gluck mentioned that a meeting has been set up between Mr. Leone and Mr. Otten to discuss going forward with the easements that need to be recorded and tracked properly so that they can also be implemented into the GIS system. Chairman Bellu suggested that they also include the CRM program in that process as it tags it to the Lot & Block numbers and can be scanned and placed in the file.

2. Mr. Gluck stated that the correspondence they sent terminating the agreement with AM Liner East was received by their Vice President. They are preparing a final bill before their project pulls out. Once Counsel receive that, he will bring it back to the Board to have a discussion.

3. Mr. Gluck advised the Board that the Paving Agreement that was authorized, as well as the easements, have been sent out for signatures to the Homeowners Associations. They have not been returned. Counsel noted that the rest of the parties have signed.

4. Mr. Gluck mentioned that there has been no further movement on the judgement that was obtained last month. There have been no payments or inquiries regarding this matter.

5. Regarding the BPU Notice of Preliminary Violation that we received, Mr. Gluck stated that after reviewing the statute and administrative code, he agrees with Mr. Rutkowski's position that we are not a defined underground utility because the service in that area, even though it was over a half-mile away, was a gravity sewer main which is exempt from those mark out requirements. Counsel will file the contest to the \$3,000.00.

Finance

Mr. Valvano noted that the nominee to the Federal Chair was approved at committee and only one person out of twenty-three voted against him. According to Mr. Valvano, it's a forgone conclusion that Jerome Powell will be confirmed by a huge amount.

Engineering

Mrs. Clement noted that the Engineering Committee held a meeting on Friday, December 15, 2017, with Mr. Siddiqui, Mr. Acropolis, Mr. Otten and herself being present. The following are highlights from Mrs. Clement:

Pump Station 15 & 20 Supplemental Force Mains (SR-03-09b)

At the beginning of the month, construction began on supplemental Force Main 15 (Strickland Blvd). PS 15 & 20 will be the seventh & eighth, of twenty TRMUA Pump Stations to have supplemental force mains.

TRMUA Rules/Regulations

Mrs. Clement wanted to bring to everyone's attention specific language proposed by Mr. Otten to be added to the TRMUA Rules & Regulations as of December 19, 2017, regarding sewer lateral diameters. The language will read as follows:

"Any proposed or existing residential facility with greater than 2 Units, and any proposed commercial facility with a flow calculation greater than 3 Units (200 gpd/Unit) shall be subject to the installation of a 6" diameter lateral, or multiple 4" diameter laterals at proper slopes."

Mr. Acropolis would like to have the Board vote on it tonight, if Counsel has no objections.

TRMUA Serviceability/Capacity Study

A study to evaluate the existing sewer capacity in various Township regions, with respect to upcoming/anticipated growth, was discussed. A consultant would assist with the endeavor.

Water Wells on MUA Properties

Mrs. Clement commented that the Authority will be looking into having water wells installed within fenced pump station properties. Mr. Acropolis noted that the lining companies have had trouble getting access to Suez fire hydrants. They will not allow us to fill up like they used to, which causes delays on the lining projects. The engineering department will start working on the process.

Water Service missing within certain pockets of Tom River Twp.

Mrs. Clement went on to say that Toms River Township has certain small areas that are not serviced by city water but instead have wells. Several of these wells are contaminated. Suez claims that by law/statute/regulation, they are unable to gain more customers and thus cannot extend their existing water services to properties that may be as close as hundreds of feet. Apparently however, a separate entity could extend the water service and Suez could then purchase the system. Mrs. Clement mentioned that her Committee requested that they ask Suez for a copy of the law/statute/regulation, which reportedly prohibits Suez from extending water services within the Township. Additionally, TRMUA would like to obtain mapping, which delineates the Suez service area within Toms River Township. After the discussion, the Director thanked the Board for their suggestions and noted that the Authority will look into it and move forward. The Board will be kept posted.

Land

Mr. Bilotta noted that there's a new gate now by Pump Station 9.

Personnel

Mr. Memoli mentioned that no personnel matters were up for discussion.

General Business

Mr. Acropolis asked the Board to look into the non-aligned/non-contract employees regarding staff salary adjustments for 2018 and if agreed upon, a motion be made to be voted on tonight in preparation for the coming year. Mr. Gluck noted that he will prepare the resolution for ratification at the next meeting.

Mr. Bellu mentioned that a Christmas party was given for all the employees last week from the generosity of Mr. Acropolis, Mrs. Rosetto and Mr. Otten.

Mr. Bellu noted that the Rank & File Union Members wanted to discuss reopening the contract due to savings from members choosing a less expensive health insurance coverage plan. However, it was discovered that only 5 members chose the lesser expensive plan, therefore there were no significant savings. The Chairman noted that the MUA was willing to share the savings with those 5 members, but the union declined the offer.

Mr. Bellu also mentioned the sewer study and he believes that this is something the Authority should look into.

Correspondence

Mr. Acropolis mentioned that a letter was received from one of our ratepayers who was very impressed with the Chairman's Letter that was included in the mailing of the 2018 sewer billing. He wrote on the letter and returned it to the Authority with a notation stating "Please Thank Mr. Bellu for an excellent letter and for excellent service. Merry Christmas." Mr. Bellu was very pleased and touched by the statement and stated that it speaks volumes for our Executive Director, the Authority Engineer, the staff and the Foremen and outside crews at the TRMUA.

Mr. Bellu and the Board wished everyone a Merry Christmas and a Happy & Prosperous New Year and thanked the staff for all their help.

Public Comment

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

Mr. Gluck asked for a motion to insert the language in the Rules and Regulations mentioned earlier. A motion was made by Mrs. Clement and seconded by Mr. Bilotta to approve the special language to be added to the TRMUA Rules and Regulations, as of December 19, 2017, regarding sewer lateral diameters, according to Mr. Otten's report, item #9. A roll call vote was taken by Mrs. Clement, Mr. Bilotta, Mr. Memoli, Mr. Valvano and Mr. Bellu all casting affirmative votes.

A motion was also made by Mr. Memoli and seconded by Mr. Bilotta to approve the annual salary and benefits established which shall be adjusted as of January 1, 2018 to a 2.5% increase for the full-time non-aligned/non-contract employees of the Toms River Municipal Utilities Authority. A roll call vote was taken with Mr. Memoli, Mr. Bilotta, Mr. Valvano, Mr. Clement and Mr. Bellu all casting affirmative votes.

Resolution to Enter Executive Session

No executive session was held.

With no further business before the Board, a motion was made by Mr. Bellu and seconded by Mr. Bilotta to adjourn the meeting at 5:15 p.m. The motion was carried by a unanimous voice vote.