

# TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

## Meeting Number Twelve Hundred Twelve

Agenda

November 27, 2018

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, November 27, 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

Ben A. Montenegro – Alt. Commissioner

Dr. Alfonso J. Manforti – Alt. Commissioner

Robert J. DiBiase, Ex. Director/Sec’y.-Treas.- (Present Using Web Based Face Time)

James Gluck, Esquire, Counsel

Rosemary Rosetto, Chief Financial Officer

Nicholas Otten, Authority Engineer

Bernard Rutkowski, Regulatory Compliance/Safety Officer

Cindy Toye, Administrative Bookkeeping Specialist - Absent

Georgia Benyola, Executive Secretary/Assistant Sec’y.

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Meeting #1212 was called to order at 4:30 p.m., November 27, 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. Dr. Manforti, Mr. Montenegro, Mr. Siddiqui, Mr. Valvano, Mr. Bilotta, Mrs. Clement and Mr. Memoli were present.

### **Minutes of Meetings for Approval**

*A. Meeting #1211 - October 23, 2018 - New Submission*

A motion was made by Mr. Bilotta and seconded by Mr. Siddiqui to approve the minutes of Meeting #1211, October 23, 2018 as written. A roll call vote was taken with Mr. Bilotta, Mr. Siddiqui, Mrs. Clement, Mr. Valvano and Mr. Memoli all casting affirmative votes.

### **Disbursements**

A motion was made by Mr. Valvano and seconded by Mrs. Clement to approve payment of the disbursements as listed in the amount of \$3,753,831.34. Mr. Siddiqui wanted to discuss the payment to M.C. Messina for the emergency contract and construction for approved payment pending submission of itemized billing. Mr. Siddiqui wanted to review a more detailed invoice before the release of the payment, which the Board agreed upon. Authority staff is working on a procurement process to address emergency contracts, which has been discussed previously on other occasions. Mr. Valvano rescinded his motion. A second motion was made by Mr. Siddiqui and seconded by Mrs. Clement to approve payment conditioned upon receipt of a detailed billing invoice for the Board to review, before the Executive Director releases payment. A roll call vote was taken with Mr. Siddiqui, Mrs. Clement, Mr. Valvano, Mr. Bilotta and Mr. Memoli all casting affirmative votes.

### **Additional Disbursements**

A motion was made by Mr. Valvano and seconded by Mr. Bilotta to approve payment of the additional disbursements as listed in the amount of \$19,400.30. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

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

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

### **Finance & Investments: 6G**

Mr. Valvano stated that the Finance Committee and the Commissioners were informed by the Director that the budget was approved by the DCA. Mr. Valvano mentioned that the employees involved did an exceptional job with the budgeting.

Mr. Valvano made a motion, seconded by Mr. Bilotta, to reinvest the available funds of \$37,739.62 in the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

### **Operating Reports**

A motion was made by Mr. Bilotta and seconded by Mr. Siddiqui that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mr. Bilotta, Mr. Siddiqui, Mr. Valvano, 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, December 18, 2018 at 4:30 p.m. and the December 28, 2018 meeting is cancelled.

### **Adoption of Resolutions/Capital Purchases**

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

A motion was made by Mr. Siddiqui and seconded by Mrs. Clement approving the following resolutions, 9A-3 through 9A-6:

9A-3 - Authorization was given to the QPA to advertise for the receiving of bids for the On-Call Paving Program, Contract No. TRMUA 1-19 through a fair and open process and to prepare formal specifications for mentioned services; and

9A-4 – Authorization was given to award a contract by Lead Agency to South Jersey Company, 1300 Route 73 South, Suite 308, Mt. Laurel, NJ 08054 for supply and delivery of Natural Gas under ID#33-OCCEP. The Executive Director is also authorized to execute and the Assistant Secretary to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the Office of the QPA during normal business hours; and

9A-5 – Authorization was given to ratify the awarding of Emergency Contract to M. C. Messina, Inc. as a result of broken deep house lateral effecting #3170 Beachview Drive; and

9A-6 – Authorization was given that the 2017-2018 Shared Services Agreement between the Authority and the Toms River Regional Schools Board of Education is hereby extended for a period of eight (8) months, with intent to renew this Agreement annually at the reorganization meeting of each agency.

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

### **9A-7 Resolution to Adopt 2019 Budget**

A motion was made by Mr. Valvano and seconded by Mr. Bilotta adopting the 2019 Budget approved by the DCA. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

### **Unfinished Business**

Mr. DiBiase mentioned that the Rutgers study is complete. No one is available to make any adjustments. The numbers are good but they could have been slightly better. The Director will send out the chart reports to the Commissioners.

The Director mentioned that the discussion from last month regarding the possible hourly rate for someone on standby but not actually going out on the call has not been addressed as yet since the Chairman and Union Rep have not been able to coordinate their busy schedules. Once they can talk with the Union Rep, Labor Counsel will be brought in to see what method is apropos for that employee.

In conclusion, the Director spoke about the budget and how the team came together to work with the DCA, answering a week's worth of questions for them. The Director mentioned that Mr. Lee and Mrs. Rosetta did a notable job to get that done. They really deserve some accolades.

## **Committee Reports**

### **Legal**

1. Litigation Pitale/Lavallette – Counsel stated that they filed an answer and cross claim in the complaint in Lavallette, a personal injury suit, that their motion for summary judgement was denied but they have that answer in a cross claim. Discovery will start now in that file.

2. CRJ Contracting – Counsel filed suit for CRJ Contracting for the \$700+ for the damages they did to our facilities. Counsel received a call today from the President of CRJ asking if he could adjust the bill, but fees had already incurred and could not be done. Counsel is waiting to hear back from him.

3. TRMUA/TR Twp. Shared Services Agreement – Mr. Gluck had a question for the Director on whether or not they were going to explore the EMT shared services agreement for the fuel, parking and satellite office. The Director reported that he was talking with Paul Daily and the shared resolution was going to be done in 2019. They are still determining on whether or not they want to go ahead with the agreement. The offer is still there but there will be some conditions and rules that will have to be considered. Mr. Gluck asked the Director if they do call back, to call Counsel so they could schedule a legal committee meeting.

### **Engineering**

Mr. Siddiqui reported that there was an Engineering Committee meeting yesterday, November 27, 2018, with Mrs. Clement, Mr. Otten and himself in attendance. Mr. Siddiqui mentioned that they went over Mr. Otten's report but noted that there was nothing significant to report at this time.

### **Land**

Mr. Bilotta had a Land Use meeting with the Executive Director and stated that the Director is looking forward to 2019. The Director would like to contact the TRBID in Toms River to look at the back land and possibly look for a recreational use of that land. Evidently right now, the back of the MUA is occupied by squatters, parked trucks, cars, etc. Counsel suggested that we first find out exactly who/what is in the back.

### **Personnel**

Mr. Bilotta met with the Executive Director and Mr. Valvano for a committee meeting about a week ago. The Director gave Mr. Bilotta a "training and tasks schedule" for new and existing employees. Copies were passed to the Commissioners to review. Mr. Bilotta noted that not everything on there would be for all employees, as part of it also includes plowing and roll off and not all employees are qualified to do that. It's a check list of everything they do and how well it's being done every day. Mr. Bilotta feels that it's more for new employees rather than existing ones. Director commented that more emphasis was put on construction and rehab. The Chairman also was concerned about keeping up with the CDL training. The Director is keeping abreast of the matter.

## **Public Comments**

Chairman Memoli opened the meeting to comments from the Public. Mrs. Rosetto stated her name and address and proceeded to ask Counsel for an update regarding the corner intersection, that she has been questioning for the past five months. Mr. Gluck reported that they were in contact with the Ocean County Engineer Department. They said that they have conducted a review of the accidents over the past two/three years; however, they do not have any jurisdiction over it because it's a part of the off ramp from the Parkway. The NJ Highway Authority is in charge and are aware of the problem. They are looking to get a meeting with their planning board for a revamp of that intersection. With no additional comments, Chairman Memoli closed the public portion of the meeting.

**Correspondence**

The Director mentioned that Michael Testa, an Instructor of Water/Wastewater Operations from the Ocean County Vocational Technical School, (OCVTS), came with his students to the TRMUA for a tour of our Silverton Pump Station #16 lift station. Our Foreman, Michael Tesch, thoroughly explained to the students the operation of PS#16, how the TRMUA overcame damage from superstorm Sandy and the resulting station upgrades, which fascinated the students. Mr. Testa was thankful for the tour.

**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 5:10 p.m. The motion was carried by a unanimous voice vote.