

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Eleven Hundred Eighty-five

Agenda

September 27, 2016

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, September 27, 2016 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 Memoli, Vice Chairman
Joseph Bilotta, Commissioner
Deborah Clement, Commissioner
Charles Valvano, Commissioner
Tariq 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, Temp Administrative Bookkeeping Specialist
Georgia Benyola, Executive Secretary/Assistant Secretary

Meeting #1185 was called to order at 4:30 p.m., September 27, 2016 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 #1184 August 23, 2016 New Submission

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to approve the minutes of Meeting #1184 August 23, 2016 as written. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Memoli and Mr. Valvano. Mr. Bellu abstained due to his absence.

A motion was made by Mr. Memoli and seconded by Mrs. Clement to approve the minutes of the Executive Session #1184 August 23 2016, as written. A roll call vote was taken with Mr. Memoli, Mrs. Clement, Mr. Valvano and Mr. Bilotta. Mr. Bellu abstained due to his absence.

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 \$981,997.63. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Bilotta, Mr. Memoli, with the exception of Dynamic Testing Service, and Mr. Bellu casting affirmative votes.

Additional disbursements

A motion was made by Mr. Valvano and seconded by Mr. Bilotta to approve the additional disbursement as listed in the amount of \$792.92. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Memoli and Mr. Bellu 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. Memoli and Mr. Bellu all casting affirmative votes.

Financial Reports

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

Finance & Investments:

Mr. Valvano reported that he met with Mr. Bilotta and both agree that we do not have the reserves to invest at this time. They spoke about the interest rates going up, which should have happened this week, but the Fed decided to hold off. With the interest rates still extremely low, the Committee recommends that we continue to build our reserves and wait for the rates to go up in the future.

A motion was then made by Mr. Valvano and seconded by Mrs. Clement to reinvest the available funds of \$101,150.75 to Ocean First Trust account. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Memoli, Mr. Bilotta and Mr. Bellu all casting affirmative votes.

Operating Reports

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

Development Applications/Major Sub Divisions

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to approve the tentative/final application for Sub-Division D-760B, Church Road & Old Freehold Road. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Memoli, Mr. Valvano and Mr. Bellu all casting affirmative votes.

Another motion was made by Mrs. Clement and seconded by Mr. Bilotta to approve the tentative/final application for Sub-Division D-1050, Dugan and West Whitty Roads. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Memoli and Mr. Bellu all casting affirmative votes.

Authority Meeting

The next Authority meeting was confirmed for Tuesday, October 25, 2016 at 4:30 p.m.

Adoption of Resolutions/Approvals

A motion was made by Mr. Valvano and seconded by Mr. Bilotta approving the following resolutions, 9A-2A, 9A-3, 9A-7, 9A-8 and 9A-9:

2A. Ratification of IPC capital purchases; and

3. Authorization was given to award a contract to Bollinger, Inc., P.O. Box 398, Short Hills, NJ 07078 to provide to the Toms River Municipal Utilities Authority an Employee Dental Program at the rate of \$52.68 for single and \$129.16 per family; and

7. Authorization was given to award the Force Main Rehabilitation Project Contract No. SR-03-09B to Kmetz, Inc., 10 Fresh Ponds Road, East Brunswick, NJ 08816 in the amount of \$370,539.75; and

8. Authorization was given to accept an Interlocal Services Agreement between the Toms River Municipal Utilities Authority and the Seaside Heights Board of Education and authorizing the Executive Director to execute and the Assistant Secretary to attest to the Interlocal Services Agreement, and

9. Authorization was given to purchase one (1) Rausch Trenchless Quicklock Pipe Point Repair System from Tri-State Environmental, 112 Phillips Road, Milford, NJ 08848 at a total cost not to exceed \$13,009.60.

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

9A-4 10 Year Capital Plan 2017-2026

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to approve the 10-Year Capital Plan 2017-2026 as presented at the last meeting. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Memoli, Mr. Valvano and Mr. Bellu all casting affirmative votes.

9A-5 Approval of Appropriation Transfer

Authorization was given to the Finance Department by the Board approving that the appropriation transfer, in the amount of \$22,000.00, be made to the approved budget of 2016.

9A-6 LM Worker Advanced to LM Operator

Mr. Acropolis advised the Board that one of our Line Maintenance Workers celebrated his one year anniversary with the TRMUA and has completed all requirements needed to consider him proficient. He has been highly recommended by his Foreman that he be advanced to Line Maintenance Operator. Administration and the Board were in agreement.

9A-10 Resolution Lease Agreement/Conrail

A motion was made by Mr. Memoli and seconded by Mr. Bilotta authorizing a Lease Agreement between Toms River Municipal Utilities Authority and Consolidated Rail Corporation and also authorizing the Executive Director to execute and the Assistant Secretary to attest to the Lease Agreement when received. A roll call vote was taken with Mr. Memoli, Mr. Bilotta, Mrs. Clement, Mr. Valvano and Mr. Bellu all casting affirmative votes.

Unfinished Business

None

Committee Reports

Legal

1. Easement – Mr. Gluck mentioned to the Board that the condemnation proceedings meeting went well. Counsel addressed all the issues with the homeowner and he is going to accept the payment of \$3,000 that was offered. Mr. Gluck asked the Board for their approval to move forward and create all the documents necessary to effectuate the settlement and then will ratify with a resolution at the next meeting. A motion was made by Mr. Bilotta and seconded by Mr. Valvano to approve Counsel's request to create the necessary documents for settlement. The motion was carried by a unanimous voice vote.
2. EREZ -Mr. Gluck reported that Stonefield Investments is due to submit their dispositive motion on that litigation within the next week. The plaintiffs will have 30 days to respond. Stonefield Investments has basically adopted the theory that the tax sale should not be set aside and that it can be corrected under the existing case law.
3. Kara Homes – Mr. Gluck reported that all the deeds have been officially transferred and recorded and the checks have been disbursed to Mrs. Rosetto. Counsel noted that we should be done except for the receiving of the actual recorded deeds.
4. The open issue of the JetVac was brought up by Mr. Gluck mentioning that the last he heard was that they had brought the truck to Florida for inspection and was brought back again. Mr. Acropolis reported that he had a meeting with the vendor during the month. They know they have to fix the problem. They said that these issues with the truck have been popping up with other Utilities as well. They have taken the truck up to their company to see if anything could be done. They are also looking to see if there is trade in value and how much that trade in value would be. Since they have given the Authority a decent loner in good shape to use at no cost to the Authority, the Director is willing to wait to see was they have to say.

Engineering

Engineering Committee met on Friday, September 23, 2016, with Mrs. Clement, Mr. Siddiqui, Mr. Acropolis and Mr. Otten present. The following are some highlights from the Committee's meeting:

1. Mrs. Clement reported on the Pump Station 15 & 20 Supplemental Force Mains (SR-03-09b). The project will install two separate supplemental force mains on the barrier island, which will involve a combination of excavation and directional drilling. The bid opening was held on September 15, 2016, with the low bid being \$370,540 from Kmetz, Inc., East Brunswick, NJ. The Consultant's cost estimate for the project was \$344,160. Mrs. Clement noted that this low bid was quite lower than the others and would like the inspectors to keep on top of this project.
2. Mrs. Clement commented that 575 tons of debris from the large diameter pipes have been removed and disposed from 3 miles out of 3 ½ miles of pipe on the 42" & 48" Pipe Cleaning/TV (SC-01-15B) project.
3. Mrs. Clement mentioned that the PS 16 Structural Repairs Project was advertised on September 13, 2016. The Bid opening will be on October 13, 2016, and the Consultant's construction cost estimate was \$300k.
4. Mrs. Clement reported that an opportunity for a supplemental Force Main (of similar LF) exists, which would directional drill a new HDPE pipe beneath the waterway, and connect to an existing privately owned manhole within the nearby Mariner's Cove/Holiday on the Bay apartment complex. Easements grantings/agreements would be needed from Mariner's Cove/Holiday on the Bay, as well as the Green Island Community Associates, situated across the street from PS 9. A supplement Force Main 9 would be TRMUA's 9th of 20 possible supplement Force Main installations within the last 3 years. The Consultant estimates \$500k in construction cost and has proposed \$133k in consulting fees.

5. In addition to previous projects of reconstructing/raising elevations of wetwells, controls, and generators, Mrs. Clement mentioned that the TRMUA further prepared for Hurricane Hermine during the Labor Day weekend. Preparations for the storm included securing Portable generators at beach stations, PS 14, 15 & 20 and also securing Flood panels at generator building stations susceptible to roadway flooding, PS 9, 10, 16 & 21. There was no impact to the stations from the storm.
6. Mrs. Clement also noted that Mr. Otten and his department have been very busy with all the various projects going on and the cross training of the LMOs with all the different crews.

Land Use

Mr. Bilotta questioned what verbiage was in the Conrail lease that had to be sent back for correction. Mr. Acropolis stated that the lease made reference to distances to the tracks on the property. Since there are no tracks on the property the wording is being changed to refer to it as the center line. Mr. Acropolis noted that they probably used a boiler plate lease and was inadvertently overlooked.

Personnel

Mr. Memoli reported that the new office billing assistant and the two new line maintenance workers started this month. As was mentioned earlier, Mr. Memoli reiterated on the Line Maintenance worker who completed his first year of employment and was promoted to a Line Maintenance Operator. Mr. Memoli also reported that we are waiting on the Foremen's Contract from the labor attorney. Mr. Acropolis noted that a meeting was held last month and the MOA was signed. The vote took place and the MOA was approved by the teamsters. The contract is currently being prepared.

Public Comment

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

Chairman Bellu closed the public portion of the meeting.

Correspondence

None

Resolution to Enter Executive Session

No resolution was required as no meeting was held.

With no further business before the Board, a motion was made by Mrs. Clement and seconded by Mr. Bilotta to adjourn the meeting at 5:08 p.m. The motion was carried by a unanimous voice vote.