

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Twelve Hundred Eight

Agenda

August 13, 2018

The special meeting of the Toms River Municipal Utilities Authority was held on Monday, August 13, 2018 at 11:00 A.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 - Absent

Alfonso J. Manforti, Alt. Commissioner - Absent

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

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 Secretary

Meeting #1208 was called to order at 11:00 a.m., August 13, 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. Siddiqui, Mr. Valvano, Mr. Bilotta, Mrs. Clement and Mr. Memoli were present. Mr. Montenegro and Mr. Manforti were unable to attend.

The next Authority meeting was confirmed for Tuesday, August 28, 2018 as 4:30 p.m.

Committee Reports

Ad Hoc

Discussion will be held in Executive Session.

Correspondence

None

Resolution to Enter Executive Session

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to adopt the resolution to enter Executive Session at 11:04 a.m. to discuss personnel matters, litigation and potential litigation. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Siddiqui, Mr. Valvano and Mr. Memoli all casting affirmative votes.

Public Session Reconvened at 11:45 a.m.

Coming out of Executive Session, a motion was made by Mrs. Clement and seconded by Mr. Valvano to hire Robert DiBiase as Executive Director starting September 5, 2018 pending acceptance of the contract by both parties, the Authority and Mr. DiBiase. A roll call vote was taken with Mrs. Clement, Mr. Valvano, Mr. Bilotta, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Public Comments

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

With no further business to come before the Board, a motion was made by Mrs. Clement and seconded by Mr. Valvano to adjourn the meeting at 11:46 a.m. The motion was carried by a unanimous voice vote.

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

Meeting Number Twelve Hundred Nine

Agenda

August 28, 2018

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, August 28, 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

Alfonso J. Manforti – Alt. Commissioner

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

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 - Absent

Georgia Benyola, Executive Secretary/Assistant Sec’y.

Meeting #1209 was called to order at 4:30 p.m., August 28, 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. Manforti, Mr. Montenegro, Mr. Siddiqui, Mr. Valvano, Mr. Bilotta, Mrs. Clement and Mr. Memoli were present.

Minutes of Meetings for Approval

A.-1 Meeting #1207 - July 24, 2018 - New Submission

A.-2 Meeting #1208 - Aug. 13, 2018 - New Submission

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to approve the minutes of Meeting #1207, July 24, 2018 as written and Meeting #1208, August 13, 2018 as written. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

B.-1 Ex. Session #1207 - July 24, 2018 - New Submission

B.-2 Ex. Session #1208 - Aug. 13, 2018 - New Submission

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to approve the minutes of the Ex. Meeting #1207, July 24, 2018 as written and Ex. Meeting #1208, August 13, 2018 as written. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Siddiqui, Mr. Valvano and Mr. Memoli all casting affirmative votes.

Disbursements

A motion was made by Mr. Valvano and seconded by Mr. Bilotta to approve payment of the disbursements as listed in the amount of \$ 3,748,642.09. A roll call vote was taken with Mr. Valvano, Mr. Bilotta, Mrs. Clement, Mr. Siddiqui and Mr. Memoli, with the exception of All Around Fence, all casting affirmative votes.

Additional Disbursements

There were no additional items for disbursement.

Ratification of Investment & Transfer Resolutions

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

Financial Reports

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

Finance & Investments: 6G

Mr. Valvano stated that Mrs. Rosetto, the Chief Financial Officer, informed the Finance Committee of the State's 397 day rule, which basically means you cannot invest, if you are an authority, in something with a maturity of greater than 397 days or 13 months. To adhere to this rule, we will not be able to have an investment over 13 months. Mr. Valvano mentioned that years ago when we were getting 4.25% on CMOs, the maturities were a lot longer than 13 months. It's actually impossible now to invest in a CMO because even in a short term CMO, there is extension to the maturity. The way the CFO and the Finance Committee are reading this, CMOs are basically history for this Board. Concerning CDs, Mr. Valvano noted that we never went past 12 or 13 months when investing in CDs, so we will be within the 397 day rule.

Mr. Valvano stated that a budget and bonding finance meeting was held with himself, Commissioner Bilotta, Executive Director Acropolis, Mrs. Rosetto, Mr. Rutkowski, Mr. Otten and the auditor, Mr. Holman, along with a couple of finance professionals from Acacia. Mr. Valvano mentioned that Mr. Holman discussed the rate study and went over some background information.

It was noted that the TRMUA had not raised rates since 2009. The average ratepayer rate is \$290 compared to most other providers who pay \$400 and above. Our average ratepayer pays over 27% less than other local authorities. Mr. Holman also discussed where we are now and also had some financial policy suggestions and recommendations for the future. Mr. Valvano also mentioned that approximately 56% of our expenses is OCUA expense. Engineering projects were also discussed. Mrs. Clement asked if Mr. Valvano could send each of the Commissioners a copy of his notes from that meeting. Mr. Valvano's notes along with Mr. Holman's handouts will be sent to the Commissioners for review.

Mr. Valvano made a motion, seconded by Mrs. Clement, to reinvest the available funds of \$36,767.71 in the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Bilotta, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Mr. Acropolis had a couple of things to say. First, he mentioned that Councilman Wittmann was here for that meeting as well as liaison to the Council and he expressed his agreement that if the rate committee agrees with the numbers, that may be the recommendation to make to the Board. They was also talk about a 5% increase with 1% normal growth in the rate base i.e. people coming on board, development, houses, etc. Secondly, the Director stated that everything we want to bond, by law we now have to go through the NJEIT and if it does not qualify, then we can go out and bond on your own.

Operating Reports

A motion was made by Mr. Siddiqui and seconded by Mrs. Clement that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mr. Siddiqui, Mrs. Clement, Mr. Valvano, Mr. Bilotta 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, September 25, 2018 at 4:30 p.m.

Adoption of Resolutions Authorizing Capital Purchases

9A-2A Resolution - IPC Purchases

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to authorize the ratification of the IPC Purchases. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano and Mr. Siddiqui all casting affirmative votes. Mr. Memoli abstained.

A motion was made by Mrs. Clement and seconded by Mr. Bilotta approving the following resolutions, 9A-3 and 9A-4:

9A-3 - Authorization was given to award a second year contract to Envirosight, LLC, 111 Canfield Ave., Randolph, NJ 07869, for the purchase and Delivery of Quick Lock Repair Clamps at a cost not to exceed \$131,708.00; and

9A-4 – Authorization was given to award a second year contract to Atlantic Plumbing Supply Corp., 702 Joline Ave., Long Branch, NJ 07740, for the purchase and Delivery of Pivot Manhole Riser Rings at a cost not to exceed \$76,500.00.

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

Since the Board was approving purchases, Mr. Acropolis asked the Chairman if this would be a good time to get the Board's approval to purchase new tablets that had been discussed-the new version of the Microsoft Surface Pro or the Apple I Pads. The Board agreed to purchase the I Pads. A motion was made by Mr. Bilotta and seconded by Mr. Valvano to purchase ten basic Apple I Pads. A roll call was taken with Mr. Bilotta, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

Unfinished Business

None

Committee Reports

Legal

Mr. Leone stated that the bulk of his report will be in Executive Session but he just wanted to make sure that everyone had received the Kean Federation of Teachers v. Morell decision (Rice Notice Update) that he spoke about at the July meeting. Ms. Benyola stated that she sent the literature to all the Commissioners and they confirmed that it was received.

Engineering

Mr. Siddiqui mentioned that he had a phone conversation with Mr. Otten yesterday to go over some projects from his report. There was one rehab project that was to free the flows in problem areas. Mr. Siddiqui stated that Mr. Otten and the crew did a good job on that project which redirected wastewater flow away from the downtown region and instead transferred the flow along Rt. 37 and then to larger diameter pipes situated within Highland Parkway. The flow redistribution now removes 90k gallons a day away from the known trouble spot of downtown Hyers Street.

Land

There were no land updates but Mr. Bilotta mentioned that the Pole Barn should be completed sometime next week.

Personnel/Ad Hoc

Chairman Memoli reported that the Ad Hoc Committee had some proposed changes regarding the Executive Director position/review which will be discussed in Executive Session. Since the contract was only received this afternoon and must be reviewed, there will be no contract tonight but there will be one by day one of employment.

Regionalization

Chairman Memoli was approached by someone from Island Heights asking if we would consider shared services/regionalization with Island Heights. With our last Chairman, the Board had agreed that the Borough must first pass a resolution agreeing that they would like us to come in for the purpose of entering into a contract before we proceed with any request.

Public Comments

Chairman Memoli opened the meeting to comments from the Public. Mrs. Rosetto asked if there were any updates regarding the intersection by our building. She understood that the Attorney was going to write a letter and send it to the State, County, Municipality or whoever is responsible for this area. Mr. Leone said that they were preparing the letter but it was not yet finalized. With no additional comments, Chairman Memoli closed the public portion of the meeting.

Correspondence

None

Resolution to Enter Executive Session

A motion was made by Mrs. Clement and seconded by Mr. Bilotta to adopt the resolution to enter Executive Session at 5:22 p.m. to discuss personnel matters, litigation and potential litigation. The motion was carried by unanimous voice vote.

Public Session Reconvened at 6:17 p.m.

Coming out of Executive Session, a motion was made by Mrs. Clement and seconded by Mr. Bilotta to amend the payment of Change Order No.2 to include the Asphalt Price Index minus \$2,000.00. New amount is \$65,227.79. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Siddiqui, Mr. Valvano and Mr. Memoli all casting affirmative votes.

A motion was also made by Mrs. Clement and seconded by Mr. Bilotta to approve the contract of the new Executive Director with the amendments which will here and to be part of the fully executed agreement. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Valvano, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

With no further business to come before the Board, a motion was made by Mr. Bilotta and seconded by Mrs. Clement to adjourn the meeting at 6:19 p.m. The motion was carried by a unanimous voice vote.