

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY

Meeting Number Twelve Hundred Thirty-Nine

Minutes: February 23, 2021

Meeting #1239 was called to order at 4:30 p.m., February 23, 2021 by Chairman Memoli.

1. Welcome/Sunshine Disclosure/Flag Salute

The following announcement was made, 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.

Chairman Memoli asked for a moment of silence with respect for the passing of former Mayor Thomas Kelaher

2. Roll Call

The following were present or were on conference call (as directed by NJ Governor's Executive Order #107 due to COVID19):

Carmen J. Memoli, Chairman – conference room

Tariq M. Siddiqui, Vice-Chairman – conference room

Deborah L. Clement, Commissioner – conference room

Charles S. Valvano, Commissioner – conference room

Ben A. Montenegro, Commissioner – conference room

Joseph G. Bilotta, Alt. Commissioner – conference room

Dr. Alfonso J. Manforti, Alt. Commissioner – conference room

Bernard Rutkowski, Executive Director/Sec'. - Treas. – conference room

Joseph D. Coronato, Esquire, Counsel – conference room

Rosemary Rosetto, Chief Financial Officer – conference room

Nicholas Otten, Authority Engineer – conference room

2A. Election of Officers for 2021

1. Chairperson: Upon motion by Mr. Valvano and seconded by Mr. Montenegro for Carmen J. Memoli as Chairman, all casting affirmative votes.

2. Vice-Chairperson: Upon motion by Mrs. Clement and seconded by Mr. Valvano for Tariq M. Siddiqui as Vice Chairman, all casting affirmative votes.

3. Secretary-Treasurer: Upon motion by Mr. Valvano and seconded by Mrs. Clement for Bernard Rutkowski as Secretary-Treasurer, all casting affirmative votes
4. Assistant Secretary: Tabled
5. Assistant Treasurer: Upon motion of Mr. Siddiqui and seconded by Mr. Montenegro for Rosemary Rosetto as Assistant Treasurer

2B. Appointment of Professionals for 2021

1. General Counsel: Upon Motion for Coronato Law to be General Counsel, all casting affirmative votes
2. Labor Counsel: Upon motion for Citta, Holzapfel & Zabarsky for Labor Counsel, all casting affirmative votes
3. Bond Counsel: Upon motion for Pool of applicants in the attached list, 2B(3), all casting affirmative votes.
4. Auditor: Upon motion for Holman, Frenia, & Allison as Auditor, all casting affirmative votes
5. Financial Consultants: Upon motion for the pool in the attached list 2B(5), all casting affirmative votes
6. Underwriter Consultants: Upon motion for the pool in the attached list 2B(6), all casting affirmative votes
7. Engineering Consultants: Upon motion for the pool in the attached list 2B(7) for the amount not to exceed the amount of \$500,000.00, All casting affirmative votes NOTE Mr. Valvano with Exception to Morgan Engineering affirmative to all others.
8. REMOVED
9. Depository Institutions: Upon motion for the pool of institutions in the attached list 2B(9), all casting affirmative votes
 - a) Custodial Services
 - b) Commercial Banks

2C. Appoint Newspapers of Record for 2021 Upon motion Asbury Park Press, Newark Star Ledger, and Ocean Signal, all casting affirmative votes

2D. Adopt Proposed 2021 Annual Meeting Schedule Upon motion for the attached schedule, all casting affirmative votes

2E. Designation of PACO Officer for 2021, Upon motion for Bernard Rutkowski as the PACO Officer, all casting affirmative votes

2F. Emergency Purchasing Policy, upon motion as to the policy, all casting affirmative votes.

2G. Committee Appointments for 2021

1. Legal Committee, Ben Montenegro, Chair; Tariq Siddiqui, Alt
2. Finance Committee, Charles Valvano, Chair; Joseph Bilotta, Alt
3. Personnel Committee, Charles Valvano, Chair; Joseph Bilotta, Alt
4. Eng. & Tech. Committee Tariq Siddiqui, Chair Deborah Clement, Alt
5. Liaisons to Twp. Committee, Deborah Clement, Chair; Carmen Memoli, Alt
6. User Charge Committee, Ben Montenegro, Chair; Charlie Valvano, Alt
7. Land Committee, Deborah Clement, Chair; Dr. Al Manforti, Alt
8. Ad Hoc/Union Contracts Com., Deborah Clement, Chair; Carmen Memoli, Alt
9. Regionalization Committee, Tariq Siddiqui, Chair; Dr. Al Manforti, Alt

3. Minutes of Meetings for Approval

A. Meeting #1238 January 26, 2021 all casting affirmative votes.

4. Disbursements

- A. Operating Expenses: \$3,217,327.13, all casting affirmative votes Mr. Montenegro abstained on item
- B. Additional Disbursements Not Listed:

- 5. Ratification of Monthly Transfer and Investment Resolutions motion to approve, all casting affirmative votes
- 6. Financial Reports motion to approve 6(A) to 6(F), all casting affirmative votes
- 7. Operating Reports, Mr. Valvano discusses emergency construction Montana Construction for \$26,000 (Green Island Road) and a credit from the OCUA for approximately \$438,000.00. motion to transfer \$33,733.84 to the investment account. Motion to approve, all casting affirmative vote
- 8. Development Applications/Major Sub Divisions

<u>DEVELOPMENT</u>	<u>DESCRIPTION</u>	<u>LOCATION</u>	<u>APPLICANT</u>	<u>APPROVAL</u>
--------------------	--------------------	-----------------	------------------	-----------------

None.

9A. Agenda Items

- 1. The next Authority meeting is scheduled for Tues. 3/23/21 at 4:30 p.m.
- 2. None
- 3. Resolution – Approval for QPA to Utilize County Co-Op.
- 4. Resolution – Approval for QPA to Utilize State Co-Op.
- 5. Resolution – Appointment of Custodian of Record, QPA and Licensed Backup Operator
- 6. Resolution – Shared Services Borough of Ocean Gate & Agreement – 2021
- 7. Resolution – Green Island Emergency Project, Motion to approve 9A(3) to (Discussion raised by Mr. Siddiqui to again review and handle the procedures for emergencies) 9A(7) , all casting affirmative votes.

9B. Unfinished Business NONE

10. Committee Reports

Legal... Mr. Coronato explains that a motion to dismiss the complaint filed by Shea Associates against the MUA has been prepared and filed with the court. An expert report has been obtained which substantiates that the interest charged by the MUA was legal and proper. Mr. Coronato explains the legal options and procedure should the motion be denied by the court. Still in contact with Berkeley Sewerage Authority on the pending negotiations on the mutual agreement.

Engineering...Mr. Siddiqui spoke about the refund from the OCUA...discussion on the HVAC system and coming up with a better system to manage the same and attempting to save money for the current MUA building possible upgrade. Mr. Memoli then discussed about maintenance of the units and need to get more information on same. Mr. Valvano mentions the overall efficiency with a new system needs to be investigated.

Land Use...None at this time.

Personnel...None at this time.

Technology...None at this time.

11. Public Comments...None at this time.

12. Correspondence...A letter was received from field ops which was contained in the packet.

13. Executive Session

Upon motion the Board went into executive session.

Motion to go back into Regular session, a roll call vote was taken with all casting affirmative votes.

14. Upon motion to offer the IT position to Tammy Davicsin at a salary of \$99,000 a year, a roll call vote was taken with all casting affirmative votes.

Upon motion to offer the Executive Assistant position to Christina Diamante at a salary of \$58,000 a year.

15. Adjournment...A motion was made to adjourn; a roll call vote was taken with all casting affirmative votes.