

**TOMS RIVER MUNICIPAL UTILITIES AUTHORITY**

**Meeting Number Twelve Hundred Thirty-five**

Agenda

October 27, 2020

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, October 27, 2020 at 4:30 P.M. at the office of the Authority, 340 West Water Street, Toms River, New Jersey 08753.

**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 line

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

Robert J. DiBiase, Executive Director/Sec'y.-Treas. – conference room

Joseph D. Coronato, Esquire, Counsel – conference room

Rosemary Rosetto, Chief Financial Officer – conference room

Nicholas Otten, Authority Engineer – conference room

Bernard Rutkowski, Regulatory Compliance/Safety Officer – conference room

Cindy Toye, Administrative Bookkeeping Specialist - conference room

Georgia Benyola, Executive Secretary/Assistant Sec'y. – absent

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The Public Hearing for the Proposed 2021 Sewer User Rate and Connection Fee

was held on November 24, 2020 at 4:00 p.m. with Mr. Coronato presiding over the meeting.

Attached is a copy of the computerized transcript of the proposed 2021 sewer user rate

and connection fee taken on November 24, 2020, by Colleen M. Vaughn, Certified Court

Reporter. Mr. Coronato stated to the Chairman that this concluded the public hearing on both

the basic sewer rate and user fee, as well as the connection fee. There will be formal resolutions to

adopt during the general meeting portion that will memorialize this rate hearing and the votes taken

so far. Meeting concluded at 4:15 p.m. A short recess took place before going into the regularly

scheduled meeting agenda at 4:30 p.m.

Meeting #1236 was called to order at 4:30 p.m., November 24, 2020 by Chairman Memoli.

Mr. DiBiase, Executive Director, 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.

Mr. DiBiase called the roll. Dr. Manforti, Mr. Bilotta, Mr. Montenegro, Mr. Valvano, Mrs. Clement, Mr. Siddiqui and Mr. Memoli were present.

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

*A. Meeting #1235 - October 27, 2020 - Not Submitted*

Mr. DiBiase stated he was almost finished with the October meeting minutes and would submit them to the board for approval at next month's meeting. A motion was made by Mrs. Clement and seconded by Mr. Valvano to table the minutes of Meeting #1235 October 27, 2020. A roll call vote was taken with Mr. Valvano, Mr. Montenegro, Mrs. Clement, Mr. Siddiqui and Mr. Memoli all casting affirmative votes.

### **Disbursements**

A motion was made by Mr. Valvano and seconded by Mr. Siddiqui to approve payment of the disbursements as listed in the amount of \$3,405,171.99. A roll call vote was taken with Mr. Valvano, Mr. Siddiqui, Mrs. Clement, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

### **Additional Disbursements**

A motion was made by Mr. Valvano and seconded by Mr. Siddiqui to approve additional disbursements in the amount of \$654.70.

### **Trust Funds for Contracts**

A motion was made by Mrs. Clement and seconded by Mr. Montenegro to release from the Trust Fund for Contracts in the amount of \$5,737.58. A roll call vote was taken with Mr. Siddiqui, Mrs. Clement and Mr. Montenegro all casting affirmative votes. Mr. Memoli voted yes with the exception of Dover Shopping Center and Mr. Valvano voted yes with an exception to Patriot Estates.

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

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

### **Financial Reports**

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

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

The Committee spoke with the CFO, Mrs. Rosetto and the auditing team. Mr. Valvano noted that the rate increase for this year did not even cover the municipal appropriations provided to the township,

stating that \$11M has been provided to the township over the last 11 years. The Audit team approximates a \$896k revenue shortfall for 2020 due to the ongoing Covid crisis. The Audit team also anticipates we could face about 70% of what we experienced this year in 2021. Mr. Valvano will provide an update when the actual data is available.

Mr. Valvano made a motion seconded by Mrs. Clement to reinvest the available funds of \$44,784.73 into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Valvano, Mrs. Clement, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

#### Operating Reports

A motion was made by Mr. Siddiqui and seconded by Mr. Montenegro that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mr. Siddiqui, Mr. Montenegro, Mr. Valvano, Mrs. Clement and Mr. Memoli all casting affirmative votes.

#### Development Applications-Major Sub Divisions

A motion was made by Mrs. Clement and seconded by Mr. Siddiqui to give preliminary approval to development application D-1063. A roll call vote was taken with Mrs. Clement, Mr. Siddiqui, Mr. Montenegro, Mr. Valvano and Mr. Memoli all casting affirmative votes.

#### Authority Meeting

The next Authority meeting was confirmed for Tuesday, December 15, 2020 at 4:30 p.m. in the TRMUA Conference Room according to social distancing.

#### Adoption of Resolutions/Capital Purchases

9A-2A - There were no IPC Purchases for Ratification

9A-3 - Resolution – CJHIF Indemnity and Trust Agreement and Resolution

A motion was made by Mrs. Clement and seconded by Mr. Valvano authorizing the renewal of our membership with the Central Jersey Health Insurance Fund. A roll call vote was taken by Mr. DiBiase with Mrs. Clement, Mr. Valvano, Mr. Siddiqui, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

9A-4 - Authorization to Bid for Professional Services

A motion was made by Mr. Siddiqui and seconded by Mr. Valvano to approve bidding for Professional Services. A roll call vote was taken with Mr. Siddiqui, Mr. Valvano, Mr. Montenegro, Mrs. Clement and Mr. Memoli all casting affirmative votes.

9A-5 - Appropriations Budget Transfer

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve bidding for Professional Services. A roll call vote was taken with Mrs. Clement, Mr. Siddiqui, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

#### 9A-6 – Late Budget Filing

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve the late budget filing. A roll call vote was taken with Mrs. Clement, Mr. Siddiqui, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

#### 9A-7 – Authorize signer in lieu of Secretary-Treasurer or Asst. Secretary

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve the Chairman as an authorized signer in lieu of Secretary-Treasurer or Assistant Secretary. A roll call vote was taken with Mrs. Clement, Mr. Siddiqui, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

#### 9A-8 – 2021 Draft Budget

A motion was made by Mrs. Clement and seconded by Mr. Valvano to approve the 2021 Draft budget. A roll call vote was taken with Mrs. Clement, Mr. Siddiqui, Mr. Valvano, Mr. Montenegro and Mr. Memoli all casting affirmative votes.

### **Unfinished Business**

Mrs. Rosetto asked about a letter from the Chairman to include with 2021 billing. Mr. Memoli stated he would provide one by the following week.

### **Committee Reports**

#### Legal

Mr. Coronato noted that he was contacted by the Berkeley MUA with some questions that will be directed to Mr. Otten.

#### Engineering

Mr. Siddiqui recognized Mr. Otten for a job well done in working to get payment from the OCUA for manhole covers.

#### Land Use

None at this time.

#### Personnel

Discussion in executive session.

### **Public Comments**

Chairman Memoli opened the meeting to comments from the Public. Mrs. Rosetto thanked Mr. DiBiase for his service to the TRMUA. The Commissioners shared a similar sentiment. Seeing no further public comments, Chairman Memoli closed the public portion of the meeting.

### **Correspondence**

None at this time.

### **Resolution to Enter Executive Session**

A motion was made by Mr. Valvano and seconded by Mr. Montenegro to adopt the resolution to

enter Executive Session at 4:50 p.m. to discuss personnel matters, litigation/potential litigation and contractual matters. The motion was carried by unanimous voice vote.

**Public Session Reconvened at 7:08 p.m.**

Back in public session, a motion was made by Mr. Siddiqui and seconded by Mr. Valvano to amend page 11 of the TRMUA handbook to be consistent with Teamsters Contract recently negotiated, changing the date for those who receive Longevity hired from January 1, 2014 to January 1, 2020. A roll call vote was taken with Mr. Valvano, Mr. Montenegro, Mr. Siddiqui, Mrs. Clement and Mr. Memoli all casting affirmative votes.

**Adjournment**

With no further business to come before the Board, a motion was made by Mr. Valvano and seconded by Mr. Montenegro to adjourn the meeting at 7:15 p.m. The motion was carried by a unanimous voice vote.