

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Twelve Hundred Fifty Two

Agenda

March 22, 2022

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, March 22, 2022 at 4:30 P.M. at the office of the Authority, 340 West Water Street, Toms River, New Jersey 08753.

The following were present:

Charles S. Valvano, Chairman

Deborah L. Clement, Commissioner

Dr. Alfonso J. Manforti, Commissioner

Philip I. Brilliant, Commissioner

Joseph G. Bilotta, Alt. Commissioner

Bernard Rutkowski, Executive Director/Sec'y.-Treas.

Steven Zabarsky, General Counsel

Rosemary Rosetto, Chief Financial Officer

Mike Lee, Assistant Financial Officer

Nicholas Otten, Authority Engineer

Scott Tirella, Safety & Compliance Officer

Cindy Toye, Administrative Bookkeeping Specialist

Christina Diamante, Executive Assistant/Assistant Sec'y

Meeting #1252 was called to order at 4:30 p.m., March 22, 2022 by Chairman Valvano.

Ms. Diamante, 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. Diamante called the roll. Mr. Bilotta, Mr. Brilliant, Dr. Manforti, Mrs. Clement and Mr. Valvano were present. Mr. Siddiqui and Ms. Sevastakis were absent.

Minutes of Meetings for Approval

A. Meeting #1251 - February 22, 2022 - New Submission

A motion was made by Mrs. Clement and seconded by Dr. Manforti to approve the minutes of Meeting #1251 February 22, 2022, as written. A roll call vote was taken with Mrs. Clement, Dr. Manforti, Mr. Brilliant, Mr. Bilotta, and Mr. Valvano all casting affirmative votes.

Dr. Manforti then announced to the Board that Ms. Sevastakis's absence is due to her giving birth to a baby girl on March 17th, the Board all gave their congratulations to the new mother.

Disbursements

A motion was made by Mrs. Clement and seconded by Mr. Brilliant to approve payment of the Operating Expenses as listed in the amount of \$603,214.02. A roll call vote was taken with Mrs. Clement, Mr. Brilliant, Mr. Bilotta and Mr. Valvano all casting affirmative votes. Dr. Manforti voted yes with the exception to check #11063.

Additional Disbursements

There were no additional disbursements listed.

Trust Fund for Contracts

A motion was made by Mrs. Clement and seconded by Mr. Brilliant to approve the release from the Trust Fund for Contracts as listed in the amount of \$6,814.40. A roll call vote was taken with Mrs. Clement, Mr. Brilliant, Dr. Manforti, Mr. Bilotta and Mr. Valvano all casting affirmative votes.

Ratification of Monthly Transfer & Investment Resolutions

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

Financial Reports

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

Finance & Investments: 6G

A motion was made by Mr. Bilotta and seconded by Mrs. Clement to reinvest the available funds of \$11,414.30 into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Bilotta, Mrs. Clement, Mr. Brilliant, Dr. Manforti and Mr. Valvano all casting affirmative votes.

Operating Reports

A motion was made by Mrs. Clement and seconded by Mr. Bilotta that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Brilliant, Dr. Manforti and Mr. Valvano 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, April 26, 2022, at 4:30 p.m. in the TRMUA conference room.

Adoption of Resolutions/Capital Purchases

A motion was made by Mr. Bilotta and seconded by Dr. Manforti approving the following resolutions, 9A-2A through 9A-2F as follows:

9A-2A - Ratify the purchase of (1) Network Attached Storage Device

9A-2B - Ratify the purchase of (1) Network Server

9A-2C - Ratify the purchase of (3) Network Switches

9A-2D - Ratify the purchase of (1) Fortinet Firewall

9A-2E - Ratify the purchase of (1) Milwaukee Electric Demo Saw

9A-2F - Ratify the purchase of Server Room upgrades

A roll call vote was taken with Mr. Bilotta, Dr. Manforti, Mr. Brilliant, Mrs. Clement and Mr. Valvano all casting affirmative votes.

A motion was made by Mrs. Clement and seconded by Mr. Bilotta approving the following resolutions, 9A-3 through 9A-7 as follows:

9A-3 – Authorize the execution of the Shared Services agreement between the TRMUA and South Toms River Sewerage Authority for 2022

9A-4 – Authorize the execution of the Shared Services agreement between the TRMUA and Borough of Ocean Gate for 2022

9A-5 – Authorize the execution of the Shared Services agreement between the TRMUA and Lakewood Township Municipal Utilities Authority for 2022

9A-6 – Authorize the execution of the Shared Services agreement between the TRMUA and Beachwood Sewerage Authority for 2022

9A-7 – Authorize the execution of the Shared Services agreement between the TRMUA and Lacey Municipal Utilities Authority for 2022

A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Brilliant, Dr. Manforti and Mr. Valvano all casting affirmative votes.

9A-8 - A motion was made by Mr. Brilliant and seconded by Mrs. Clement to authorize the execution and delivery of loan agreements between the TRMUA and the NJIB. A roll call vote was taken with Mr. Brilliant, Mrs. Clement, Dr. Manforti, Mr. Bilotta and Mr. Valvano all casting affirmative votes.

9A-9 – A motion was made by Mrs. Clement and seconded by Mr. Bilotta to authorize the QPA to enter into contracts for purchases of goods and/or services with certain vendors under County contracts. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Brilliant, Dr. Manforti and Mr. Valvano all casting affirmative votes.

9A-10 – A motion was made by Mrs. Clement and seconded by Dr. Manforti to authorize the QPA to enter into contracts for purchases and services with certain vendors under State contracts. A roll call vote was taken with Mrs. Clement, Dr. Manforti, Mr. Brilliant, Mr. Bilotta and Mr. Valvano all casting affirmative votes.

9B - Unfinished Business

Mr. Rutkowski explained to the Board how the Ratifications are actually getting approved three different times which really isn't necessary, and after talking to Lauren Holman, the Authorities auditor, she recommended not doing ratifications anymore. Mr. Rutkowski further proposed that instead he can attach a spreadsheet to the end of the bill list showing all the Capital Purchases, this will result in less resolutions and motions needed at the monthly meetings. Commissioner Clement asked if Mr. Rutkowski could also explain

the P card to any Board members who aren't aware what it's used for, Mr. Rutkowski explained it is used for any vendors who do not accept checks or vouchers. Mr. Rutkowski further stated he can also make a spreadsheet listing the items purchased with the P card for the Commissioners as well. Chairman Valvano gave an update on the Ford Lightning truck that was ordered, then Mr. Rutkowski went on to discuss the option of selling the older vehicles we have that are currently going for a high trade in value and in return buy an electric car. A motion was made by Mrs. Clement and seconded by Mr. Brilliant to sell the Ford Escape, Ford Explorer, Ford F-250 and F-450 to purchase the Ford Mustang Mach-E as the administrative vehicle. A roll call vote was taken with Mrs. Clement, Mr. Brilliant, Dr. Manforti, Mr. Bilotta and Mr. Valvano all casting affirmative votes.

Committee Reports

Legal

General Counsel reported, after carefully looking over the file on Green Island's pump station 9, in order to move this project forward the Board needs an appraisal for the cost of the easement to go about 12 feet under the beach. Mr. Zabarsky recommended hiring Henry Mancini and provided a write up from him to the Executive Director with a max cost of \$5,500. A motion was made by Mrs. Clement and seconded by Mr. Bilotta to hire Henry Mancini & Associates Inc. to do an appraisal not to exceed \$5,500 for the force main at pump station 9. A roll call vote was taken with Mrs. Clement, Mr. Bilotta, Mr. Brilliant, Dr. Manforti and Mr. Valvano all casting affirmative votes.

Land

None.

Engineering & Technology

Commissioner Brilliant informed the estimated arrival date of the AC unit for the building is April 11th.

Regionalization

None.

Finance/Chairman

Mr. Valvano reiterated how happy he was to hear the AC unit will be arriving soon and that the Authority's PEOSH report said we are in full compliance which is very good news. He also reminded the Board to take the MEL course by May 1st to receive the \$250 reimbursement from the insurance carrier.

Personnel

An Executive Session is needed. The Personnel Committee and the Executive Director interviewed applicants for the LMW position on March 16th. The Personnel Committee is recommending to the Board that we hire Tyler Nicoll, he has his CDL license and is willing to receive his Collection License. The new employee will start in Rehab and be on probation for 90 days at 75% his salary. Commissioner Clement also reported that an employee was approved for Long-term Disability and on April 4th there will be another Line Maintenance position open, the Personnel Committee is recommending to the Board that we authorize the

Executive Director to post, interview and hire a LMW. The first motion was made by Dr. Manforti and seconded by Mr. Brilliant to hire Tyler Nicoll for the LMW position on a 90 day probation period at 75% his starting salary. A roll call vote was taken with Dr. Manforti, Mr. Brilliant, Mrs. Clement, Mr. Bilotta and Mr. Valvano all casting affirmative votes. The second motion was made by Dr. Manforti and seconded by Mr. Bilotta that in the event of a position opening on April 4th the Executive Director is authorized to post, interview and hire an LMW. A roll call vote was taken with Dr. Manforti, Mr. Bilotta, Mr. Brilliant, Mrs. Clement and Mr. Valvano all casting affirmative votes.

The last Personnel item discussed was the summer hours schedule addressed by Mr. Rutkowski, he explained to the new Board members that the extended hours in the summer work effectively in cutting overtime by 40%. A motion was made by Mr. Brilliant and seconded by Mr. Bilotta to approve the extended summer hours schedule from the week of Memorial Day through Labor Day for 2022. A roll call vote was taken with Mr. Brilliant, Mr. Bilotta, Dr. Manforti, Mrs. Clement and Mr. Valvano all casting affirmative votes.

Public Comments

The CFO asked about an update when Herflicker Rd. will be open to which the Executive Director replied he has heard nothing.

Correspondence

None.

Resolution to Enter Executive Session

A motion was made by Dr. Manforti and seconded by Mr. Brilliant to adopt the resolution to enter Executive Session at 5:15 p.m. to discuss personnel matters, litigation/potential litigation and contractual matters. A roll call vote was taken with Dr. Manforti, Mr. Brilliant, Mrs. Clement, Mr. Bilotta and Mr. Valvano all casting affirmative votes.

After the motion was made to enter into Executive Session the Board came to realize that the topic of discussion could actually be spoken about in Public Session and there was no need for the Executive Session. A motion was made by Dr. Manforti and seconded by Mr. Bilotta to end Executive Session and re-open Public Session. A roll call vote was taken with Dr. Manforti, Mr. Bilotta, Mr. Brilliant, Mrs. Clement and Mr. Valvano all casting affirmative votes.

Public Session Reconvened at 5:18 p.m.

A motion was made by Mr. Bilotta and seconded by Mr. Brilliant to give Executive Director, Bernie Rutkowski, \$5,000 annually in his base pay retro back to January 1, 2022 for his hard work in obtaining his Collection License which the Authority needs. A roll call vote was taken with Mr. Bilotta, Mr. Brilliant, Dr. Manforti, Mrs. Clement and Mr. Valvano all casting affirmative votes.

Adjournment

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 5:24 p.m. The motion was carried out by a unanimous voice vote.