

TOMS RIVER MUNICIPAL UTILITIES AUTHORITY
Meeting Number Twelve Hundred Eighty Eight

The regular meeting of the Toms River Municipal Utilities Authority was held on Tuesday, March 25, 2025 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
- Dr. Al Manforti/MOP
- Tariq M. Siddiqui, Vice-Chairman
- Philip I. Brilliant, Commissioner
- Kim A. Pascarella, Commissioner
- Sam Ellenbogen, Alt. Commissioner
- Bernard Rutkowski, Executive Director/Sec’y.-Treas.
- Joseph D. Coronato, General Counsel
- Mike Lee, Chief Financial Officer
- Greg Myhre, Safety & Compliance Officer
- Cindy Toye, Human Resources Manager
- Christina Diamante, Executive Assistant/Assistant Sec’y

Meeting #1288 was called to order at 4:30 p.m., March 25, 2025 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 in the Asbury Park Press, The Star Ledger, The Press of Atlantic City, filed with the township Clerk’s Office, posted on the Township bulletin board and the Authority bulletin board.

Oath of Office

At this time, the Oath of Office was administered to Commissioner Ellenbogen by the Authority’s attorney, Joseph D. Coronato.

Ms. Diamante then called the roll. Mr. Ellenbogen, Mr. Pascarella, Mr. Brilliant, Mr. Siddiqui and Mr. Valvano were present. Mr. Bilotta and Ms. Sevastakis were absent.

Minutes of Meetings for Approval

A. Meeting #1287 - February 25, 2025 - New Submission

A motion was made by Mr. Siddiqui and seconded by Mr. Pascarella to approve the minutes of Meeting #1287 February 25, 2025 as written. A roll call vote was taken with Mr. Siddiqui, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes. Mr. Brilliant voted no.

B. Ex. Session #1287 - February 25, 2025 - New Submission

A motion was made by Mr. Siddiqui and seconded by Mr. Pascarella to approve the minutes of Ex. Session #1287 February 25, 2025 as written. A roll call vote was taken with Mr. Siddiqui, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes. Mr. Brilliant voted no.

Disbursements

A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to approve payment of the Operating

Expenses as listed in the amount of \$552,474.53. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

Trust Fund for Contracts

None at this time.

Ratification of Monthly Transfer & Investment Resolutions

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

Financial Reports

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

Finance & Investments: 6G

A motion was made by Mr. Brilliant and seconded by Mr. Siddiqui to reinvest the available funds of \$3,683.19 into the Ocean First Trust Custodial Account. A roll call vote was taken with Mr. Brilliant, Mr. Siddiqui, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes

Operating Reports

A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant that the operating reports 7A-7G were accepted as presented. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, M. Pascarella, Mr. Ellenbogen 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 29, 2025, at 4:30 p.m.

Adoption of Resolutions

9A-2 – A motion was made by Mr. Siddiqui and seconded by Mr. Pascarella to authorize the execution of the Shared Service agreement between the Toms River MUA and Beachwood Sewerage Authority for 2025. A roll call vote was taken with Mr. Siddiqui, Mr. Pascarella, Mr. Ellenbogen, Mr. Brilliant and Mr. Valvano all casting affirmative votes.

9A-3 – A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to authorize the execution of the Shared Service agreement between the Toms River MUA and the Borough of Ocean Gate for 2025. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9A-4 – A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to authorize the execution of the Shared Service agreement between the Toms River MUA and the Lacey Municipal Utilities Authority for 2025. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9A-5 – A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to authorize the execution of the Shared Service agreement between the Toms River MUA and the Lakewood Township Municipal Utilities Authority for

2025. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9A-6 – A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to authorize the execution of the Shared Service agreement between the Toms River MUA and the South Toms River Sewerage Authority for 2025. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9A-7 – A motion was made by Mr. Brilliant and seconded by Mr. Pascarella to authorize the execution of the Shared Service agreement between the Toms River MUA and the Toms River Parking Authority for 2025. A roll call vote was taken with Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes. Mr. Siddiqui abstained.

9A-8 – A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to authorize the execution of the Shared Service agreement between the Toms River MUA and the Toms River Fire District #2 for 2025-2026. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9A-9 – A motion was made by Mr. Siddiqui and seconded by Mr. Brilliant to authorize the execution of the Shared Service agreement between the Toms River MUA and the Township of Toms River for 2025-2027. A roll call vote was taken with Mr. Siddiqui, Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9A-10 – A motion was made by Mr. Brilliant and seconded by Mr. Pascarella to authorize the extended summer hours schedule. A roll call vote was taken with Mr. Brilliant, Mr. Pascarella, Mr. Ellenbogen and Mr. Valvano all casting affirmative votes.

9B - Unfinished Business

None.

Committee Reports

Personnel

The Executive Director reported that one of our inspectors will be taking leave, which leaves us with only 1 inspector, as well as having one of the assistants out on family leave also. He spoke about potentially bringing in a retiree for back up in case of an emergency, which is one suggestion on the table as well as using engineering firms. A motion was made by Mr. Brilliant and seconded by Mr. Ellenbogen to approve the Executive Director to have discussions with retired Inspector. A roll call vote was taken with Mr. Brilliant, Mr. Ellenbogen, Mr. Pascarella, Mr. Siddiqui and Mr. Valvano all casting affirmative votes.

Legal

None.

Engineering/Technology/Regionalization

Commissioner Siddiqui reported we have continued to make improvements to PS 16 in the Silverton area. Alaimo did a study on the structure and architectural features to help make it fit in better with the surrounding houses, they prepared a composition of their findings. It needs a new roof as the current one is leaking, new doors, new windows. It is our largest pump station and the building is about 50 years old. The engineering firm's estimate comes to be about \$375,000 which also includes a new fence around it and irrigation system for the grass, which has been a complaint by surrounding residents. This will be funded by our Capital budget next year in 2026.

Land

None.

Finance/Chairman

Chairman Valvano congratulated the HR Manager on passing the final exam as part of her Certified Municipal Finance Officer program. He also reported the inflation rate has now dropped to under 3%, which is down from the 8-9% it was several years ago. Financial Disclosures are coming out soon from the Township Clerk, keep an eye out for them. Mr. Valvano also informed that there will be a memorial service held in New Jersey for the former Chairman of the MUA, Juan Bellu, once he has all the details he will share with anyone interested in attending. Lastly, he reminded the Board to complete the MEL course for the \$250 insurance credit for the Authority.

Public Comments

Resident Dr. Al Manforti presented the Board with a meter bill he received for over usage that he would like reversed. While away on vacation his hose broke off and leaked for days. He presented photos showing 4 inches of frozen water all over his parking lot, which is 28 feet from the broken hose, showing the leaked water did not go into the sewer system but rather sat in the yard. A motion was made by Mr. Brilliant and seconded by Mr. Ellenbogen to credit The Manforti's account in the amount of \$298.73, for which they were charged for the excess usage, as long as a letter and the photos are submitted for documentation. A roll call vote was taken with Mr. Brilliant, Mr. Ellenbogen, Mr. Pascarella, Mr. Siddiqui and Mr. Valvano all casting affirmative votes. Seeing no more public comments, Chairman Valvano closed the public portion of the meeting.

Correspondence

An employee who is already out on FMLA and Temporary Disability sent a letter requesting an extension on his leave. A motion was made by Mr. Brilliant and seconded by Mr. Ellenbogen to approve the employees' extension of unpaid leave for up to 3 months as requested in letter provided in meeting packet. A roll call vote was taken with Mr. Brilliant, Mr. Ellenbogen, Mr. Pascarella, Mr. Siddiqui and Mr. Valvano all casting affirmative votes.

Resolution to Enter Executive Session

A motion was made by Mr. Pascarella and seconded by Mr. Ellenbogen to adopt the resolution to enter Executive Session at 5:14 p.m. to discuss personnel matters, litigation/potential litigation and contractual matters. A roll call vote was taken with Mr. Pascarella, Mr. Ellenbogen, Mr. Brilliant, Mr. Siddiqui and Mr. Valvano all casting affirmative votes.

Public Session Reconvened at 6:07 p.m.

Back in Public Session, a motion was made by Mr. Pascarella and seconded by Mr. Ellenbogen to authorize Mr. Coronato to hire the appropriate investigative parties, at a cost not to exceed \$15,000, to investigate the illegal use, past and present, of the Authority's fueling stations. A roll call vote was taken with Mr. Pascarella, Mr. Ellenbogen, Mr. Brilliant, Mr. Siddiqui and Mr. Valvano all casting affirmative votes.

Adjournment

With no further business to come before the Board, a motion was made by Mr. Pascarella and seconded by Mr. Ellenbogen to adjourn the meeting at 6:09 p.m. A roll call vote was taken with Mr. Pascarella, Mr. Ellenbogen, Mr. Brilliant, Mr. Siddiqui and Mr. Valvano all casting affirmative votes.