



Public Meeting Minutes of the Manasquan River Regional Sewerage Authority

FOR THE PUBLIC MEETING HELD ON
WEDNESDAY, JANUARY 17, 2018 AT 5:30PM

An advertised Public Meeting of the Manasquan River Regional Sewerage Authority was called to order by Chairman Richard J. Gartz in the Authority's Headquarters, 89 Havens Bridge Road, Farmingdale, New Jersey at 5:30 p.m. Following an opening statement regarding the "Open Public Meeting Act" pursuant to the Laws of 1975, Chapter 231, the pledge of allegiance was then recited.

Mr. Gartz requested a roll call. Those present included William J. Mehr, Esq., Sonnenblick, Parker & Selvers, P.C.; Peter E. Kocsik, P.E., Mott MacDonald; Brian J. Brach, P.E., Executive Director; Donald F. Hill, CPA, Recording Secretary and the following Commissioners as per the roll call:

ROLL CALL:

PRESENT: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantillo, Chairman Gartz
ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

APPROVAL OF THE PUBLIC MEETING MINUTES HELD DECEMBER 13, 2017

Moved by Mr. Gatto, seconded by Mr. Johnson.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Tantillo, Chairman Gartz
NAYS: None
ABSTAIN: Mr. Romano
DISQUALIFY: None
ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

APPROVAL OF THE EXECUTIVE SESSION MEETING MINUTES HELD DECEMBER 13, 2017

Moved by Mr. Johnson, seconded by Mr. Gatto.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Tantillo, Chairman Gartz
NAYS: None
ABSTAIN: Mr. Romano
DISQUALIFY: None
ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

General Matters

(All General Matters were enacted by a single motion, unless otherwise noted)

RESOLUTION NO. 2018-01 RATIFYING THE THE BOARD OF COMMISSIONER'S OPPOSITION TO SENATE BILL NO. S848 AND ASSEMBLY BILL NO. A5339 ARBITRARILY CAPPING BUDGETS AND CHARGES OF REGIONAL SEWERAGE AUTHORITIES

RESOLUTION NO. 2018-02 RATIFYING EMERGENCY PROCUREMENT OF A COMMUNOTOR GRINDER UNIT AT THE LOWER MANASQUAN PUMP STATION IN A LUMP SUM AMOUNT OF \$24,586.15



Moved by Mr. Tantillo, seconded by Mr. Gatto.

DISCUSSION: Mr. Johnson inquired if Senate Bill No. S848 was signed into law. Mr. Brach confirmed that Governor Christie did sign the bill into law and recognized the Board for their efforts in lobbying against it, although to no avail. Mr. Brach noted that the new law, as written, is an issue and that the regulators need to provide rules to clarify numerous items. The bill was vague and Authorities have legitimate questions.

Mr. Brach requested that language be added to Item No. 4 within Resolution No. 2018-01 indicating that the Board further supports any efforts for amended legislation. There were no objections to this revision.

Mr. Brach did note that the bill contained exemptions, which were fought for by the AEA. However, the exemptions are not enough to address several key items, such as the Authority's OCUA bills. OCUA, as a 40:14B Authority, does not appear to be under the purview of the law. Mr. Brach would keep the Board informed as details of the regulations are developed. Generally, it was Mr. Brach's position that the MRRSA was in a good position and would navigate the new law as necessary. Mr. Johnson noted it was a timing issue with development of the 2019 Budget. Mr. Brach confirmed that the Authority's budget development process may need to start early to ensure there was sufficient time for review by the Governor's office. Mr. Brach further indicated it was business as usual until such time the Authority runs into issues.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantillo, Chairman Gartz
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

Personnel Matters

(All Personnel Matters were enacted by a single motion, unless otherwise noted)

RESOLUTION NO. 2018-03 APPOINTING AMERICAN FIDELITY TO ADMINISTER THE SECTION 125 FLEXIBLE BENEFIT PLAN AND OFFER VARIOUS VOLUNTARY INSURANCE PRODUCTS AT NO COST TO THE AUTHORITY

RESOLUTION NO. 2018-04 AMENDING IRS SECTION 125 FLEXIBLE BENEFIT PLAN

Moved by Mr. Gatto, seconded by Mrs. DeSarno.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantillo, Chairman Gartz
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

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Capital Improvement Program Matters

(All Capital Improvement Program Matters were enacted by a single motion, unless otherwise noted)

RESOLUTION NO. 2018-05 APPROVING COMPLETION AND CLOSEOUT OF CONTRACT NO. 51 FOR THE UPPER MANASQUAN PUMP STATION COMMUNOTOR UPGRADES PROJECT IN THE FINAL CONTRACT AMOUNT OF \$45,360.00

Moved by Mr. Gatto, seconded by Mr. Tantilillo.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantilillo, Chairman Gartz

NAYS: None

ABSTAIN: None

DISQUALIFY: None

ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

Finance Matters

(All Finance Matters were enacted by a single motion, unless otherwise noted)

ACCEPTANCE OF THE NOVEMBER 2017 AND DECEMBER 2017 TREASURER'S REPORTS AND TRANSFER OF A TOTAL OF \$339,000.00 FROM REVENUE ACCOUNT TO CHECKING ACCOUNT

APPROVAL OF THE PAYMENT OF THE JANUARY BILL LIST IN THE AMOUNT OF \$263,042.14

APPROVAL OF THE PAYMENT OF TRUSTEE CONSTRUCTION VOUCHERS IN THE AMOUNT OF \$8,078.00

APPROVAL OF THE PAYMENT OF DEVELOPER'S ESCROW AND REFUNDS IN THE AMOUNT OF \$10,852.30

Moved by Mr. Gatto, seconded by Mr. Johnson.

DISCUSSION: Mr. Brach notified the Board that Mr. Hill had received an updated escrow reconciliation and that the December 2017 Treasurer's Report (Item No. 12 on the agenda) was to be revised to reflect an updated escrow balance of \$466,758.24. Mr. Gartz moved the Finance Matters, as amended.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantilillo, Chairman Gartz

NAYS: None

ABSTAIN: None

DISQUALIFY: None

ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

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Application Matters

(All Application Matters were enacted by a single motion, unless otherwise noted)

RESOLUTION NO. 2018-06 APPROVAL OF SEWER APPLICATION NO. 2017-14 FOR THE “WYCKOFF MILLS ROAD SEWER SYSTEM IMPROVEMENTS” PROJECT (HOWELL TOWNSHIP)

RESOLUTION NO. 2018-07 APPROVAL OF SEWER APPLICATION NO. 2017-19 FOR THE “ALDI’S FOOD MARKET” PROJECT (HOWELL TOWNSHIP)

Moved by Mr. Tantillo, seconded by Mr. Gatto.

DISCUSSION: Mr. Johnson requested confirmation from Mr. Kocsik that the Authority would be monitoring New Jersey American Water’s (NJAW) Wyckoff Mills project, so as to avoid issues on NJSH Route 9. Mr. Kocsik responded affirmatively and noted that this was a NJAW project (ie: MRRSA has limited control over construction) and the actual connection to MRRSA’s manhole was off the roadway and in an unpaved, grassy easement. Mr. Brach added that NJAW has established an escrow account with the Authority and that NJAW would be performing rehabilitation to the MRRSA’s connection manhole. MRRSA would have an inspector on-site at all times during connection to the Authority’s manhole.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantillo, Chairman Gartz

NAYS: None

ABSTAIN: None

DISQUALIFY: None

ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

Executive Session Matters

MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS “COUNTRYSIDE DEVELOPERS, INC. v. TOWNSHIP OF COLTS NECK ET. AL” LAWSUIT (IN WHICH THE AUTHORITY IS A NAMED DEFENDANT)

Moved by Mr. Gatto, seconded by Mrs. DeSarno.

ROLL CALL:

AYES: Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mr. Romano, Mr. Tantillo, Chairman Gartz

NAYS: None

ABSTAIN: None

DISQUALIFY: None

ABSENT: Mr. Daly, Mrs. Garcia, Mrs. McKenna, Mr. Wilson

MOTION TO ADJOURN EXECUTIVE SESSION AND RESUME PUBLIC MEETING

A general motion was made to resume the public meeting.

ROLL CALL:

AYES: Mr. Daly, Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mrs. McKenna, Mr. Tantillo, Mr. Wilson, Chairman Gartz

NAYS: None

ABSTAIN: None

DISQUALIFY: None

ABSENT: Mrs. Garcia, Mr. Romano

MOTION RATIFYING THE EXECUTIVE DIRECTOR'S AUTHORIZATION OF SONNENBLICK, PARKER & SELVERS, P.C. (SPSPC) TO PROCEED WITH DEFENSE OF LAWSUIT, INCLUDING, BUT NOT LIMITED TO, FILING AN ANSWER TO COMPLAINT, COORDINATING THE AUTHORITY'S DEFENSE WITH OTHER DEFENDANTS, AND PREPARATION AND FILING OF DISCOVERY AND MOTIONS AS IT DETERMINES TO BE IN THE BEST INTEREST OF THE AUTHORITY IN AN AMOUNT NOT-TO-EXCEED \$10,000.00

Moved by Mr. Gatto, seconded by Mr. Johnson.

DISCUSSION: Mr. Gartz requested that a maximum budget amount be established as a matter of prudence. Mr. Brach indicated that \$10,000 was sufficient and that the Board would be updated appropriately should the actual efforts required result in a larger budget.

ROLL CALL:

AYES: Mr. Daly, Mrs. DeSarno, Mr. Gatto, Mr. Johnson, Mrs. McKenna, Mr. Tantillo, Mr. Wilson, Chairman Gartz
NAYS: None
ABSTAIN: None
DISQUALIFY: None
ABSENT: Mrs. Garcia, Mr. Romano

Reports

ENGINEERING COMMITTEE: Mott MacDonald's January 2018 Engineering Report has been attached for the record. Mr. Kocsik concisely reviewed the detailed items with the Board. There were no questions from the Board.

PERSONNEL COMMITTEE: Mrs. DeSarno indicated there was nothing further to report.

FINANCE COMMITTEE: Chairman Gartz indicated there was nothing to report.

INSURANCE COMMITTEE: Mr. Brach indicated there was nothing to report.

EXECUTIVE DIRECTOR'S REPORT: Mr. Brach provided a summary of the items included within his report. The January 2018 Executive Director's Report has been attached for the record.

OCEAN COUNTY UTILITIES AUTHORITY (OCUA) REPORT: Mr. Tantillo indicated there was nothing to report.

OLD BUSINESS: None.

NEW BUSINESS: None.

MEMBERS COMMENTS: None.

PUBLIC PORTION: No comments from public.

There being no further business, a general motion to adjourn the meeting was made. All present were in favor and the meeting was adjourned at 5:48pm.

Respectfully submitted,

Donald F. Hill, Assistant Secretary

ATTACHMENT A
Mott MacDonald January 2018 Engineering Report

ATTACHMENT B
MRRSA January 2018 Executive Director's Report
