

**Minutes of the Annual Reorganization Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, February 1, 2016, 7:30 p.m.
MCBOA Conference Room
200 Harbor Way, Belford, New Jersey**

I. CALL TO ORDER

Michael C. Sachs, Authority Chairman, called the Meeting to Order.

II. COMPLIANCE STATEMENT:

The chairman announced that adequate notice has been given to the public and press of the date, time and place of this Meeting, in accordance with P.L. 1975, Chapter 231, "Open Public Meetings Act."

Pledge of Allegiance & Moment of Silence

III. ROLL CALL – ATTENDANCE

Commissioners Present: Aumack, Foley, Knox, Loud-Hayward, Sachs, Scarano, Schoeffling, Smith and Sodon

Members Absent: None

Also present: Gregory W. Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C.
Keith W. Henderson, Authority Engineer, T&M Associates
Theodore Panis, CPA, Panis & Attner, PA.
Edward Tuberion, Foreman
Barbara Vilanova, Recording Secretary.

The Chairman, Michael C. Sachs, turned the chair over to Mr. Vella, Authority Attorney, for election of officers.

Mr. Vella, Authority Attorney, noted that the first order of business was the election of a chairman and called for nominations.

Mr. Smith **Moved, Seconded** by Mr. Sodon that Michael C. Sachs, continue in his capacity as Chairman.

There being no further nominations, Mr. Smith **Moved, Seconded** by Mr. Sodon, that the nominations for the election of the chairman be closed. Mr. Vella, as Authority Attorney, declared the nominations closed.

Roll Call:

AYES: Aumack, Foley, Knox, Loud-Hayward, Scarano, Schoeffling, Smith and Sodon

NAYS: None

ABSENT: None

ABSTAIN: Sachs

Mr. Vella relinquished the chair to the reelected Chairman, Michael C. Sachs.

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Gregory Vella, as an Attorney of the State of New Jersey administered the Oath of Office to Harry Aumack, Mary Foley, Thomas Scarano and Robert Schoeffling who were appointed by the Board of Chosen Freeholders as Authority Commissioners for a 5-year term, expiring on February 1, 2021.

Chairman Sachs noted that the next order of business was the election of a Vice-Chairman and called for nominations.

Mr. Sodon **Moved, Seconded** by Mr. Scarano, that Paul J. Smith, Jr., be continued in his capacity as Vice-Chairman.

There being no other nominations, Mr. Sodon **Moved, Seconded** by Mr. Scarano, the nominations for the election of a Vice-Chairman be closed. The chairman declared the nominations closed.

Roll Call:

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling and Sodon
NAYS: None
ABSENT: None
ABSTAIN: Smith

Mr. Sachs noted that the next order of business was the appointment of the Authority Professional Advisors for the period of 2/1/16 to 2/6/17.

At 7:35 on motion by Mr. Knox, seconded by Ms. Loud-Hayward the board went into executive session to discuss a personnel issue with all members in favor. At this time the Authority professionals were excused from the meeting.

At 7:54 pm on motion by Mr. Scarano, seconded by Mr. Schoeffling the board closed the executive session portion of the meeting with all members in favor.

Mr. Aumack **Moved, Seconded** by Ms. Loud-Hayward, to appoint Gregory W. Vella, Esq., of Collins, Vella and Casello, L.L.C., to continue in his capacity as Authority Attorney.

There being no other nominations, Mr. Aumack **Moved, Seconded** by Ms. Loud-Hayward, that the nominations for the election of the Authority Attorney be closed.

Roll Call:

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling, Smith and Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Sachs noted that the appointment of an Authority Engineer was next on the agenda.

At 7:35 p.m. On **Motion** by Mr. Knox, **Seconded** by Ms. Loud-Hayward, the board entered executive session to discuss personnel matters. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, none absent.

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At 7:54 p.m. On **Motion** by Mr. Scarano, **Seconded** by Mr. Schoeffling the board concluded their executive session. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, none absent.

Mr. Sodon **Moved, Seconded** by Mr. Smith, that T&M Associates, be appointed as Authority Engineer with request that Dennis Dayback attend the meetings.

There being no other nominations, Mr. Sodon **Moved, Seconded** by Mr. Smith, that the nominations for the election of the Authority Engineer be closed. The chairman declared the nominations closed.

Roll Call:

AYES: Aumack, Foley, Loud-Hayward, Knox, Schoeffling, Smith and Sodon
NAYS: Sachs & Scarano
ABSENT: None
ABSTAIN: None

Next on the Agenda was the appointment of Accountant.

Ms. Loud-Hayward **Moved, Seconded** by Mr. Smith, that Theodore Panis, CPA, of Panis and Attner, P.A., be continued in his capacity as Authority Accountant.

There being no other nominations, Ms. Loud-Hayward **Moved, Seconded** by Mr. Smith, that the nominations for the election of the Authority Accountant be closed. The chairman declared the nominations closed.

Roll Call:

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling, Smith and Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Resolutions

Resolution Offered by Mr. Aumack:

RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY ATTORNEY

WHEREAS, the Monmouth County Bayshore Outfall Authority has a need to acquire Legal Goods and Services by the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, the term of the contract is for One (1) year from February 1, 2016 to February 6, 2017 and may be extended as approved by this governing body; and

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WHEREAS, Gregory W. Vella, Esquire of the firm Collins, Vella & Casello, L.L.C. in Farmingdale, New Jersey has submitted a proposal indicating they will provide the legal goods and services for \$5,750.00 as retainer per year and an hourly rate of \$150.00 per hour; and

WHEREAS, Gregory W. Vella, Esquire of the firm Collins, Vella & Casello, L.L.C. has submitted a proposal pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq* ; and

WHEREAS, Monmouth County Bayshore Outfall Authority has complied with certification of the availability of funds requirements – N.J.S.A. 50:30-5.4; and

NOW THEREFORE, BE IT RESOLVED that the Monmouth County Bayshore Outfall Authority authorizes entering of a contract for legal services with Gregory, W. Vella, Esquire of the firm Collins, Vella & Casello, L.L.C. as described herein; and

BE IT FUTHER RESOLVED that I hereby certify the foregoing to be a true copy of the Resolution adopted by Monmouth County Bayshore Outfall Authority, County of Monmouth, and State of New Jersey on the 1st Day of February 2016.

Resolution was Seconded by Commissioner Loud-Hayward, and approved by roll call vote.

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling, Smith and Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Resolution Offered by Mr. Sodon:

RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY ENGINEER

WHEREAS, the Monmouth County Bayshore Outfall Authority has a need to acquire Engineering Services by the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, T&M Associates in Middletown, New Jersey has submitted a proposal indicating they will provide Engineering Services consistent with the request for proposal at a fee structure identified in their proposal and their contract; and

WHEREAS, T & M Associates also represented that an Engineer from T & M Associates will be attending MCBOA's monthly meetings and MCBOA will not be charged for his attendance at the MCBOA's monthly meetings; and

WHEREAS, the term of the contract is for One (1) year from February 1, 2016 to February 6, 2017 and may be extended as approved by this governing body; and

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WHEREAS, T&M Associates has submitted a proposal pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq* ; and

WHEREAS, Monmouth County Bayshore Outfall Authority has complied with certification of the availability of funds requirements – N.J.S.A. 50:30-5.4; and

NOW THEREFORE, BE IT RESOLVED that the Monmouth County Bayshore Outfall Authority authorizes entering of a contract for Engineering Services with T&M Associates as described herein; and

BE IT FUTHER RESOLVED. MCBOA hereby require that Dennis Dayback, P.E. of T & M attend MCBOA’s monthly meetings; and

BE IT FUTHER RESOLVED that I hereby certify the foregoing to be a true copy of the Resolution adopted by Monmouth County Bayshore Outfall Authority, County of Monmouth, and State of New Jersey on the 1st Day of February 2016.

Resolution was Seconded by Commissioner Smith, and approved by roll call vote.

AYES: Aumack, Foley, Loud-Hayward, Knox, Schoeffling, Smith and Sodon
NAYS: Sachs & Scarano
ABSENT: None
ABSTAIN: None

Resolution offered by Ms. Loud-Hayward:

RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY ACCOUNTING SERVICES

WHEREAS, the Monmouth County Bayshore Outfall Authority has a need to acquire Accounting Services by the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, Theodore Panis, CPA or Panis & Attner, P.A. in Oakhurst, New Jersey has submitted a proposal indicating they will provide accounting services set forth in the request for proposal for a gross fee not to exceed \$19,250.00; and

WHEREAS, the term of the contract is for One (1) year from February 1, 2016 to February 6, 2017 and may be extended as approved by this governing body; and

WHEREAS, Theodore Panis, CPA or Panis & Attner, P.A. has submitted a proposal pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq* ; and

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WHEREAS, Monmouth County Bayshore Outfall Authority has complied with certification of the availability of funds requirements – N.J.S.A. 50:30-5.4; and

NOW THEREFORE, BE IT RESOLVED that the Monmouth County Bayshore Outfall Authority authorizes entering of a contract for accounting services with Theodore Panis, CPA of Panis & Attner, P.A. as described herein; and

BE IT FUTHER RESOLVED that I hereby certify the foregoing to be a true copy of the Resolution adopted by Monmouth County Bayshore Outfall Authority, County of Monmouth, and State of New Jersey on the 1st Day of February 2016.

Resolution was Seconded by Commissioner Smith, and approved by roll call vote.

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling, Smith and Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Resolution offered by Mr. Knox:

**Resolution of the
Monmouth County Bayshore Outfall Authority**

Appointing Official Newspaper

BE IT RESOLVED that the official newspaper of the Monmouth County Bayshore Outfall Authority for publication of all notices as required by law will be the Asbury Park Press.

CERTIFICATION

It is hereby certified that this is a true copy of the resolution adopted by the Monmouth County Bayshore Outfall Authority at its Annual Reorganization Meeting of February 1, 2016.

Resolution seconded by Commissioner Schoeffling, and approved by roll call vote.

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Schoeffling, Smith and Sodon
NAYS: Scarano
ABSENT: None
ABSTAIN: None

Resolution offered by Commissioner Knox:

**Resolution of the
Monmouth County Bayshore Outfall Authority
Providing For “Annual Notice” Of Meetings
Pursuant To Section 13 of The Open Public Meetings Act**

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WHEREAS, the Open Public Meetings Act requires that all public bodies at the time of their annual organization meeting, or within 7 days thereof, shall post, mail to newspapers, and give notice to certain other persons the schedule of meetings for the succeeding year.

NOW, THEREFORE, BE IT RESOLVED, that the meeting dates of the Monmouth County Bayshore Outfall Authority be hereby fixed:

March	21, 2016
April	18, 2016
May	16, 2016
June	20, 2016
July	18, 2016
August	15, 2016
September	19, 2016
October	17, 2016
November	14, 2016
December	12, 2016—Public Budget Hearing, 7:00 PM
	12, 2016—Regular Meeting, Immediately after the Public Budget Hearing
January	9, 2017
February	6, 2017—Reorganization Meeting, 7:00 PM
	6, 2017—Regular Meeting, Immediately after the Reorganization Meeting

All Meetings will be held on the third Monday of each month **with the exception of the November and December 2016 and January 2017 meeting which are the second Monday, and the February 2017 Meeting, which is the first Monday.** The meetings will take place at the Authority’s offices, 200 Harbor Way, Belford, New Jersey, at 7:00 PM

BE IT FURTHER RESOLVED, that the Secretary is hereby authorized to transmit the notice of these meetings to the Authority’s official newspaper, the County Clerk, the Board of Freeholders, the Customer Authorities, the Clerks of the municipalities served or to be served by the Monmouth County Bayshore Outfall Authority and to post said notice on the south door of the Authority’s offices in Belford, New Jersey.

BE IT FURTHER RESOLVED, that this resolution and the schedule contained herein may be amended from time to time provided the terms of the Act are followed.

Resolution seconded by Ms. Loud-Hayward, and approved by roll call vote.

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling, Smith and Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Public Portion

The chairman opened the Meeting to the public. There being no one appearing to be heard, the chairman declared the public portion of the Meeting closed to the public.

Adjournment

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There being no further business to come before the Meeting, on **Motion by Mr. Sodon, Seconded by Mr. Knox**, and passed by the affirmative voice vote of all Members present, no Nays, no Abstain, none Absent, the Meeting adjourned at 7:58 p.m.

Respectfully submitted by:

Barbara Vilanova
Recording Secretary