

**Minutes of the Annual Reorganization Meeting of the  
Monmouth County Bayshore Outfall Authority  
Monday, February 7, 2011, 7:30 p.m.  
MCBOA Conference Room  
200 Harbor Way, Belford, New Jersey**

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**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."

**III. ROLL CALL – ATTENDANCE**

Commissioners Present: Aumack, Foley, Knox, Loud-Hayward, Sachs, Smith & Sodon

Members Absent: Schoeffling

Also present: Gregory Vella, Esq., Collins, Vella and Casello, L.L.C.  
John McKelvey, P.E. 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 Ms. Vilanova, Recording Secretary, for election of officers.

Ms. Vilanova, Acting Chairperson, noted that the first order of business was the election of a chairman and called for nominations.

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

There being no further nominations, Mr. Smith, **Seconded** by Mr. Knox, that the nominations for the election of the chairman be closed. Ms. Vilanova, as Acting Chairman, declared the nominations closed.

Roll Call:

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

NAYS: None

ABSENT: Schoeffling

ABSTAIN: Sachs

Ms. Vilanova relinquished the chair to the reelected Chairman, Michael C. Sachs.

Chairman Sachs thanked the commissioners for their continued support and noted that the next order of business was the election of a Vice-Chairman and called for nominations.

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

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

Roll Call:

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

Mr. Sachs noted that the next order of business was the appointment of the Authority Professional Advisors for the period of 2/7/11 to 2/06/12.

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

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

Roll Call:

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

Mr. Aumack **Moved, Seconded** by Mr. Sodon, that John McKelvey, P.E., of T&M Associates, be continued in his capacity as Authority Engineer.

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

Roll Call:

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

Mr. Knox **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, Mr. Knox **Moved, Seconded** by Mr. Smith, that the nominations for the election of the Authority Accountant be closed. The chairman declared the nominations closed.

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Roll Call:

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

**Resolutions**

**Resolution Offered by Ms. Loud Hayward:**

**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 7, 2011 to February 6, 2012 and may be extended as approved by this governing body; and

**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 \$145.00 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 7<sup>th</sup> Day of February 2011.

**Resolution 020711-03**

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

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

**Resolution Offered by Mr. Aumack:**

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

**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**, John McKelvey, P.E. of 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**, the term of the contract is for One (1) year from February 7, 2011 to February 6, 2012 and may be extended as approved by this governing body; and

**WHEREAS**, John McKelvey, P.E. of 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 John McKelvey, P.E. of T&M Associates 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 7<sup>th</sup> Day of February 2011.

Resolution 020711-04

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

Roll Call:

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

**Resolution offered by Mr. Knox:**

**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

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**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 \$16,765.00; and

**WHEREAS**, the term of the contract is for One (1) year from February 7, 2011 to February 6, 2012 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

**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 7<sup>th</sup> Day of February 2011.

Resolution 020711-05

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

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

**Resolution offered by Mr. Smith:**

**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.

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**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 7, 2011.

Resolution 020711-02

**Resolution seconded by Commissioner Foley, and approved by roll call vote.**

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

**Resolution offered by Commissioner Loud-Hayward:**

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

**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, 2011
April	18, 2011
May	16, 2011
June	20, 2011
July	18, 2011
August	15, 2011
September	19, 2011
October	17, 2011
November	21, 2011
December	12, 2011—Public Budget Hearing, 7:30 PM 12, 2011—Regular Meeting, Immediately after the Public Budget Hearing
January	9, 2012
February	6, 2012—Reorganization Meeting, 7:30 PM 6, 2012—Regular Meeting, Immediately after the Reorganization Meeting

All Meetings will be held on the third Monday of each month **with the exception of the December 2011 Meeting and the January 2012 meeting, which are the second Monday, and the February 2012 Meeting, which is the first Monday.** The meetings will take place at the Authority’s offices, 200 Harbor Way, Belford, New Jersey, at 7:30 PM., except for the June, July and August 2011 Meetings, which will commence at 6:30 p.m.

**BE IT FURTHER RESOLVED**, that the Secretary is hereby authorized to transmit the notice of these meetings to the Authority’s official newspapers, 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.

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**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.

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**Resolution 020711-01**

**Resolution seconded by Commissioner Aumack, and approved by roll call vote.**

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

Ms. Vilanova informed everyone that Mr. Bateman's( the commissioner from Holmdel), term had expired on February 1, 2011. As of this time, the Monmouth County Board of Freeholders have not appointed anyone to the Holmdel spot.

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**

There being no further business to come before the Meeting, on **Motion by Mr. Knox, Seconded by Mr. Sachs**, and passed by the affirmative voice vote of all Members present, no Nays, no Abstain, one Absent, the Meeting adjourned at 7:37 p.m.

Respectfully submitted by:

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Barbara Vilanova  
Recording Secretary