

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, March 16, 2015, 7:30 p.m.
MCBOA Conference Room
200 Harbor Way, Belford, New Jersey**

I. CALL TO ORDER

Gregory W. Vella, Authority Attorney, called the Meeting to Order.

II. COMPLIANCE STATEMENT:

The Attorney 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, Scarano, Schoeffling and Sodon

Commissioners Absent: Smith 7:09. Sachs 7:22

Also Present:

Gregory W. Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C.
Keith Henderson, P.E. Authority Engineer, T&M Associates
Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A.
Edward Tuberton, Foreman
Barbara Vilanova, Recording Secretary
Tony Busanich, Business Development Officer, NJEDA
Michael Hornsby, Chief Project Development Officer, Energy Resilience Bank
State of New Jersey, Board of Public Utilities
Thomas Walker, Deputy Director, Energy Resilience Bank
State of New Jersey, Board of Public Utilities

Mr. Busanich, Mr. Hornsby and Mr. Walker began the meeting with a presentation on the New Jersey Energy Resilience Bank. As a result of the extensive damage and outages caused by Superstorm Sandy the state is prioritizing its efforts to minimize the potential impacts of future major power outages and increase energy resiliency. The Board of Public Utilities (BPU) and the New Jersey Economic Development Authority (EDA) have partnered to commit \$200 million in funding for the ERB to assist critical facilities with securing resilient energy technologies that will make them – and, by extension, the communities they serve- less vulnerable to future severe weather events and other emergencies.

The ERB will fund resilient energy systems for critical facilities; this means generators are not included. Resilient energy technology is a gas turbine CHP plant or fuel cell batteries with islanding inverter. The Authority would be able to use the solar system to power battery backup. The first thing the Authority would need to find out is what our critical load is and if the size battery backup would be able to manage running our two electric pumps.

The system could also be a source of income for the Authority as you can sell electricity through the energy market. However during high demand the energy company can tap into your grid and take energy from you. Some of the commissioners questioned how this would affect our SREC generation but none of the representatives had a clear answer.

The representatives also spoke about the funding for the project. There is a 20% grant, possible 20% loan forgiveness if you meet certain production goals and a 2% or 3% loan for the other 60%. The project could be done by the Authority using this method or there are ways to do it similar to a power purchase agreement however then the Authority will not own or control it or have access to generating income.

MCBOA Regular Meeting of March 16, 2015

Based on the requirements of having been impacted by Sandy or one of the other six nationally declared disasters dating from December 2010 and having physical damage greater than \$5000, the Authority would qualify. The project must be installed and operational within two years of closing the ERB grant and loan. Should the Authority be interested an application should be printed out and reviewed to see the steps. Also, an energy audit would need to be done prior to submitting an application and the Authority would have to be willing to implement any recommendations.

The commissioners asked a few questions and then at 7:43 pm the three representatives left and the regular meeting continued.

IV. Approval of Minutes – Authority Annual Reorganization Meeting and Regular Meeting Held on 2/09/15

On **Motion** by Mr. Aumack, **Seconded** by Ms. Loud-Hayward, the Minutes of the Annual Reorganization meeting and the Regular meeting held on 2/09/15 were approved as presented by all Members present, no nays, none absent, none abstain.

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberon, MCBOA Foreman, presented his monthly report.

❖ Monthly Highlights

- New Jersey Energy Resilience Bank
- SRECS – 72 auctioned in February @ \$201.00 = \$14,472
- NJNG meeting- Many Mind Creek 2/18
- UB pump station repair
 - Discharge valve piston/actuator replaced
 - Battery replacement
- NJPDES Draft Permit received- Reports prepared by Hall & Associates ready To submit to NJDEP
- New Pickup truck delivered.
- 2004 F350 pickup ready for bid- book value \$7K- suggested minimum bid \$5K
- Fuel oil delivered (4500 gallons)
- MCBOA Computers backed up to server 3/6
- 2 Employees attended JIF safety breakfast
- 2 Employees attended NJWEA Technology Transfer Seminar
- Backflow preventers tested 3/12.

Office Manager's Monthly Report

Ms. Vilanova reported on the following items, which were some of the highlights for the month.

❖ Financial Report

- All balances and monthly interest rate were presented.
- TOMSA billed for 2nd Quarter with 2014 adjustment.
- County billed for ferry pump station for this year.

❖ Administrative Highlights

- Sunshine Notices mailed.

- Meeting Schedule and Professional Appointments published in paper.
- SREC Summary for 2014

Engineer

- **Retention Pond Repairs – Super Storm Sandy**

Mr. Henderson reported that last of the lien releases have been provided by JRI. T&M has reviewed all the paperwork and prepared all the closeout documentation and final payment certification.

Attorney

Mr. Vella reported that JRI sent the final documentation that the Authority was waiting on to close out the project. Ms. Vilanova will request the check from the Trustee and then forward it to the Surety Company instead of JRI.

New Business

None

Resolutions

Resolution offered by Mr. Knox:

**RESOLUTION
OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
CLOSING CONTRACT WITH JAMES R. IENTILE, INC.
AND APPROVING PAYMENT CERTIFICATE # 7 FINAL**

WHEREAS, Monmouth County Bayshore Outfall Authority (“MCBOA”) published a Notice To Bidders to repair the Retention Basins in Union Beach and Belford and an alternate bid for Sludge Removal for the Belford Retention Basin to be opened and read in public at MCBOA, 200 Harbor Way, Belford, New Jersey on July 9, 2013 at 10:00 a.m.; and

WHEREAS, on July 9, 2013 at 10:00 a.m., bids to repair the Retention Basins in Union Beach were open and read at MCBOA; and

WHEREAS, at the July 15, 2013 meeting of MCBOA, the Commissioners determined that James R. Ientile, Inc.(JRI) was the lowest responsible bidder with a base bid of One Million Five Hundred Sixty One Thousand One Hundred Fifty Dollars (\$1,561,150.00) an alternate bid of Two Hundred Forty Three Thousand Dollars (\$243,000.00), thus a Total Bid of One Million Eight Hundred Four Thousand One Hundred Fifty Dollars (\$1,804,150.00); and

WHEREAS, MCBOA entered into a contract with JRI to repair the basins and remove the sludge from the Belford Basin; and

WHEREAS, JRI has completed the work under the contract and has submitted a Maintenance Bond and lien releases from all subcontractors; and

WHEREAS, T & M Associates have approved all close out documents and MCBOA is able to close this project and authorize final payment to JRI; and

WHEREAS, prior to completion of the project MCBOA received a claim by United States Surety Company asserting a claim on all balances due to JRI under their General Indemnity Agreement; and

WHEREAS, by letter dated February 3, 2015, JRI advised that they have consented to the release of all funds due them to be sent to United States Surety Company; and

WHEREAS, JRI and United States Surety Company have agreed to have all checks made payable to JRI but mailed to C/O Jill Fisher, United States Surety Company, 20 W. Aylesbury Road Timonium, Maryland 21093; and

WHEREAS, Payment Certificate #7 Final has been approved by T & M Associates in the amount of \$ 35,090.45; and

WHEREAS, MCBOA previously escrowed \$ 9,437.43 from Payment Certificate # 6 for loss revenue owed to MCBOA as a result of damages caused by JRI. JRI's insurance company subsequently paid MCBOA the \$ 9,437.43 for the loss revenue. MCBOA can now release this escrow back to JRI.

NOW THEREFORE, BE IT RESOLVED, that MCBOA hereby closes the Repair to the Union Beach and Belford's Retention Ponds and the removal of the sludge from Belford's Retention Pond Contract that has been completed by JRI.

BE IT FURTHER RESOLVED, the performance bond submitted by JRI is released and the Maintenance Bond submitted by JRI is accepted on this day, March 16, 2015.

BE IT FURTHER RESOLVED, MCBOA hereby by approved Payment Certificate # 7 in the amount of \$ 35,090.45 and authorized payment to JRI in said amount and that the check be made payable to JRI and mailed to C/O Jill Fisher, United States Surety Company, 20 W. Aylesbury Road Timonium, Maryland 21093.

BE IT FURTHER RESOLVED, MCBOA hereby approves the release of the \$ 9,437.43 which was escrowed from Payment Certificate # 6 and authorized the \$ 9,437.43 be made payment to JRI and mailed to C/O Jill Fisher, United States Surety Company, 20 W. Aylesbury Road Timonium, Maryland 21093.

Seconded by Mr. Sodon, and on a roll call the following vote was recorded:

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

Approval of Vouchers

Resolution offered by Mr. Scarano:

BE IT RESOLVED by the Monmouth County Bayshore Outfall Authority that the following bills or items or demands are hereby approved as amended and authorized for payment out of the appropriate funds or accounts established therefore subject to the availability of funds:

**Monmouth County Bayshore Outfall Authority
List of Operating Vouchers – March 16, 2015**

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Avaya, Inc	\$59.62	Monthly ACS maintenance agreement-March
2		Cablevision	\$129.85	Phone & internet Union Beach 2/1-2/28/15
3		Comcast	\$224.57	Triple Play Package- Belford 2/26-3/25/15
4		JCP&L	\$38.58	Belford Street Lighting 1/20-2/18/15
5		JCP&L	\$13,846.02	Union Beach 1/27-2/26/15
7		NJAWC	\$46.71	Union Beach 1/23-2/23/15
8		NJAWC	\$108.54	Belford 1/24-2/23/15
9		ADP	\$51.77	Payroll services 2/26/15
10		ADP	\$217.72	Payroll services 4th quarter reports & year end
11		AT&T Mobility	\$98.10	Foreman's cell phone 2/5-3/4/15
12		Beyer Ford	\$34,054.00	2015 Ford P/U Truck with plow and sander
13		Collins Vella & Casello	\$885.00	February legal fees
14		Gannett Newspapers	\$186.25	Publication of Meeting schedule & contracts
15		Gannett Newspapers	\$67.25	Publication of SREC auction
16		Home Depot	\$319.00	Tool box for new pickup truck
17		Jaspan Brothers South	\$91.17	Ice melt,battery tester,wiper fluid, nut bolts,fuse
18		Kepwel	\$30.00	6-5 gallon water jugs for office
19		Norwood Auto Parts	\$227.52	Fuses, brake cleaner, pliers, starter & fluid
20		Pedroni Fuel Co.	\$8,745.41	3,380 gallons of diesel fuel - Belford
21		Pedroni Fuel Co.	\$2,604.99	1006.8 gallons of diesel fuel- Union Beach
22		Pedroni Fuel Co.	\$310.75	120.1 gallons of diesel fuel- Belford generator
23		QC Laboratories	\$5,822.00	Outside Lab 1/20-2/19/15
24		Rite Way Automated Gate	\$214.50	Repairs to electric gate
25		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up – March
26		Staples	\$200.25	Ink, packing tape, labels, report printing
27		T&M Engineering	\$205.40	February General Services
28		The Sign Maker	\$240.00	Magnetic signs for vehicles
29		TOMSA	\$790.56	432 Gallons of unleaded gas 12/1/14-2/26/15
30		Xerox	\$111.65	Monthly copier rental 1/21-2/26/15
		TOTAL	<u>\$69,997.18</u>	

Fringe benefits and payroll processed after the February Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 2/9/15

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
03/13/15	ADP	Employee's Payroll & Payroll Taxes	\$18,890.33	Payroll of 03/13/15
02/27/15	ADP	Employee's Payroll & Payroll Taxes	\$15,273.57	Payroll of 02/27/15
02/13/15	ADP	Employee's Payroll & Payroll Taxes	\$19,735.65	Payroll of 02/13/15
02/23/15	5077	Chase	\$ 713.65	Procurement card Purchases
02/27/15	4679	Sun Life Financial	\$ 748.13	Mar. long-term disability benefits ins.
02/17/15	TEPS	NJSHBP	\$16,211.02	Feb. Health Benefits

Seconded by Ms. Loud-Hayward, and on a roll call the following vote was recorded:

AYES: Aumack, Foley, Knox, Loud-Hayward, Sachs, Scarano, Schoeffling, Smith & 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

There being no further business to come before the Meeting, on **Motion by Mr. Knox, Seconded by Mr. Scarano**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the Meeting adjourned at 8:07 p.m.

Respectfully submitted by:

Barbara Vilanova,
Recording Secretary

The following actions were taken at the meeting:
The Bills were paid –see attached voucher list.
The final payment certificate for JRI was approved.