

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, March 21, 2011, 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."

III. ROLL CALL – ATTENDANCE

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

Commissioners Absent: None

Also Present: Gregory W. Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C.
John McKelvey, P.E. Authority Engineer, T&M Associates
Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A.
Edward Tuberton, Foreman
Barbara Vilanova, Recording Secretary

IV. Approval of Minutes – Authority Annual Reorganization Meeting and Regular Meeting Held on 2/7/11

On **Motion** by Mr. Aumack, **Seconded** by Ms. Foley, the Minutes of the Annual Reorganization and Regular meeting held on 2/7/11 were approved as presented by all Members present, no nays, none absent, one abstain (Schoeffling).

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberton, MCBOA Foreman, presented his monthly report.

❖ **Monthly Highlights**

- Solar GATS account & SREC's
- Many Mind Creek- inspection cancelled by NJNG
- Jersey Avenue bridge replacement
- Pond Lighting
- Backflow testing completed 3/7/11
- JIF Award – 6 year lost time accident free
- NJDEP Stewardship Award

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 2010 adjustment.

MCBOA Regular Meeting of March 21, 2011

- Temporary Note paid off
- Check received from County for ferry pump station for last year.
- County billed for ferry pump station for this year.

❖ **Administrative Highlights**

- Physical connection permit renewal application completed.
- 2010 Lab certification Renewal Application completed.
- 2011 NJDEPS Permit Invoice received.
- Certified final budget received from State
- Annual Financial Disclosure Forms
- Phone Service
- MELJIF helpline online training completed.
- 2011 AEA Wave Energy Savers Award for Solar Project.

Engineer

▪ **New Jersey Natural Gas Cleanup of Many Mind Creek**

Mr. McKelvey reported that there was nothing additional to add to what Mr. Tuberton and Mr. Vella reported.

▪ **Borough of Keansburg Water Treatment Plant Desalination**

Mr. McKelvey reported that T&M forwarded the executed TWA forms to Birdsall Services Group for their subsequent transmission of the application package to the NJDEP. It will probably be at least 60 days before the Authority hears anything.

▪ **Jersey Avenue Bridge Construction**

Mr. McKelvey reported that the sheets and piles have been driven at this time and Authority staff was on site during the work to observe the construction. The construction proceeded smoothly and no issues with respect to impacts on the Authority's pipeline were reported.

▪ **Solar Energy Project**

Mr. McKelvey reported that during February, T&M reviewed the Contractor's Operation and Maintenance Manual and forwarded comments to Vanguard to be addressed. Prior to the release of retainage to Vanguard, the Contractor is required to conduct a final test of the system to confirm performance over the first 90-120 days matches the design requirements of the project.

Mr. McKelvey also provided documentation as to the size of the system and how it came to be. The Authority's rebate was based on a 540 kW system and the actual installed system is 533 kW. The rebate application was done at the very early stages when the Authority was considering a Power Purchase Agreement and the size was just an estimate. Once the contract was awarded and the system was laid out it wound up being 533 kW which resulted in the rebate being for \$12K less.

Attorney

Mr. Vella reported that he reviewed the contract for FlettExchange for auctioning the SREC's and he also spoke to the DCA about it. Flett is an approved vendor which means the Authority does not have to seek competitive bids. Mr. Vella also reviewed the SREC Trade contract and also spoke to other entities that use Flett and he is in agreement with the staff that Flett is a good fit for the Authority.

Mr. Vella also reported that the diver inspection for the Many Mind Creek project was cancelled by NJNG. The contractor submitted a change order of approximately \$100 K to prep the area and not work in it for the time needed and NJNG stopped the inspection. Last week Mr. Vella attended a meeting in Trenton at the DEP offices. Also in attendance was Authority Foreman, Ed Tuberton, Authority Engineer, John McKelvey, NJDEP Water, NJDEP Site Remediation, NJNG, The Contractor doing the work and the property owner. Mr. Vella originally proposed that our pipe area be excluded from the remediation but that was not acceptable. Mr. Vella told the Site Remediation that the Authority is a public entity and will certainly not stand in the way of the project but the Authority also has to protect the pipe and itself from potential damages. The DEP was not happy with NJNG and the contractors proposed support system for the pipe during cleanup. The DEP wants NJNG to improve their plans and come back with several different ideas. NJNG was enlightened as to why there can not be a discharge in the bay during clamming, fishing and bathing months. The window of opportunity for the discharge has now passed and the area of our pipe will probably not be cleaned up until next winter. The Authority will wait to hear from the DEP and NJNG.

New Business

Ms. Vilanova informed the Commissioners that the Board of Freeholders has not appointed anyone for the Holmdel position yet. Also, discussion was held amongst the commissioners about attending the League of Municipalities/ AEA Fall conference in November. Ms. Vilanova will look into the matter and report back to the board with the information.

Resolutions

Resolution offered by Mr. Knox:

A RESOLUTION
OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR
PUBLIC USE ON AN ONLINE AUCTION WEBSITE AND ENTERING INTO A BROKERAGE
CONTRACT WITH FLETT EXCHANGE, LLC TO ADMINISTER THE ONLINE AUCTION

WHEREAS, MCBOA has constructed a Solar Photovoltaic System. This solar system produces Solar Renewable Energy Credits, hereinafter (SRECs); and

WHEREAS, these SRECs, can be sold on the open market; and

WHEREAS, SRECs are considered surplus personal property that are no longer need for public use;

and

WHEREAS, the SRECs produced by the solar system has been determined that they are are not needed for public use and can be sold by MCBOA; and

MCBOA Regular Meeting of March 21, 2011

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, MCBOA intends to utilize the online auction services of Flett Exchange, L.L.C. whose website is entitled Flettexchange.com; and

WHEREAS, Flett Exchange, L.L.C. is an approved provider of Solar-REC online auctions by the Department of Community Affairs; and

WHEREAS, since Flett Exchange, L.L.C. is an approved provider of Solar-REC online auctions, MCBOA is permitted to enter into a contract with Flett Exchange, L.L.C.; and

WHEREAS, MCBOA has reviewed the two (2) other approved online auction providers and determined it is in the best interest of MCBOA to enter into a contract with Flett Exchange, L.L.C.; and

WHEREAS, all sales of the SRECs by online auction will be conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9; and

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of MCBOA that MCBOA is hereby authorized to sell all SRECs, produced by MCBOA's Solar System by online auction through Flett Exchange, L.L.C. website entitled Flettexchange.com; and

BE IT FURTHER RESOLVED, Michael Sachs, Chairman of MCBOA is hereby authorized to enter into a contract with Flett Exchange, L.L.C., which will conduct the online auction of MCBOA's SRECs and the contract will provide that Fleet Exchange will charge "No Fee" to MCBOA for their services; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be filed with the secretary of MCBOA and available for inspection, pursuant to New Jersey Law.

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

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

Approval of Vouchers

Resolution offered by Mr. Schoeffling:

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 2011**

No.	Check #	Provider	Amount	Description
1		Avaya, Inc.	\$39.07	ACS Partner Agreement
2		Hess Corporation	\$3,146.70	Belford&SandyHook 2/4-3/4/11
3		JCP&L	\$9,838.80	Union Beach 1/19-2/16/11
4		JCP&L	\$49.66	Belford Street Lighting 1/18-2/15/11
5		JCP&L	\$91.82	Sandy Hook, 2/04-03/04/11
6		JCP&L	\$360.78	Belford 1/6-02/03/11
7		JCP&L	\$275.04	Sandy Hook, 1/6-2/3/11
8		NJAWC	\$43.32	Union Beach 1/26-2/23/11
9		NJAWC	\$90.05	Belford 12/23-1/24/11
10		NJAWC	\$98.31	Belford 1/24-2/22/11
11		Verizon	\$14.00	Long Distance 2/11 Belford
12		Verizon Online	\$49.99	Broadband Service 2/16-3/15/11
13		Verizon	\$139.77	Telephone Service all in one 2/14-3/13/11
14		Verizon	\$108.67	Telephone Service U.B. 2/17-3/16/11
15	3189	AT&T Mobility	\$97.02	Foreman's cell phone 1/5-2/4/11
16		AT&T Mobility	\$97.02	Foreman's cell phone 2/5-3/4/11
17		AEA	\$90.00	Wave Award Luncheon
18		Collins, Vella & Casello	\$459.00	Solar Project February 2/2011
19		Collins, Vella & Casello	\$1,624.50	Legal Services for February 2011
20		Ceridian	\$137.87	January payroll processing
21		Garden State Laboratories	\$5,665.00	January outside lab costs
22		Garden State Laboratories	\$4,290.00	February outside lab costs
23		Gannett NJ Newspapers	\$172.00	Publication of legal notice & meeting sch.
24		Jaspan Hardware	\$25.53	Flashlight & Utility Lantern
25		Kepwel Spring Water	\$27.00	6 gallons of water for the office
26		Neopost	\$96.00	Rate Change Annual Agreement
27		N.J. Water Environment As	\$315.00	Training classes, tuberion sr & jr, roche
28		One Call Concepts	\$164.78	January messages
29		One Call Concepts	\$149.80	February messages
30		Sakoutis Brothers Disposal	\$70.00	April garbage pick up
31		Sakoutis Brothers Disposal	\$70.00	March garbage pick up
32		Schaibles	\$1,000.00	4 th quarter backflow testing
33	3226	Staples	\$124.94	Date stamp, calendar book, binders
34		Staples	\$99.63	Copy paper, report covers, pens, etc.
35		Staples	\$194.03	Ink, legal pads, note pads, toner
36		Treasurer State of New Jersey	\$413.00	Lab certification Renewal
37		Treasurer State of New Jersey	\$200.00	Physical connection Permit renewal
38		T&M Engineering	\$1,017.11	Solar project -Feb '11
39		T&M Engineering	\$2,398.18	Keansburg Desalination Project -Feb. '11

MCBOA Regular Meeting of March 21, 2011

40		T&M Engineering	\$1,049.79	General Services- Feb' 11
41		TOMSA	\$1,160.14	442.8 gals of unleaded gas 12/1-2/28/11
42		Water Environment Fed.	\$79.00	Membership Renewal J. Roche
43		Water Environment Fed.	\$79.00	Membership Renewal J. Gielbeda
44		Xerox	\$105.00	Copier rental 1/21-2/24/11
45		Xerox	\$105.00	Copier rental 1/3-1/21/11
46		Zeeks	\$448.10	Uniforms-tshirts, polos & sweats.
		TOTAL	<u>\$36,369.42</u>	

Fringe benefits and payroll processed after the February Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 02/07/11

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
02/18	Ceridian	Employee's Payroll & Payroll Taxes	\$15,610.12	Payroll of 02/18/11
03/04	Ceridian	Employee's Payroll & Payroll Taxes	\$15,863.58	Payroll of 03/04/11
03/18	Ceridian	Employee's Payroll & Payroll Taxes	\$20,353.20	Payroll of 03/18/11
02/11	3225	GE Group Life Assurance Company	\$ 862.04	Feb. long-term disability
02/11	3224	SBP Educational Fund	\$1,058.76	Feb. Dental insurance
02/15	TEPS	Public Employees Retirement Sys.	\$ 10,910.92	Feb. health insurance
02/25	3228	GE Group Life Assurance Company	\$ 847.64	March long-term disability
02/28	3230	SBP Educational Fund	\$1,058.76	March Dental insurance
03/15	TEPS	Public Employees Retirement Sys.	\$10,910.92	March health insurance

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

AYES: Aumack, Foley, Knox, Loud-Hayward, Sachs, 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. Schoeffling**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the Meeting adjourned at 8:14 p.m.

Respectfully submitted by:

Barbara Vilanova,
 Recording Secretary

MCBOA Regular Meeting of March 21, 2011

The following actions were taken at the meeting:

The Bills were paid –see attached voucher list.

The Resolution to authorize the sale of the SREC's utilizing FLETT Exchange and an online auction was approved.