

**Minutes of the Regular Meeting of the  
Monmouth County Bayshore Outfall Authority  
Monday, April 17, 2017, 7:00 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: Foley, Knox, Sachs, Schoeffling, Smith and Sodon

Commissioners Absent: Aumack, Loud-Hayward & Scarano

Also Present: Gregory W. Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C.  
Dennis Dayback, 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 Regular Meeting Held on 3/20/17**

On **Motion** by Mr. Sodon, **Seconded** by Mr. Schoeffling, the Minutes of the Regular meeting held on 3/20/17 were approved as presented by all Members present, no nays, three absent, one abstain(Foley).

**REPORT OF ADVISORS**

**Foreman's Monthly Report**

Edward Tuberton, MCBOA Foreman, presented his monthly report.

❖ **Monthly Highlights**

- SREC current pricing \$225.50  
51 SREC's sold March 22 @225.50 = \$11,475.00  
43 SREC's earned in February to be auctioned April 26  
61 SREC's earned in March
- BRSA meeting for energy resilience project
- Extremely high flows since April 1
- 2008 Ford Escape major repairs needed
- Quarterly bioassay (WET) testing complete
- Employee/Safety meeting 3/31.
- Semi-Annual WCR sampling completed
- PT (Proficiency Study) completed at LBSA 3/31

**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.
- BRSA & Keansburg billed for 2<sup>nd</sup> Quarter.
- TOMSA 2<sup>nd</sup> quarter payment received.
- Keansburg 4<sup>th</sup> quarter 2016 payment received- original check lost in mail
- Annual Ferry Pump Station payment received

❖ **Administrative Highlights**

- 1st Quarter unencumbered monies sent to Trustee.
- 1st Quarter Report of Contributions completed.
- Quarterly flow of funds completed by Trustee.
- Annual Pension Payment made.
- Annual Financial Disclosure Forms due by April 30<sup>th</sup>, extended until May 30<sup>th</sup>.
- H2O Loan online account set up as per meeting with NJEIT.

**Engineer**

▪ **NJNG Many Mind Creek Remediation**

Mr. Dayback reported that there has been no change over the past month, no activity since the last report.

▪ **Whirl Construction**

Mr. Dayback reported there has been no activity this month.

▪ **ACOE Port Monmouth Flood Protection Project**

The Army Corps of Engineers submitted plan and detail sheet for the flood wall sections to be constructed over the MCBOA force main. T&M reviewed the plan sheet submitted and found the information to be incomplete. Mr. Dayback provided their comments to the Authority.

▪ **Force Main Condition Assessment**

Mr. Dayback reported that T&M made an inquiry on behalf of the Authority to the New Jersey Infrastructure Trust Fund (NJITF) concerning two possible funding sources for financing of the force main assessment and repair project.

▪ **New Jersey Infrastructure Trust Fund**

A pre-application meeting was held with representatives on the NJITF on Wednesday March 29, 2017 in the offices of the NJITF to review possible funding for the condition assessment and repair program for the 13 miles of force main. Mr. Dayback felt the meeting went well and the NJITF appear to be receptive to the project. NJITF representatives suggested the authority start the application process. The first step is for the Authority to register on the NJEIT web site and create a project. This will allow T&M to determine the supporting documentation required for a funding application. Mr. Dyback will provide a cost proposal for the application preparation.

▪ **Monmouth County Parks Trail Renovations**

Remains as previously reported.

- **Proposed Development Plan, 44 Bayside Drive**

There is nothing new to report.

- **FEMA documentation**

The Authority recently received a copy of a violation notice from the Pennsylvania Department of Environmental Protection issued to the trucking company and the land owner where the spoils from the project were delivered.

- **BRSA Emergency Power**

A meeting was held on March 23, 2017 with representatives of the NJOEM, FEMA and the Bayshore Regional Sewerage Authority to review and discuss BRSA application to the FEMA Hazard Mitigation Assistance for emergency backup generators at the BRSA plant. Since the original proposal from BRSA was to provide emergency generators for the BRSA facility, BRSA inquired, on behalf of the Authority, if FEMA would consider including an emergency generator for the MCBOA pump station in Union Beach as part of the Hazard Mitigation Application. NJOEM and FEMA representatives were receptive to the concept. There was also a brief discussion with the FEMA representatives about MCBOA applying for Hazard Mitigation Funding for Emergency generators at the Belford Plant. NJOEM and FEMA suggested a separate meeting to discuss.

- **Outfall Diffuser Project**

Mr. Dayback is reviewing the previous plans and specifications for the 2014 Diffuser repair project. He would like to sit with Mr. Tuberton to review the scope of work. Following the meeting he will prepare and submit a cost proposal.

### **Attorney**

Mr. Vella prepared an RFP for Bond Counsel to be advertised on the Authority website April 20<sup>th</sup> – May 2<sup>nd</sup> in preparation for the NJITF project funding request. Mr. Vella also discussed the PADEP Violation notices but said at this time the violations are for the trucking company and the site where the sludge from the retention ponds was disposed.

### **Accountant**

Mr. Panis reported that he just received the Pension numbers that he had been waiting on and now will finish the audit..

### **New Business**

NONE

### **Approval of Vouchers**

### **Resolution offered by Mr. Knox:**

**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 – April 17, 2017**

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Cablevision	\$148.74	Phone & internet Union Beach 4/1-4/30/17
2	<b>5941</b>	Comcast	\$268.90	Triple Play Package- Belford 3/26-4/25/17
3		JCP&L	\$28.87	Belford Street Lighting 2/21-3/21/176
4		JCP&L	\$154.86	Sandy Hook 3/7-4/4/17
5		JCP&L	\$7,332.70	Union Beach 3/01-3/29/16
6		JCP&L	\$859.37	Belford 3/3-3/31/17
7		NJAWC	\$45.43	Union Beach 2/24-3/23/16
8		NJAWC	\$124.03	Belford 2/23-3/21/17
9		ADP	\$71.19	Payroll services 4/06/17
10		ADP	\$55.93	Payroll services 3/23/17
11	<b>5906</b>	AT&T Mobility	\$108.33	Foreman's cellular phone 4/5-5/4/17
12		Collins Vella & Casello	\$2,625.00	March legal fees
13		Fisher Scientific	\$499.48	Laboratory supplies- solutions
14		Fisher Scientific	\$227.70	Laboratory supplies-chlorine powder pillows
15		Fisher Scientific	\$404.22	Laboratory supplies-solutions
16		Gannett Newspapers	\$64.70	SREC Auction 3/22/17 publication
17		Hach	\$152.00	Meter service contract
18	<b>5940</b>	Jaspan Brothers South	\$187.12	Rock salt, sand, floodlight
19		NJUAJIF	\$23,437.94	2 <sup>nd</sup> installment of Insurance
20		NJWEA	\$152.00	Tech workshops- Tuberton & Roche
21		Norwood Auto Parts	\$131.46	Brakes, wheel bearing- Durango
22		One Call Concepts	\$175.00	March one call notices
23		Panis & Attner	\$138.00	Confirmation.com process
24		Schaibles	\$1,000.00	Quarterly backflow inspection
25		T&M Engineering	\$5,008.50	March General Services
26		TOMSA	\$75.00	2 <sup>nd</sup> Quarter sewer
27		Water Environment Federation	\$107.00	Annual membership – J. Roche
28		Xerox	\$111.65	Monthly copier rental 2/22-3/21/17
		<b>TOTAL</b>	<b>\$43,695.12</b>	

**Fringe benefits and payroll processed after the March Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 3/20/17**

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
03/24/17	ADP	Employee's Payroll & Payroll Taxes	\$15,827.43	Payroll of 03/23/17
04/07/17	ADP	Employee's Payroll & Payroll Taxes	\$20,013.66	Payroll of 04/07/17
03/31/17	TEPS	PERS	\$50,061.00	Annual Employer Appropriation
04/04/17	5907	Sun Life Financial	\$ 767.96	Apr. long-term disability benefits ins.
04/14/17	TEPS	NJSHBP	\$17,400.00	Apr. Health & Dental Benefits
04/07/17	TEPS	PERS	\$ 3,346.09	March PERS

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

AYES: Foley, Knox, Sachs, Schoeffling, Smith & Sodon

NAYS: None

ABSENT: Aumack, Loud-Hayward & Scarano

ABSTAIN: None

**RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS  
UNDER THE FAIR OPEN PROCESS PURSUANT  
TO N.J.S.A. 19:44A-20.4 et seq.**

**WHEREAS**, the State of New Jersey recently passed “Pay-To-Play” laws wherein all counties, municipalities and local authorities, who award contract in excess of \$17,500.00 for goods and services, may either retain professionals under the Fair and Open Process or the Non-Fair Open Process; and

**WHEREAS**, Monmouth County Bayshore Outfall Authority awarded contracts by the Fair and Open Process for legal services, engineering services and auditing services for 2006 through 2017; and

**WHEREAS**, Monmouth County Bayshore Outfall Authority needs to retain a Bond Counsel to represent MCBOA during any potential financing transactions during 2017; and

**WHEREAS**, the Commissioners of the Monmouth County Bayshore Outfall Authority believe that it is the best interest of the Authority and their clients to continue to retain Bond Counsel pursuant to the Fair and Open Process; and

**WHEREAS**, the Commissioners of the Monmouth County Bayshore Outfall Authority desire to request proposals for Bond Counsel pursuant to the Fair and Open Process for the position of Bond Counsel; and

**NOW, THEREFORE, BE IT RESOLVED** that Monmouth County Bayshore Outfall Authority hereby authorizes the attorney for the Monmouth County Bayshore Outfall Authority to prepare bid specifications for the position of Bond Counsel for Monmouth County Bayshore Outfall Authority; and

**BE IT FURTHER RESOLVED** that the Authority’s Secretary is hereby authorized to publish Notice of the Bid Proposals on Monmouth County Bayshore Outfall Authority’s website by April 20, 2017 and receive proposals by May 2, 2017 and submit copies of each proposal to all Commissioners for their consideration prior to the meeting, so the Commissioners can award the contract for Bond Counsel at the May 15, 2017 meeting.

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

AYES:           Foley, Knox, Sachs, Schoeffling, Smith & Sodon  
NAYS:           None  
ABSENT:       Aumack, Loud-Hayward & Scarano  
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. Sodon**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, one absent, the Meeting adjourned at 7:43 p.m.

Respectfully submitted by:

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Barbara Vilanova,  
Recording Secretary

