

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, May 16, 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: Foley (7:31)

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 Tuberion, Foreman
Barbara Vilanova, Recording Secretary

Approval of Minutes – Authority Annual Reorganization Meeting and Regular Meeting Held on 4/18/11

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Knox, the Minutes of Regular meeting held on 4/18/11 were approved as presented by all Members present, no nays, none absent, three abstain (Aumack, Foley, Sodon)

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberion, MCBOA Foreman, presented his monthly report.

❖ **Monthly Highlights**

- SREC Auction
- Generators serviced at both locations
- Ocean Outfall Inspection Bids received
- RFP for Slump Block Inspection sent out
- Air Conditioner serviced
- Website Updated
- NJDEP Audit report received
- Boiler Inspected
- Quarterly Backflow Preventers tested

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 & TOMSA Second quarter payments received

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- NJNG reimbursement for \$5,394.05 for September 2010 Many Mind Creek Expenses received.
- Payment from County, \$1,200 for ferry pump station inspections from 3/11-2/12.

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❖ **Administrative Highlights**

- Financial Disclosure Forms sent to County Clerk.
- Corrective Action Plan.
- ADP Payroll Services Proposal
- Continued work with Verizon to improve services/price.
- Holmdel Commissioner slot still vacant, county has changed procedures.

Engineer

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

Mr. McKelvey reported that ERM and NJNG are reinvestigating remediation options in the vicinity of the pipeline.

▪ **Solar Energy Project**

The O & M manual is now complete and all comments have been addressed. Final testing will take place shortly and upon receipt of the testing results as long as everything is working performance wise, the retainer will be able to be released.

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

The Borough of Keansburg is still awaiting NJDEP approval of the connection to MCBOA's pipeline.

▪ **Force Main Repair**

Mr. McKelvey reported that T & M investigated methods to confirm whether a thrust block exists, permitting requirements and potential repair options for the 90° elbow near Coe Place. Mr. McKelvey has developed an action plan that consists of utilizing geoprobe equipment to confirm whether or not a thrust block exists. Soil borings would also be taken for use in design of repair. T&M recommends using a geotech firm to coordinate soil investigation, evaluate findings, and provide soil bearing capacity, foundation conditions, groundwater conditions, etc. to assist in design of repair. If there is no thrust block then it is anticipated the repair will consist of driving piles closer to the elbows and providing steel shoring to prevent movement so the area can be fully excavated and thrust block be installed. If a thrust block already exists, then the repair will consist of driving piles and providing steel shoring adjacent to the existing thrust block to keep it from moving and pouring additional concrete thrust blocking as needed.

The proposed repair is located in Freshwater Wetlands area and therefore will require a Freshwater Wetlands General Permit No. 1. T&M will prepare an initial request for an emergency permit to allow the work to proceed immediately. As a follow-up to the initial submittal, T&M will still be required to prepare a complete application package and formally submit to the DEP for this permit.

After a brief discussion period the board authorized the use of the Geotech firm to complete both the probing and the soil borings at once and depending upon the results the course of action will be determined.

Attorney

Mr. Vella discussed a resolution that is before the board tonight. The Monmouth County Planning Board is amending the Water Quality Management Plan. Mr. Vella has reviewed the plan and its boundary changes and has concluded that it really has no impact on MCBOA at all. However, if we do not consent to the changes the Authority would have to provide reasons why.

Accountant

Mr. Panis asked the commissioners if anyone had any additional questions regarding the 2010 audit. Mr. Panis made a few brief comments and thanked Ms. Vilanova for all her assistance.

New Business

Chairman Sachs discussed the November AEA Convention with the board. The Convention is held Nov. 15th & 16th in Atlantic City with rooms available at the Taj Mahal. By next month's meeting the Chairman would like to know who will be able to attend.

Also, in light of the fact that several commissioners will be unable to attend the June 20th meeting because of graduations a decision was made to change the date of the meeting to June 13th, 2011. Ms. Vilanova will handle the notifications needed to make the change.

Resolutions

Resolution offered by Ms. Loud-Hayward:

RESOLUTION OF THE MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED MONMOUTH COUNTY WATER QUALITY MANAGEMENT PLAN

WHEREAS, Monmouth County Planning Board desires to provide for the orderly development of wastewater facilities within Monmouth County; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment was noticed in the New Jersey Register on May 2, 2011 for Monmouth County Water Quality Management Plan which has been prepared by NJDEP;

NOW THEREFORE, BE IT RESOLVED on this 16th day of May, 2011, by the Commissioner of the Monmouth County Bayshore Outfall Authority that;

1. The Monmouth County Planning Board hereby consents to the amendment entitled Monmouth County Water Quality Management Plan, and publicly noticed on May 2, 2011, prepared by NJDEP, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted that the foregoing is a true copy of a Resolution passed by Monmouth County Bayshore Outfall Authority at a meeting duly held on May 16, 2011.

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Seconded by Mr. Aumack, 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

Resolution offered by Mr. Schoeffling:

**Resolution
Of the Monmouth County Bayshore Outfall Authority
Certifying Review of the Annual Audit Report for the Fiscal Year Ended 2010**

WHEREAS, N.J.S.A., 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2010 has been completed and filed with the Monmouth County Bayshore Outfall Authority (MCBOA), pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by Resolution to the local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed it, and have specifically reviewed the sections of the annual audit report entitled “General Comments” and “Recommendations”, in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Monmouth County Bayshore Outfall Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2010, and specifically has reviewed the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this Resolution.

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

Resolution offered by Mr. Sachs:

**Resolution of the
Monmouth County Bayshore Outfall Authority
Accepting the Audit Comments and Recommendations of the 2010 Annual Audit and
Adopting a Corrective Action Plan**

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WHEREAS, on April 18, 2011, Panis & Attner, P.A., Certified Public Accountants and Official Auditors of the Monmouth County Bayshore Outfall Authority, presented the 2010 Audit for the period ending December 31, 2010 and 2009 (“the Audit”); and

WHEREAS, in reviewing the Audit, Comments and Recommendations were made by the Auditor for the year ending December 31, 2010; and

WHEREAS, in accordance with the New Jersey Administrative Code, Subchapter 7, Accounting and Auditing Section 5:31-7.6 (i); “a corrective action plan in the form of a Resolution must be adopted by the members of the governing body with respect to those comments”.

NOW, THEREFORE, BE IT RESOLVED, the Commissioners of the Monmouth County Bayshore Outfall Authority hereby adopt this resolution and the procedures outlined herein as a corrective plan of action addressing the comments and recommendations made by its Auditor,

BE IF FURTHER RESOLVED, said plan of action is as follows:

The Authority will initiate action as follows:

- Vouchers which contain split distribution will be detailed with the account name, number and amount charged to each account.

The Authority will obtain a program in order to complete a Capital Asset Subsidiary Ledger that agrees with the general ledger.

BE IF FURTHER RESOLVED, the Authority will submit, the procedures outlined above to the Division of Local Government Services within 45 days of receipt of this Audit and its review and adoption.

Seconded by Mr. Knox, 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. 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- May 2011**

No.	Check #	Provider	Amount	Description
1		Avaya, Inc.	\$39.07	ACS Partner Agreement
2		Hess Corporation	\$10,794.73	Street lights & UB 3/18-4/18
3		Hess Corporation	\$6,245.25	Sandy Hook & Belford 4/2-5/4/11
4		JCP&L	\$30.19	Belford Street Lighting 3/17-4/15/11
5		JCP&L	\$81.06	Sandy Hook 4/2-5/4/11
6		JCP&L	\$872.57	Belford 3/5-04/05/11
7		JCP&L	\$872.57	Belford 4/6-05/05/11

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8		NJAWC	\$43.32	Union Beach 3/24-4/25/11
9		NJAWC	\$98.32	Belford 3/22-4/20/11
11	3374	Verizon	\$13.97	Long Distance 4/11 Belford
12	3345	Verizon Online	\$49.99	Broadband Service 4/16-5/15/11
13	3375	Verizon	\$142.15	Telephone Service all in one 4/14-5/13/11
14	3376	Verizon	\$95.05	Telephone Service U.B.4/17-5/16/11
15		AT&T Mobility	\$96.93	Foreman's cellular phone 3/5-4/4/11
16		ABB	\$1,178.81	Quarterly Meter Calibrations
17		Campbell Foundry	\$660.00	Inner plates for Inside Manholes
18		Collins, Vella & Casello	\$609.00	Legal Services for April 2011
19		Gannett Newspapers	\$65.00	SREC sale notice
20		Garden State Laboratories	\$5,591.68	April outside lab costs
21		Grainger	\$168.36	Lubricant for gate chain
22		Holmdel Garden Center	\$177.65	Plants & Topsoil
23		I.B. Miller	\$289.17	A/C Servicing
24	3346	Jaspan Hardware	\$852.22	Paint, Lawn & Other supplies April
25		Miller Pipeline	\$1,549.10	Internal Seals
26		One Call Concepts	\$230.72	April Messages
27		Panis & Attner, PA	\$16,765.00	Annual Audit
28		Power Crimp	\$589.45	Repairs to Pump
29		Pumping Services, Inc.	\$3,031.60	Pumps, Hose & Lights for repair
30		Sakoutis Brothers	\$70.00	Garbage pick up-May
31		Staples	\$64.20	Ink for fax, Eddie & highlighters
32		Staples	\$39.99	Case of Copy paper
33		T&M Engineering	\$318.75	Solar Power - April
34		T&M Engineering	\$2,753.86	General Services- April'11
35		Ted Hall Locksmith	\$241.75	Repairs-Sandy Hook & Belford doors
36		Township Hardware	\$16.97	Plastic pail, rollers and
37		Treasurer State of New Jersey	\$70.00	C4 Retest Fee- E. Tuberion Jr.
38		Treasurer State of New Jersey	\$50.00	C4 License- E. Tuberion Sr.
39		W.H. Potter & Son	\$158.00	Mulch Hay & Eraser Weed Killer
40		Xerox	\$105.00	Copier rental 3/22-4/21/11
		TOTAL	<u>\$55,121.45</u>	

Fringe benefits and payroll processed after the March Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 04/18/11

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
04/29	Ceridian	Employee's Payroll & Payroll Taxes	\$17,517.20	Payroll of 04/29/11
05/13	Ceridian	Employee's Payroll & Payroll Taxes	\$20,698.42	Payroll of 05/13/11
04/27	3344	GE Group Life Assurance Company	\$ 847.64	May long-term disability
04/27	3343	SBP Educational Fund	\$1,058.76	May Dental insurance
04/20	3341	Chase	\$ 650.00	Procurement card purchases

Seconded by Mr. Schoeffling 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

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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. Schoeffling, Seconded by Ms. Loud-Hayward**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the Meeting adjourned at 8:17 p.m.

Respectfully submitted by:

Barbara Vilanova,
Recording Secretary

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The following actions were taken at the meeting:

The Bills were paid –see attached voucher list.

The Resolution Certifying the Review of the Annual Audit Report for the Fiscal Year 2010 was approved.

The Resolution Accepting the Audit comments and Recommendations and adopting a Corrective Action Plan was approved.

The Resolution Consenting to the Proposed Water Quality Management Plan Amendment entitled Monmouth County Water Quality Management Plan was approved.

The June 20th meeting has been changed to June 13th.

T&M was authorized to utilize a geotech firm to perform probing and soil boring sampling so an appropriate action plan for the joint nearest Coe Place can be determined.