

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, May 19, 2014 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

Members Present: Aumack, Foley, Knox, Loud-Hayward, Scarano, Schoeffling, Sachs & Sodon
Members Absent: Smith

Also Present: Gregory Vella, Esq., Attorney, Collins, Vella and Casello, L.L.C.
Keith Henderson, P.E., Authority Engineer, T&M Associates
David Attner, CPA, Authority Accountant, Panis & Attner, P.A. – left at 8:06 p.m.
Barbara Vilanova, MCBOA Administrative Assistant
Edward Tuberton, Jr. MCBOA Foreman
James Ientile, James R. Ientile, Inc.- left at 8:27 p.m.

IV. Approval of Minutes – Authority Regular Meeting Held on 4/14/14

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Scarano, the Minutes of the Regular meeting held on 4/14/14 were approved as presented by all Members present, no nays, one absent, none abstain

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberton, MCBOA Foreman, presented his monthly report:

❖ **Monthly Highlights**

- SREC's current pricing \$170 – 38 available for auction.
- FEMA projects update
 - Retention Ponds- scope change submitted for force account labor
 - Deficiency letter received from Soil Conservation District-UB
 - Density testing due by August 2014.
 - Outfall Pipe- time extension in FEMA review
- Ocean Dischargers group & NJDEP-Proposal from Hall & Associates
- Mudslide in the slump block area.
- April 2014 DMR

On **Motion** by Mr. Scarano, **Seconded** by Mr. Aumack, the board authorized The Proposal to Complete Mixing Zone Justification Report by Hall and Associates at the cost of \$3,000.00. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, one absent.

Office Manager's Monthly Report

Ms. Vilanova reported on the following items:

❖ Administrative Highlights

- TOMSA billed for Third Quarter.
- BRSA Second Quarter payment received.
- 2013 Audit completed by Mr. Panis.
- Financial Disclosure Forms need to be completed ASAP. Different process than last year.
- Quotes for blinds for main office and Eddie's office-
 - Budget Blinds \$2,210
 - Garden State Blinds \$2,536
 - Designing Windows \$3,460
 - KC Design \$3,492
- June, July & August meetings @ 6:30.

On **Motion** by Mr. Sodon, **Seconded** by Mr. Scarano, the board authorized blinds for the main office and Eddie's Office by Budget Blinds. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, one absent.

Attorney's Report

Mr. Vella provided the following information:

Mr. Vella informed the board that the property owner at 50 Bayside Drive would like to start their retaining wall. The same contractor that did the work at 86 Bayside Drive, Compass Construction, will be doing the job. Currently the plans are in review and the Contractor and homeowner have been advised that the Authority will not approve anything until our retention pond is back on line. Mr. Vella informed the board that there will be a meeting on Tuesday with the Monmouth County Parks Engineer in reference to Mr. Weinberg's property and others who also wish to build retaining walls on Bayside Drive.

Mr. Vella also discussed JRI's request for an extension. At this time Mr. Vella introduced James Ientile the owner of the company.

Mr. Ientile addressed the board and explained his reasons for seeking an extension. Mr. Ientile told the board members that the sludge is so wet he can't even put it in a pile. There isn't another method to remove it from the pond because of the petroleum content of the sludge. He stated that the weather has been against him. He needs dry, warm and windy weather to aid in the drying. Mr. Ientile stated he needs some drying weather in order to shoot the grade. Since May 1st more work has been accomplished than in the prior 5 weeks. Mr. Ientile feels the pond is 85% clean of sludge. JRI has had to bring in mats to help with the sludge removal. Mr. Ientile anticipates having the sludge out of the pond by the end of the week or next Monday/Tuesday at the latest. The screening and placing of the stone should only take a few days. Mr. Ientile reminded the board that he did stop work while the Authority allowed the property owner from 86 Bayside Drive to build their retaining wall and urged the Board to consider granting him an extension without imposing the penalty.

On **Motion** by Mr. Schoeffling, **Seconded** by Ms. Loud-Hayward, the board authorized an extension until June 16, 2014 to complete the Belford Retention Pond Project, without penalty for JRI or added expense to the Authority. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, one absent.

Engineer's Report

▪ Photovoltaic System

Mr. Henderson reported that there are still a couple outstanding issues with the solar Combiner boxes. It also appears the issue with several arrays that are not working properly is related to the wiring under the panels rubbing against the metal support structure in some locations. This issue was discovered by JRI's electrical contractor on 5/12/14 and will be investigated further. Charlie Hopkins will send Greg a letter with his findings. JRI's electrician repaired all the damage caused by JRI.

▪ Retention Pond Repairs - Super Storm Sandy

Mr. Henderson reported that JRI finished the repairs to the PV system on May 9, 2014. JRI also continued with the sludge removal from the basin. JRI has requested additional time to complete the project due to weather and the inability to get the sludge dry enough to dispose of offsite. T&M is recommending the Authority consider some further extension of time but with the stipulation there will be no further cost. JRI has been put on notice that the Authority reserves its rights under the contract to assess for damages.

Once the pond is fully drained and the sludge is removed the permeability test of the clay basin will be performed.

▪ Outfall Repairs

Contracts were executed by TNJ Marine and forwarded to the Authority for execution. T&M is reviewing shop drawings and the Contractor advises it is planning to commence pre-TV of the outfall work in the near future.

• Bayside Drive Retaining Wall

T&M has reviewed the access and construction plan proposed for the retaining wall for 50 Bayside Drive. Access and construction activities will likely be similar to what occurred with 86 Bayside Drive. T&M has forwarded comments to the Authority Attorney regarding the submitted information and outlining the outfall pipe protective measures required to be taken. T&M has also advised that no work can take place until the Authority's Retention Pond is back online.

Accountant

Mr. Attner attended the meeting in Mr. Panis' absence. At this time no one had any questions about the Financial Statement for 2013. Mr. Panis will be at next month's meeting and will go over key points and answer any questions.

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Sodon, the board voted to approve the 2013 Audit as presented, approved by all Members present, no nays, one absent, none abstain

New Business

On **Motion** by Mr. Knox, **Seconded** by Ms. Loud-Hayward, the board authorized the payment of James R. Ientile, Inc., Payment Certificate #4 for the retention pond repair project. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, one absent.

Old Business

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 2013**

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, 2013 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, 2013, 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, Scarano, Schoeffling, & Sodon

NAYS: None

ABSENT: Smith

ABSTAIN: None

Resolution offered by Mr. Sodon:

RESOLUTION OF THE MONMOUTH COUNTY BAYSHORE OUTFALL
AUTHORITY DIRECTING APPLICATION BE MADE TO THE LOCAL
FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6 AND N.J.S.A.
40A:5A-24

WHEREAS, THE MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY (the "Authority") desires to make application to the Local Finance Board for its review of a proposed project refinancing of notes issued by the Authority in 2013 in connection with the financing of various retention basin and outfall system improvements for the Authority incurred as a result of Superstorm Sandy; and

WHEREAS, THE MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY believes that:

- (a) it is in the public interest to accomplish such purposes,
- (b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units,
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant,
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and such purposes or improvements will not cause any undue financial burden to be placed upon the local unit or units,

NOW, THEREFORE, BE IT RESOLVED BY THE MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY, as follows:

Section 1. Application to the Local Finance Board for consideration by said Board of the Authority's proposed project refinancing is hereby approved and the Authority's Counsel and Bond Counsel, along with the other representatives of the Authority, are hereby authorized to prepare such application or letter request and to represent the Authority in the matters pertaining thereto.

Section 2. The Secretary of the Authority is hereby directed to cause a copy of this resolution to be filed with the Local Finance Board as a part of such application or letter request.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and (i) to record its findings as provided in subsection (7) of the Local Authorities Fiscal Control Law, constituting Chapter 313 of the Pamphlet Laws of 1983, of the State of New Jersey or (ii) to record its approval or disapproval as provided in N.J.S.A. 40A:5A:24.

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

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

Approval of Vouchers

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 there-fore subject to the availability of funds:

Monmouth County Bayshore Outfall Authority
List of Operating Vouchers – May 19, 2014

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Avaya, Inc	\$54.19	Monthly ACS maintenance agreement-May
2	4749	Cablevision	\$89.95	Phone & Internet
3		JCP&L	\$38.39	Belford Street Lighting 3/20-4/17/14
4		JCP&L	\$8,096.83	Union Beach 3/27-4/24/14
5		JCP&L	\$4,445.15	Belford 4/1-5/2/14
6		JCP&L	\$195.61	Sandy Hook 4/4-5/5/14
7		NJAWC	\$106.94	Union Beach 3/26-4/24/14
8		NJAWC	\$96.83	Belford 3/26/-4/23/14
9	4750	Verizon	\$15.90	Belford long distance- 4/23-5/22/14
10	4751	Verizon	\$138.49	Belford all in one/fax – 4/14-5/13/14
11	4752	Verizon Online	\$49.99	Broadband Service- 4/16-5/15/14
12		ABB	\$1,422.90	Quarterly meter calibration
13		ADP	\$63.97	Payroll services 5/08/14
14		ADP	\$19.80	Payroll services- 1 st quarter documents
15		ADP	\$49.50	Payroll services 4/24/14
16		ADP	\$63.04	Payroll services 4/10/14
17		AT&T Mobility	\$97.28	Foreman’s cellular phone service 5/5-6/4/14
18	4714	AT&T Mobility	\$97.28	Foreman’s cellular phone service 4/5-5/4/14
19		Bayshore Regional Sewer	\$93.50	Reimbursement for Ad mistakenly paid
20		Belford Auto Service	\$200.00	Oil sender & sensor in Dodge Durango
21		Central Jersey Equipment	\$472.44	Hood & Side hood for John Deere
22		Collins Vella & Casello	\$1,635.00	April legal fees
23		Computech	\$148.00	Repairs to U.B. laptop
24		Crown Tire	\$1,164.90	Tire & front end repair for Escape
25		ERA	\$91.00	Supplies for WPT
26		Gannett NJ Newspapers	\$105.00	Advertise Retention Pond Repairs
27		Hach	\$1,355.00	Service partnership for equipment
28	4719	Jaspan Brothers South	\$163.40	Mulch,batteries, tarp, glue, magnifying glass
29		NJUJIF	\$22,505.35	2 nd Installment of NJUJIF Insurance
30		One Call Concepts	\$192.76	One call notices for April
31		QC Laboratories	\$7,102.00	Outside Lab services 3/25-4/22/14
32		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up - May
33		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up – June
34		Semcor	\$90.30	Discharge hose
35		Staples	\$134.92	Dividers, ink, agenda covers, sponges
36		T&M Engineering	\$900.75	General services for 3/4- 4/3/14
37		T&M Engineering	\$1,868.00	Retention Ponds Repair Contract
38		T&M Engineering	\$755.25	Outfall Repairs
39		TOMSA	\$70.00	2nd quarter sewer
40		W.B. Mason	\$106.95	Window washing supplies & folders
41		W.B. Mason	\$367.34	Janitorial supplies & Office supplies
42		Xerox	\$105.00	Monthly copier rental 3/21-4/22/14
		TOTAL	\$54,908.90	

**Fringe benefits and payroll processed after the April Operating Vouchers
were submitted for review and approval at the Authority Regular Meeting of 4/14/14**

Date	Check No.	To	Amount	Description
04/24/14	ADP	Employee's Payroll & Payroll Taxes	\$19,734.03	Payroll of 04/24/14
05/09/14	ADP	Employee's Payroll & Payroll Taxes	\$23,783.32	Payroll of 05/09/14
05/15/14	TEPS	NJSHBP	\$14,677.50	May health benefits
04/30/14	4718	Sun Life Financial	\$ 740.41	May. long-term disability ins.
04/30/14	4717	Delta Dental	\$ 904.35	Dental premium May

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

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

Public Portion

Chairman Sachs opened the Meeting to the public. There being no one appearing to be heard, Chairman Sachs 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 **Ms. Loud-Hayward**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, one absent, the Meeting adjourned at 8:31 p.m.

Respectfully submitted by: _____
Barbara Vilanova, Recording Secretary