

**Minutes of the Regular Meeting of the  
Monmouth County Bayshore Outfall Authority  
Monday, August 18, 2014 6:30 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, Loud-Hayward, Sachs, Scarano, Schoeffling and Sodon

Commissioners Absent: Aumack, Knox & Smith (6:35)

Also Present: Gregory Vella, Authority Attorney, Collins, Vella and Casello, L.L.C. (arrived at 6:54)  
Keith Henderson, P.E. Authority Engineer, T&M Associates  
Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A. (arrived 6:34)  
Barbara Vilanova, Recording Secretary

**Approval of Minutes – Authority Regular Meeting Held on 7/21/14**

On **Motion** by Mrs. Foley, **Seconded** by Mr. Scarano, the Minutes of Regular meeting held on 7/21/14 were approved with one correction ( Mr. Schoeffling was absent) by all Members present, no nays, three absent, two abstain (Sachs & Schoeffling)

**REPORT OF ADVISORS**

**Foreman's Monthly Report**

Mr. Tuberion, MCBOA Foreman, presented his monthly report:

❖ **Monthly Highlights**

- SREC Auction results – 126 2014 @156.87 = \$19,765.62  
88 2015 @157.13 = \$13,827.44
- FEMA Projects Update  
Belford retention pond 95% complete- punch list items remain, extra stone not included.
- Leaking joint- slump block area – 2 seals installed  
4 seals installed since 2006 over 100' of pipe  
Pipe movement evident, NJDEP looking for plan of action (stabilization)
- Seal water pump replacement
- Diesel pump repair  
Engine starter replaced – Belford  
Micro switch repair on discharge valve – Belford & UB
- Meter calibrations completed 7/16
- JIF inspection 7/11
- July DMR

**Office Manager's Monthly Report**

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

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❖ **Administrative Highlights**

- BRSA 3<sup>rd</sup> quarter payment received.
- TOMSA billed for 4<sup>th</sup> quarter.
- Financial Disclosure forms – everyone should have completed by now.
- \$69,319.38 received from FEMA for RFR#2 for Engineering fees for Retention Pond Projects.
- RFR #3 submitted to FEMA- \$119,315.00 for JRI payment certificates #4 & #5.
- Current Unemployment rate sent to payroll company.
- Wage Works- 3<sup>rd</sup> party company to keep our Cafeteria 125 plan in compliance with the IRS.
- State Health Benefits accepted our resolution to join the dental plan effective 9/1/14.
- Trying to resolve issues with current dental insurance regarding denial of claims.

### **Engineer**

#### ▪ **Photovoltaic System**

Mr. Henderson reported that there are two remaining issues to be addressed with the system.  
The wiring under the solar panels needs to be wrapped in the locations where it was rubbing.  
Combiner box 1-4 requires repair.

#### ▪ **Retention Pond Repairs**

JRI has completed all contract work with the exception of minor punch list items and restoration of disturbed areas (after hot weather subsides) JRI was also requested to perform additional replacement of stone in selected areas to restore full depth; however, they are requesting significant remobilization and restoration costs beyond their contract price of \$85/CY, increasing the cost of the work from \$8,500 to \$16,000. Subject to further discussion with the Authority, we do not recommend proceeding. Once the punch list work and restoration of disturbed area is complete, T&M will prepare contract closeout documentation.

T&M has forwarded the Professional Engineer's Basin Certification form to the DEP as required under its general permit. Also as requested, T&M is preparing a follow up letter to the Authority regarding future testing certification requirements if the DEP denies the MCBOA request for relief from future certification.

#### ▪ **Outfall Repairs**

Final payment was released as TNJ provided the required maintenance bond.

#### ▪ **160 Ocean Boulevard Debris Removal and Slope Protection**

T&M reviewed initial plans for the proposed debris removal and slope protection work proposed for 160 Ocean Blvd. T&M provided an outline of items to be addressed, however, they never received a revised plan. According to the Foreman a county parks employee told him the debris was cleaned up. Mr. Vella will contact the responsible party in regards to the debris being cleaned up without proper authorization.

### **Attorney**

Mr. Vella reported that the new temporary note closed. The Authority used the reimbursement money from FEMA to pay down some of the original temporary note therefore allowing the Authority to finance a lesser amount.

**Accountant**

Mr. Panis inquired as to whether or not the Authority will require a special audit as part of the FEMA agreement. Ms. Vilanova will try to contact someone at OEM and see what the requirements are.

**New Business**

NONE

**Resolutions**

**Resolution offered by Mr. Sodon:**

THE DENNIS 130 2

**Certificate of Resolution (2014)**

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**For MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY**

**Section 125 Premium Only Plan**

**Plan Year Ending June 10, 2015**

The undersigned Secretary or Principal of **MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY** (the Employer) hereby certifies that the following resolutions were duly adopted by the board of directors of the Employer on AUGUST 18<sup>TH</sup>, and that such resolutions have not been modified or rescinded as of the date hereof:

**RESOLVED**, that the form of Amended Section 125 Cafeteria Plan effective **June 11, 2014**, presented to this meeting is hereby approved and adopted and that the proper officers of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

**RESOLVED**, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the amended Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

**RESOLVED**, that the proper officers of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the amended Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

The undersigned further certifies that true copies of the Adoption Agreement, Plan Document, and the Summary Plan Description, approved and adopted in the foregoing resolutions, are attached herewith.

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

AYES: Foley, Loud-Hayward, Sachs, Scarano, Schoeffling, Smith & Sodon  
NAYS: None

ABSENT: Aumack, & Knox

ABSTAIN: None

**Resolution offered by Elizabeth Loud-Hayward:**

**RESOLUTION OF THE  
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY  
RATIFYING THE DECLARATION OF EMERGENCY AND  
EMERGENCY PURCHASE PURSUANT TO N.J.S.A. 40A:11-6  
FOR THE REPAIR OF THE FORCE MAIN**

**WHEREAS**, on July 25, 2014 and August 11, 2014, MCBOA personal observed water leaking from MCBOA's force main along the slump block area. MCBOA personal took a sample of the water to determine whether the water was ground water or treated effluent. The water was tested and determined to be treated effluent; and

**WHEREAS**, MCBOA personnel immediately notified the DEP and an emergency was declared due to the non-permitted discharge of treated effluent; and

**WHEREAS**, MCBOA personnel, in conjunction with the Chairman and MCBOA's professionals, determined that corrective action to repair the Force Main was immediately necessary due to the non-permitted discharge and thus, the need for immediate repairs constituted an emergency; and

**WHEREAS**, MCBOA retained the services of TNJ Marine. to install a seal and to grout and cement the pipe to stop the leak; and

**WHEREAS**, the total bill for these goods and services provided by TNJ Marine. Are \$ 13,037.50 and \$ 9,475.00 ; and

**WHEREAS**, all these services were needed as a result of Emergent Repair to MCBOA's Force Main.

**WHEREAS**, MCBOA desires to ratify the Declaration of Emergency and Emergency Purchase of Goods and Services pursuant to N.J.S.A. 40A:11-6.

**NOW, BE IT RESOLVED**, that the governing body of the MCBOA ratifies the Declaration of Emergency and the authorization to purchase services without public advertising for bids, pursuant to N.J.S.A. 40A:11-6.

**BE IT FURTHER RESOLVED**, that payment for services is hereby authorized pursuant to N.J.S.A. 40A:11-6(b).

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be filed with 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: Foley, Loud-Hayward, Sachs, Scarano, Schoeffling, Smith & Sodon  
 NAYS: None  
 ABSENT: Aumack, & Knox  
 ABSTAIN: None

**Approval of Vouchers**

**Resolution offered by Mr. Scarno:**

**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 – August 18, 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-Aug
2		Cablevision	\$129.85	Phone & Internet UB 8/1-8/31/14
3		JCP&L	\$38.39	Belford Street Lighting 6/190-7/18/14
4		JCP&L	\$7,431.81	Union Beach 6/27-7/28/14
5		JCP&L	\$4,071.97	Belford 7/1-8/01/14
6		JCP&L	\$177.66	Sandy Hook 7/4-8/4/14
7		NJAWC	\$121.71	Union Beach 6/24-7/23/14
8		NJAWC	\$103.05	Belford 6/21/-7/23/14
9		Verizon	\$15.68	Belford long distance- 7/23-8/22/14
10		Verizon	\$146.29	Belford all in one/fax – 7/14-8/13/14
11		Verizon Online	\$49.99	Broadband Service- 7/16-8/15/14
12		ADP	\$65.95	Payroll services 7/18/14
13		ADP	\$71.57	Payroll services- 7/31/14
14		AT&T Mobility	\$97.89	Foreman’s cellular phone service 8/5-9/4/14
15		ABB	\$1,396.76	Quarterly Meter Calibration
16		Collins Vella & Casello	\$1,545.00	July legal fees
17		Collins Vella & Casello	\$10,000.00	Refinancing of new note
18		Cooper Electric	\$60.00	Fuses
19		Fourth Dimensions Instruments	\$57.55	2- Hours meter
20		Fred Pryor Seminars	\$128.00	Tami Nelson- excel class
21		Gannett NJ	\$65.75	Advertise sale of SREC’s
22		Gibbons, PC	\$23,260.96	Bond counsel for new temporary note
23		Jaspan Brothers South	\$106.34	Floodlights,measuring wheel, cable ties, pliers
24		McManimon, Scotland & Baumann	\$2,500.00	Attorney review for new note- BNYM
25		Miller Pipeline Corp.	\$997.18	48” WEKO seal
26		Norwood Auto Parts	\$104.48	Hydraulic jack oil, rags, motor oil, sealant
27		One Call Concepts	\$222.04	One call notices for July
28		QC Laboratories	\$7,119.00	Outside Lab services 6/23-7/25/14
29		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up - September
30		T&M Engineering	\$394.78	General services for July
31		T&M Engineering	\$1,795.50	Retention Ponds Repair Contract- July
32		T&M Engineering	\$1,896.22	Outfall Repairs - July

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33	T&M Engineering	\$838.33	PV System Damage Repair May
34	T&M Engineering	\$1,103.75	PV System Damage Repair April
35	TNJ Marine Inc.	\$13,037.50	Installation of seal at Joint #16- emergency
36	TNJ Marine Inc.	\$9,475.00	Installation of seal at Joint #15
37	Tom's Ford	\$276.64	Replace U-Joint lower steering shaft-Escape
38	TOMSA	\$75.00	3 <sup>rd</sup> quarter sewer fee
39	US Postal Service	\$192.00	Annual PO Box rental
40	Wage Works	\$100.00	Annual Compliance Plan- Sec. 125 POP
41	Xerox	\$105.00	Monthly copier rental 7/01-7/28/14
	<b>TOTAL</b>	<b><u>\$89,498.78</u></b>	

**Fringe benefits and payroll processed after the July Operating Vouchers  
were submitted for review and approval at the Authority Regular Meeting of 7/21/14**

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
07/31/14	ADP	Employee's Payroll & Payroll Taxes	\$15,167.69	Payroll of 07/31/14
08/15/14	ADP	Employee's Payroll & Payroll Taxes	\$18,913.71	Payroll of 08/15/14
08/15/14	TEPS	NJSHBP	\$14,677.50	August health benefits
08/06/14	4860	Sun Life Financial	\$ 740.41	Aug. long-term disability benefits ins.

**Seconded by Mr. Schoeffling** and on roll call the following vote was recorded:

AYES:           Foley, Loud-Hayward, Sachs, Scarano, Schoeffling, Smith & Sodon  
 NAYS:           None  
 ABSENT:       Aumack & Knox  
 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. Sodon, Seconded by Mr. Scarano**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, two absent, the Meeting adjourned at 7:19 p.m.

Respectfully submitted by:

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Barbara Vilanova,  
Recording Secretary