

**Minutes of the Regular Meeting of the  
Monmouth County Bayshore Outfall Authority  
Monday, August 20, 2012 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, Knox, Sachs, Schoeffling, Smith and Sodon

Commissioners Absent: Loud-Hayward (6:34) Aumack, Scarano

Also Present: Gregory Vella, Authority Attorney, Collins, Vella and Casello, L.L.C.

John McKelvey, P.E. Authority Engineer, T&M Associates

Keith Henderson, T&M Associates

Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A. (arrived 6:35)

Barbara Vilanova, Recording Secretary

**Approval of Minutes – Authority Regular Meeting Held on 7/16/12**

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Sodon, the Minutes of Regular meeting held on 7/16/12 were approved as presented by all Members present, no nays, two absent (Aumack & Scarano)

**REPORT OF ADVISORS**

**Foreman's Monthly Report**

Mr. Tuberton was on vacation so in his absence Ms. Vilanova, presented his monthly report.

❖ **Monthly Highlights**

- SREC Auctions
- Seal Installation @ Coe Place
- Belford diesel pump control repairs completed 8/16
- U.B. generator-blown relay in diesel control panel.
- VFD circuit board repair quotes
- Loss control report – shed quotes
- Meters calibrated 7/25
- Employee written reprimand
- 2<sup>nd</sup> PCB dry weather sample completed.
- 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**

- Keansburg 3<sup>rd</sup> quarter payment received.

- BRSA & TOMSA 3<sup>rd</sup> quarter payments received.
- TOMSA billed for 4<sup>th</sup> quarter.
- \$345.47 check received from insurance litigation with Zurich Ins. Co. Anti-Trust Settlement.
- New representatives for to Bank of New York.
- Current Labor Law Posters on display in both facilities.

### Engineer

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

Mr. McKelvey reported that the Authority continues to wait for ERM's report.

- **Force Main Repair**

Mr. McKelvey reported that during the week of July 16-20, Caruso Excavating was onsite and exposed the force main elbow and adjacent joints for inspection. At each joint, the concrete grout intended to surround and protect the joint was found to be poorly installed or missing. This condition has allowed corrosion of portions of the harness clamp assemblies which hold the joint together and provide thrust restraint. Based on the field observations, it is recommended the Authority proceed with replacing the elbow, one section of upstream pipe, one section of downstream pipe and welding two additional existing joints further upstream and downstream to restore the required thrust restraint for the elbow at this location.

Hanson Pressure Pipe was on site during the excavating and examined the exterior surfaces of the pipe joints and their report is also in agreement with Caruso and T & M's findings. Hanson also provided descriptions, measurements and pricing for the sections that need to be replaced.

T&M will proceed with the bid specs in order to get the project out to bid for the next meeting. Several commissioners raised a question as to whether or not The Authority could request a lengthier maintenance bond. The bid specs will require pricing for both, a two year and an additional 5 year.

**On Motion** by Mr. Smith, **Seconded** by Mr. Schoeffling, the board authorized the repair of the force main as recommended by T&M Engineers. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, two absent.

J. Fletcher Creamer has been notified that their contract with the Authority for the force main repair work will be cancelled. A meeting was scheduled between the Authority, T&M Engineers, the Authority Attorney and JFC. JFC failed to show for the meeting, however, Mr. Vella and Mr. McKelvey have reviewed the most recent invoice submitted by JFC and came up with a figure of \$57 K as the amount the authority would settle the contract for. JFC was requesting almost \$75K to close out the contract. Mr. Vella notified JFC that the Authority would not budge on the \$57K figure and JFC agreed to it. Final payment and contract close out will take place at next month's meeting.

### Attorney

Mr. Vella explained how he and Mr. McKelvey went through JFC's latest payment request and came up with the \$57K figure. Mr. Vella reported that legally we have to give it to them unless the Authority wants to get involved with a legal battle.

Mr. Vella discussed the need for the emergency repair at Coe Place. During Caruso Excavating's inspection of the pipe it was determined that there was a small leak again at the joint. Since an immediate repair was necessary the Foreman contacted Miller Pipeline who usually supply our seals and they were able to assemble a team and get them onsite. While inspecting the old seal repair the Miller team found two reasons for failure. The

bands were too loose and the wedges were halfway out of the existing bands. The team also found that there were two baseball size holes on each side of the joint. Miller's team used hydraulic cement on the holes and smoothed it out. One the cement was smooth with the pipe they installed the seal and completely installed the bands. A water test was done and the seal was holding. A question was raised about whether or not the failed seal could be blamed on poor workmanship, however, Mr. Vella stated that it would be hard to prove.

Mr. Vella also reported that an onsite meeting was held with representatives from Vanguard. The combiner boxers were examined and it was determined that Vanguard will replace them. The supplier no longer makes that box but Vanguard will replace with something comparable. Discussion was also held about moving boxes so they aren't right under the panel where all the water runs off. Also, wiring is to enter on the sides or from the bottom.

Mr. Vella also reported that he received a letter from BRSA's attorney in reference to the zoning of the Authority's property in Union Beach. Evidently the Borough of Union Beach rezoned the property from Industrial to Residential years ago. To the best of Mr. Vella's knowledge and the Authority's we never received notification. BRSA and Union Beach are involved in the windmill issue and BRSA is questioning the zoning change. At this time the Authority is not going to pursue the zoning issue. Mr. Vella will await the next correspondence regarding the zoning.

### **New Business**

On **Motion** by Mr. Knox, **Seconded** by Mr. Smith, the board authorized the payment of Certificate #1 to Caruso Excavating Co, Inc., for \$82,614.00. The cost of the project was less than originally awarded since the additional two downstream joints did not have to be inspected. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, two absent.

### **Resolutions**

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

#### **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 31, 2012, MCBOA personal observed water leaking from MCBOA's force main near Coe Place. This area of pipe had previous leaks and has been repaired on at least 3 occasions. 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 Miller Pipeline Corp. to install a seal and to grout and cement the pipe to stop the leak; and

**WHEREAS**, Miller Pipeline Corp. responded to the site and installed a 42" Standard EPDM WEKO-SEAL w/(3) Type 316 SS Retaining Bands with Backing Plate. As a result of the repairs by Miller, Pipeline Corp. the leak was stopped; and

**WHEREAS**, the total bill for these goods and services provided by Miller Pipeline Corp. is \$ 12,450.00; 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 Ms. Loud-Hayward**, and on a roll call the following vote was recorded:

AYES: Foley, Loud-Hayward, Knox, Sachs, Schoeffling, Smith & Sodon  
NAYS: None  
ABSENT: Aumack & Scarano  
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 – August 20, 2012**

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<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Avaya, Inc	\$42.98	Monthly ACS agreement & repair
2		Hess	\$4,212.45	Union Beach 6/19-7/19/12
3		Hess	\$187.97	Sandy Hook 7/7-8/7/12
4		JCP&L	\$38.36	Belford Street Lighting 6/19-7/18/12
5		JCP&L	\$758.81	Belford 7/10-8/7/12

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6		JCP&L	\$2,283.14	Union Beach 6/19-7/18/12
7		JCP&L	\$103.97	Sandy Hook 7/7-8/7/12
8	<b>3948</b>	JCP&L	\$758.81	Belford 6/8-7/9/12
9		NJAWC	\$84.80	Belford 6/22-7/24/12
10		NJAWC	\$83.58	Union Beach 6/25-7/26/12
11	<b>3951</b>	Verizon	\$96.55	Union Beach 7/17-8/16/12
12		Verizon	\$14.95	Belford long distance- 7/23-8/22/12
13	<b>3950</b>	Verizon	\$146.41	Belford all in one/fax – 7/14-8/13/12
14	<b>3949</b>	Verizon Online	\$50.74	Broadband Service- 7/16-8/15/12
15		ABB Inc	\$1,342.91	Quarterly Meter Calibration
16		ADP	\$19.80	Payroll services 2 <sup>nd</sup> Quarter Reports
17		ADP	\$50.13	Payroll services 7/19/12
18		ADP	\$48.74	Payroll services 8/2/12
19		AT&T	\$97.08	Foreman’s cell phone 7/5-8/4/12
20		AT&T	\$107.77	Foreman’s cell phone 8/5-9/4/12
21		Applied Analytics	\$406.22	Ph Meter for Sandy Hook
22		Barbara Vilanova	\$152.95	Reimbursement of Petty cash fund
23		Collins, Vella & Casello	\$1,515.00	General services - July
24		Emergency Systems Services	\$1,384.04	Generator Service call & repair U.B.
25		Fisher Scientific	\$136.44	Deionized water for Lab
26		Garden State Laboratories	\$7,003.25	Outside lab costs -July
27		Gannett NJ Newspapers	\$96.00	Publication of the Force Main bid 4/12
28		Gannett NJ Newspapers	\$64.00	SREC Auction 8/15
29		Grainger	\$306.08	Sample refrigerator & gloves
30		Hach Company	\$53.60	Lab Supplies
31	<b>3918</b>	Jaspan Hardware	\$26.70	Supplies for July-Insect repellent & gloves
32		Longo	\$1,060.00	Troubleshoot emergency pump & repair
33		Middletown Plumbing	\$101.27	Flush valve for upstairs bathroom
34		Middletown Sewerage Authority	\$70.00	3 <sup>rd</sup> quarter Sewer
35		Miller Pipeline	\$12,450.00	Emergency Seal Installation
36		Norwood Auto Parts	\$383.63	Brake shoe kit & supplies
37		One Call Concepts	\$193.52	One call notices-July
38		One Call Concepts	\$236.00	One call notices-June
39		Sakoutis Brothers	\$70.00	August garbage pick-up
40		T&M Engineering	\$875.54	July general services
41		T&M Engineering	\$7,620.24	Joint Investigation project
42	<b>3914</b>	United States Postal Service	\$176.00	Annual P.O. Box Fee 8/12-7/13
43		W.H. Potter & Son	\$139.90	2- 2 ½ gals. Of weed killer
44		Xerox	\$105.00	Copier rental July
		<b>TOTAL</b>	<b><u>\$45,155.33</u></b>	

**Fringe benefits and payroll processed after the July Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 7/16/12**

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
07/20/12	ADP	Employee’s Payroll & Payroll Taxes	\$16,529.28	Payroll of 7/20/12
08/03/12	ADP	Employee’s Payroll & Payroll Taxes	\$16,067.13	Payroll of 8/03/12
07/27/12	3917	Sun Life Financial	\$ 850.12	Aug long-term disability benefits ins.
07/06/12	3915	Delta Dental	\$ 1,165.14	Dental premium Aug
08/14/12	3952	Chase	\$ 336.41	Procurement card purchases

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

AYES: Foley, Loud-Hayward, Knox, Sachs, Schoeffling, Smith & Sodon  
NAYS: None  
ABSENT: Aumack & 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. Smith, Seconded by Mr. Knox**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, two absent, the Meeting adjourned at 7:29 p.m.

Respectfully submitted by:

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Barbara Vilanova,  
Recording Secretary

The following actions were taken at the meeting:

The Bills were paid –see attached voucher list.

The Resolution Ratifying the Emergency Seal Repair for Coe Place was approved.

Payment Certificate #1 for Caruso Excavating was approved.

The recommended pipe replacement for Coe Place was approved.