

**Minutes of the Regular Meeting of the  
Monmouth County Bayshore Outfall Authority  
Monday, September 16, 7:30 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**

Members Present: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeefling & Smith  
Members Absent: Sodon (7:33)

Also Present: Gregory Vella, Esq., Attorney, Collins, Vella and Casello, L.L.C.  
John McKelvey, P.E., Authority Engineer, T&M Associates  
Barbara Vilanova, MCBOA Office Manager/Secretary  
Edward Tuberion, Jr. MCBOA Foreman

**IV. Approval of Minutes – Authority Regular Meeting Held on 8/16 13**

On **Motion** by Ms. Loud-Hayward, **Seconded** by Mr.Knox, the Minutes of the Regular meeting held on 8/16/13 were approved as presented by all Members present, no nays, none absent, three abstain(Foley, Scarano & Smith).

**REPORT OF ADVISORS**

**Foreman's Monthly Report**

Edward Tuberion, MCBOA Foreman, presented his monthly report:

❖ **Monthly Highlights**

- SRECS current pricing \$135
  - 36 July (2014) ready for auction
  - 35 August generation- hold SREC's until next meeting
- FEMA projects update
  - Retention Ponds –notice to proceed sent. P/T employee to start weekend of 9/28&29.
  - FEMA Ocean Outfall deadline is April 30, 2014. An extension may be requested. FEMA has environmental concerns.
- Air handler heat coil repair/replacement
  - IB Miller now states they can't do repair- replacement of \$6,999.
  - Coastal Air replacement quote \$7,100 – board would like a 3<sup>rd</sup> quote if the third quote is over IB Miller's then proceed with IB Miller.
- UST inventory system repair
  - Tank cleaning completed 8/16
  - Leaking fuel line options- Aurora quote - \$12, 632  
Install new DW line inside existing line \$7,200

Excavate-remove & replace \$12,745

The foreman is going to check what type of guarantee/warranty is included..

- CNA insurance infrared scan results.
- EMNJGRANTS software training held 9/12/13
- Semi-Annual WCR submitted.
- August 2013 DMR

### Office Manager's Monthly Report

#### ❖ Monthly Highlights

- Annual Workman's Compensation Insurance Audit.
- Keansburg 3<sup>rd</sup> quarter funds received.
- 2<sup>nd</sup> Quarter TOMSA & Keansburg payments outstanding, both will resolve.
- All Journal entries from the audit completed. Quickbooks & Mr. Panis' records match.
- Document shredding begun.
- \$6061.46 additional check received from OEM for extra 15% of emergency protective measures claim.
- New unemployment rate sent to payroll company.
- All employees received Health insurance notification as required by the Federal Department of Labor.
- Meeting with Mr. McKelvey to discuss open invoices.
- 2014 Budget preparation.
- Open Enrollment for Health Benefits.
- AEA Convention- November 19<sup>th</sup> & 20<sup>th</sup> @ Trump Taj Mahal.

### Attorney's Report

Mr. Vella provided the following information:

Mr. Vella reported that KMB Design Group is not able to investigate the Photovoltaic system because they have previously done work for Vanguard so it is a conflict of interest. Mr. Vella will continue trying to find an independent party to investigate the system.

Mr. Vella also reported that on Friday September 13<sup>th</sup> a letter was received from the contractor Ientile in reference to the pond repair projects. The contractor stated that he would not be able to continue with the project without a significant change order regarding the sludge. Mr. Vella contacted the contractor's attorney and the attorney advised him his client will be proceeding with the project and will be withdrawing his letter.

### Engineer's Report

#### ▪ Photovoltaic System Combiner Boxes

Mr. McKelvey reported that the Authority is proceeding with an agreement for a third party independent investigation to identify problems and causes of below expected efficiency.

#### ▪ Retention Pond Repairs - Super Storm Sandy

Mr. McKelvey reported that the contracts for the project were executed by the contractor and the Authority. JRI has submitted several shop drawings which have been reviewed and returned.

Recently, JRI contacted T&M to contend that it did not have sufficient information for its bid for sludge removal and now that it has learned the sludge may have residuals from a WWTP, they are requesting a significant change order to cover additional disposal costs. T&M discussed with them that the specifications provided test results and that the contractor was provided ample opportunity to inspect the sites during its bid preparation. In the meantime, T&M has stressed to the contractor the importance of commencing work on this project as the contract period is underway.

▪ **Super Storm Sandy Mitigation**

There has been no change in the Hazard Mitigation projects. As previously reported the Authority prepared a Letter of Intent describing proposed outfall mitigation and anticipated costs and submitted same to the County Office of Emergency Management. This group is reviewing applications for mitigation funds and MCBOA is awaiting response on its application.

• **Outfall Repairs**

T&M is awaiting further direction on proceeding with outfall repairs.

• **Belford Retention Basin Liner Permit**

T&M forwarded an invoice from Craig Test Boring Co. for the permeability testing and recommends payment.

**New Business**

ATS Environmental has submitted an invoice for the cleaning of the UST in Union Beach. The agreement with ATS was not to exceed \$3100.00. ATS' invoice is for \$3,843.10. The contractor never contacted Mr. Tuberton to discuss a change in the scope of the work or the pricing. The board reviewed the invoice and discussed options. The board members all agreed to pay ATS \$3,100.00 as authorized by the Purchase Order.

At 8:05 on motion by Mr. Smith, seconded by Ms. Loud-Hayward the board went into executive session to discuss a personnel issue with all members in favor. At this time Mr. McKelvey was excused from the meeting.

At 8:20 pm on motion by Mr. Knox, seconded by Mr. Scarano the board closed the executive session portion of the meeting with all members in favor.

**Old Business**

NONE

**Resolution offered by Mr. Scarano:**

**THE MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY  
RESOLUTION  
RESOLUTION CONCERNING REVIEW OF FINDINGS OF  
THE LOCAL FINANCE BOARD MADE AT A MEETING  
OF THE SAID BOARD ON MAY 8, 2013 IN ACCORDANCE  
WITH N.J.S.A. 40A:5A-6**

WHEREAS, the findings and recommendations issued by the Local Finance Board, Division of Local Government Services, Department of Community Affairs, State of New Jersey (the "Local Finance Board"), held on May 8, 2013, on the project financing of the Monmouth County Bayshore Outfall Authority (the "Authority") have been filed with the Secretary of the Authority, and a copy has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, within 45 days of receipt of the Local Finance Board's findings and recommendations on the proposed project financing, shall certify by resolution to the Local Finance Board that each member thereof has personally reviewed the findings and recommendations; and

WHEREAS, each member of the governing body of the Authority has personally reviewed each of the Local Finance Board's findings and recommendations on the proposed project financing as evidenced by the attached group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of N.J.S. 52:27BB-52;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Monmouth County Bayshore Outfall Authority hereby states that it has complied with the requirements of N.J.S. 40A:5A-7 and does hereby direct the Secretary of the Authority to submit a certified copy of this resolution and the required affidavit to the Local Finance Board to evidence said compliance.

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

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

**Resolution offered by Mr. Schoeffling:**

**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 therefore

subject to the availability of funds:

**Monmouth County Bayshore Outfall Authority**  
**List of Operating Vouchers – September 16, 2013**

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Avaya, Inc	\$51.70	Monthly ACS maintenance agreement-Sept
2		Cablevision	\$124.85	Optimum voice and online, 9/1-9/30/13
3		JCP&L	\$39.05	Belford Street Lighting 7/20-8/20/13
4		JCP&L	\$5,841.01	Union Beach 7/30-8/27/13
5		JCP&L	\$1,149.07	Belford 8/3-9/3/13
6		JCP&L	\$5.50	Sandy Hook 8/8-9/5/13
7		NJAWC	\$91.02	Union Beach 7/23-8/20/13
8		NJAWC	\$87.08	Belford 7/22-8/20/13
9	4461	Verizon	\$50.74	Broadband service 8/16-9/15/13
10	4463	Verizon	\$32.48	Union Beach final bill
11	4462	Verizon	\$136.52	Belford 8/14-9/13/13
12	4460	Verizon	\$15.54	Belford long distance 8/23-9/22/13
13		Accutest Laboratories	\$700.00	Sediment sampling omitted from Aug. voucher
14		ADP	\$64.89	Payroll services 8/15/13
15		ADP	\$50.96	Payroll services 8/29/13
16		Automatics Unlimited	\$165.85	Replaced damaged wires in gate operator
17		Bank of New York	\$1,500.00	Admin fee for MCBOA Project Note
18		Barbara Vilanova	\$126.63	Reimbursement of petty cash
19		Collins Vella & Casello	\$870.00	August general services
20		Craig Test Boring Co.	\$4,400.00	Soil boring, tubes, inspection, perm. test
21		Jaspan Brothers South	\$219.51	Hardware
22		Neopost	\$305.63	Equipment rental, postage meter, 4lb scale
23		One Call Concepts	\$147.06	One call notices for August
24		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up – September
25		Staples	\$21.99	Calculators, pens
26		T&M Engineering	\$1,082.50	Retention Pond Repairs - March
27		T&M Engineering	\$639.32	Retention Pond Repairs - April
28		T&M Engineering	\$28,275.61	Retention Pond Repairs – Superstorm Sandy
29		T&M Engineering	\$1,262.75	Retention Pond Repairs Contract
30		T&M Engineering	\$149.61	PV system repairs – Superstorm Sandy
31		T&M Engineering	\$288.75	PV system repairs – Superstorm Sandy
32		T&M Engineering	\$1,594.25	PV system repairs – Superstorm Sandy
33		T&M Engineering	\$541.25	Superstorm Sandy Hazard Mitigation, Outfall Mitigation
34		T&M Engineering	\$914.25	Superstorm Sandy Hazard Mitigation, Outfall Mitigation
35		T&M Engineering	\$246.75	Superstorm Sandy Hazard Mitigation, Outfall Mitigation
36		T&M Engineering	\$357.86	Superstorm Sandy Hazard Mitigation
37		T&M Engineering	\$516.75	Superstorm Sandy Hazard Mitigation
38		T&M Engineering	\$644.46	August General Services
39		T&M Engineering	\$7,785.98	Retention ponds repair contract
40		TOMSA	\$1,485.66	487.10 gallons of unleaded fuel
41		Township Hardware	\$26.42	Belts, paint brush, tools, liquid nails
42	4459	Treasurer- State of NJ	\$50.00	C2 License fee for John Roche
43	4458	Treasurer- State of NJ	\$50.00	C3 License renewal Ed Tuberion Jr.
44	4464	Treasurer- State of NJ	\$50.00	C2 License fee for Jonathan Mannarino

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45 Xerox \$105.00 Monthly copier rental 7/29-8/22/13  
**TOTAL** \$62,334.25

**Fringe benefits and payroll processed after the August Operating Vouchers  
were submitted for review and approval at the Authority Regular Meeting of 8/19/13**

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
08/30/13	Ceridian	Employee's Payroll & Payroll Taxes	\$17,148.39	Payroll of 08/30/13
09/13 /13	Ceridian	Employee's Payroll & Payroll Taxes	\$18,904.53	Payroll of 09/13/13
08/20/13	4457	Sun Life Financial	\$752.71	Sep. long-term disability benefits ins.
08/20/13	4456	Delta Dental	\$1,016.44	Dental premium September

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

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling, Smith & Sodon  
NAYS: None  
ABSENT: None  
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 **Mr. Aumack**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the Meeting adjourned at 8:21 p.m.

Respectfully submitted by: \_\_\_\_\_  
Barbara Vilanova, Recording Secretary