

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, October 16, 2017 7:00 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 (7:02) Loud-Hayward, Sachs, Scarano, Smith & Sodon

Commissioners Absent: Schoeffling

Also Present: Gregory Vella, Authority Attorney, Collins, Vella and Casello, L.L.C.
Dennis Dayback, P.E. Authority Engineer, T&M Associates
Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A
Edward Tuberton, Foreman
Barbara Vilanova, Recording Secretary

Approval of Minutes – Authority Regular Meeting Held on 9/18/17

On **Motion** by Mr. Aumack, **Seconded** by Ms. Loud-Hayward, the Minutes of Regular meeting held on 9/18/17 were approved as presented, by all Members present, no nays, two absent, one abstain (Scarano)

REPORT OF ADVISORS

Foreman's Monthly Report

Mr. Tuberton's presented his monthly report:

❖ **Monthly Highlights**

- SREC's – \$175
July 81 SREC's auctioned 9/20 @175 = \$14,175
August 75 SREC's to be auctioned 10/18
64 SRECs for September to be auctioned Nov. 2017
- Liner repairs at Union Beach
Precise Construction \$19,750- work will begin Wednesday.
Precise omitted liner repair
Pumping services \$2,783
Andy Kutchman Electric- \$2,000 (estimate)
Liner repair company- approximately \$3,000- on site Thursday, Saturday or Monday at the latest.
- Vehicle update
2006 Durango stalling, not reliable
RFP for new vehicle written and ready to advertise
2018 Tahoe = \$33,344 state contract (3 months for delivery)

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- A/C repairs
- Lab contract expires 12/31/17- bid specs ready to advertise
- Quarterly backflow testing complete 9/26
- Safety/Employee meeting held 9/22
- 2018 Budget prep

On **Motion** by Mr. Sodon, **Seconded** by Mr. Scarano, the board authorized the repair of the liner by Precise Construction. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, one absent.

On **Motion** by Mr. Smith, **Seconded** by Mr. Sodon, the board authorized Mr. Tuberton to purchase the Chevrolet Tahoe under state contract. 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, which were some of the highlights for the month.

❖ Administrative Highlights

- BRSA & Keansburg billed for 4th quarter.
- FEMA Retention pond closeout payment received \$79,107.23
- TOMSA 4th Quarter Payment received.
- 3rd Quarter Pension Report of Contribution completed.
- 4th quarter unencumbered funds sent to Trustee.
- 4th quarter flow of funds completed by Trustee.
- AEA Convention – Nov. 14th & 15th @ Caesars.
- Open Enrollment for Health Benefits in progress.
- 2018 Preliminary Budget.

Engineer

Mr. Dayback reported that there has been no change over the past month and no activity since the last report for the NJNG Many Mind Creek Remediation or Whirl Construction.

The ACOE sent over revised plans for the Port Monmouth Flood Protection Projection. T&M reviewed the plans and comments were forwarded to the Authority by e-mail July 24, 2017 and forwarded to the Corps. There have been no comments from the ACOE and the concerns were never addressed.

Mr. Dayback reported that the cost proposal from Pure Technologies was made part of the application for funding to the New Jersey Infrastructure Trust Fund. MCBOA has completed the first steps of obtaining planning and design financing by creating a capital improvement project in h210ans and receiving a priority ranking and project number. The next steps to obtain short term financing for planning and design are:

- Submission of a *draft* engineering services agreement that identifies the planning and design scope; the individual tasks; and the personnel type (engineer, environmental professional, surveyor, etc.), hourly rates for each personnel type, and hours per task for each personnel type. The Puretech proposal will satisfy this requirement. There will be additional engineering costs estimated for the preparation of plans and specifications for any repairs that may be identified by the Puretech condition assessment. The engineering services agreement may be awarded after short term financing is approved. MCBOA must confirm that they agree with the terms of the agreement.
- Completion of the Short-Term FAF and form LP-6A in h210ans.

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When DEP review determines that the draft agreement and costs are acceptable, the Trust will receive a project certification for that scope and costs from DEP. Provided the STFAF and LP-6A are acceptable, the Trust will work with MCBOA's bond counsel to close on the short-term loan. The cost of entire project amount will be closed on but MCBOA will only be able to draw upon components of the project that are certified (this is intended to avoid the necessity of multiple short term loan closings as the project is developed and implemented). With the authority's authorization, T&M would like Rose Santos to work directly with the Authority's bond counsel on the submission of the required documents. The Authority requested Mr. Dayback to provide an approximate dollar amount for that by next meeting.

Mr. Dayback also reported that the Monmouth County Parks Trail Renovations continue and he has had no further communication with them.

BRSA Emergency Power remains as previously reported, FEMA has approved the concept of including and emergency generator at the MCBOA facility in Union Beach.

Resolutions

Resolution offered by Mr. Knox:

2018 AUTHORITY BUDGET RESOLUTION
Monmouth County Bayshore Outfall Authority

FISCAL YEAR: FROM: January 1, 2018 **TO:** December 31, 2018

WHEREAS, the Annual Budget and Capital Budget for the Monmouth County Bayshore Outfall Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 has been presented before the governing body of the Monmouth County Bayshore Outfall Authority at its open public meeting of October 16, 2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 1,945,436.00 , Total Appropriations, including any Accumulated Deficit if any, of \$ 1,945,436.00 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$80,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$30,000.00; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Monmouth County Bayshore Outfall Authority, at an open public meeting held on October 16, 2017 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Monmouth County Bayshore Outfall Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Monmouth County Bayshore Outfall Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 11, 2017.

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

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

Resolution offered by Mr. Sodon:

**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 UNION BEACH BASIN LINER**

WHEREAS, on July 18 and 19, 2017, Leak Location Services Inc. was conducting an inspection of MCBOA's liner at the Union Beach Basin. The inspection is required by MCBOA's DEP permit. During the inspection, Leak Location Services Inc. identified a small leak in the liner and issued a report to MCBOA identifying the leaks location on July 20, 2017; and

WHEREAS, MCBOA personnel notified the DEP and an emergency was declared due to the non-permitted discharge of treated effluent from the Union Beach Basin; and

WHEREAS, MCBOA also advised the DEP that any discharge was being contained by the under drain system and ground water pump that is located at the Union Beach pump station. However, due to the non-permitted leak, the basin liner needs to be repaired; and

WHEREAS, MCBOA contacted numerous contractors and obtained multiple estimates for the emergency repair work; and

WHEREAS, the lowest estimate for the work, which including the excavation and exposure of the leak and backfilling the disturbed area was from Precise Construction Incorporated in the amount of \$ 19,750.00. This work, like all the other estimates, did not include the repair to the liner, which will be done by the liner company. Precise Construction Incorporated estimate also did not include the rental of pumps, which MCBOA is obtaining for \$ 2,783.03; and

WHEREAS, all these services are needed as a result of Emergent Repair to MCBOA's Union Beach Basin Liner.

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), which includes payment to Precise Construction Incorporated, the Liner Company and Pumping Services Inc. for the rental of the pumps.

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. Scarano, and on a roll call the following vote was recorded:

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

New Business

None

Approval of Vouchers

Resolution offered by Mr. Aumack:

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 – October 16, 2017**

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Cablevision	\$148.99	Phone & internet Union Beach 10/1-10/31/17
2		Comcast	\$270.47	Triple Play Package- Belford 9/26-10/25/17
3		Constellation Energy	\$10.30	Belford Street Lighting 8/22-9/20/17
4		JCP&L	\$7,666.17	Union Beach 8/30-9/28/17
5		JCP&L	\$934.94	Belford 9/2-10/03/17
6		JCP&L	\$28.09	Belford Street Lighting 8/22-9/20/17
7		NJAWC	\$48.00	Union Beach 8/25-9/26/17
8		NJAWC	\$132.32	Belford 8/22-9/22/17
9		ADP	\$57.49	Payroll services 9/21/17
10		ADP	\$73.15	Payroll services 10/05/17
11		AT&T	\$108.38	Foreman's cell phone
12		Charles A. Dean Hospital	\$100.00	Donation-B.Vilanova's mother
13		Collins,Vella&Casello	\$510.00	Legal services August & September
14		Garden State Labs	\$5,399.00	Outside Laboratory services- August
15		Garden State Labs	\$3,806.00	Outside Laboratory services- September
16		Jaspan Brothers South	\$127.21	September supplies,roof cement, hardware, power strip
17		One Call Concepts	\$170.00	September one call notices
18		Sakoutis Brotheres	\$70.00	Garbage pick-up- October
19		Schaibles	\$1,210.00	Quarterly Backflow Certification
20		T&M Associates	\$276.00	NJEIT planning doc for force main
21		W.B. Mason	\$538.19	Office& Janitorial Supplies
22		Xerox	\$111.65	Monthly copier rental 8/22-9/21/17
		TOTAL	<u>\$21,796.35</u>	

Fringe benefits and payroll processed after the September Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 9/18/17

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
09/22/17	ADP	Employee's Payroll & Payroll Taxes	\$15,200.92	Payroll of 09/22/17
10/06/17	ADP	Employee's Payroll & Payroll Taxes	\$19,441.81	Payroll of 10/06/17
10/13/17		Sun Life Financial	\$ 767.96	Oct. long-term disability ins.
10/13/17	TEPS	NJSHBP	\$17,402.39	Oct. Health & Dental Benefits

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Seconded by Ms. Loud-Hayward and on roll call the following vote was recorded:

AYES: Aumack, Foley, Knox, Loud-Hayward, Sachs, Scarano, Smith & Sodon
NAYS: None
ABSENT: Schoeffling
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. Scarano, Seconded by Mr. Knox**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, one absent, the Meeting adjourned at 7:38 p.m.

Respectfully submitted by:

Barbara Vilanova,
Recording Secretary