

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, October 17, 2016, 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." Pledge of Allegiance & Moment of Silence

III. ROLL CALL – ATTENDANCE

Commissioners Present: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling and Sodon

Commissioners Absent: Smith

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

Approval of Minutes – Authority Regular Meeting Held on 9/19/16

On **Motion** by Mr. Schoeffling **Seconded** by Mr. Scarano, the Minutes of Regular meeting held on 9/19/16 were approved as presented by all Members present, no nays, none absent, none abstain

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberton, MCBOA Foreman, presented his monthly report.

❖ **Monthly Highlights**

- SREC's 10/19/16 43 for auction, 55 earned in September
- Bayshore Trail reconstruction
- Belford sewer ejector valve repair
- UB diesel automatic discharge valve repair
- NJDEP final permit modification received- CPO
- Mosquito Commission- drainage ditches treated in Union Beach
- Backflow preventers tested 9/20
- 3rd Quarter Employee/Safety meeting held 9/23
- Annual & Semi-Annual WCR testing completed 10/13
- 44 Bayside Drive retaining walls and improvements
- Eagle Scout Project- Osprey nest
- September 2016 DMR

Office Manager's Monthly Report

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

❖ Financial Report

- All balances and monthly interest rate were presented.
- Preliminary 2017 Budget Resolution
- BRSA & Keansburg billed for 4th Quarter
- 3rd quarter Pensions Report of Contributions completed.
- 4th quarter flow of funds completed by Trustee.
- TOMSA 4th Quarter payment received

❖ Administrative Highlights

- AEA Convention Nov. 15th & 16th @ Ceasers.
- Open Enrollment for Health Benefits in progress.
- Annual Membership Certification- Chapter 52- completed for Pension system.
- Online Safety class required by MELJIF completed.
- Met with BCB Bayshore bank representatives.

Attorney

Mr. Vella reported that he has received the easements from the County for the Monmouth County Trail repairs project. Although not certain exactly where the county will be using it does appear to be within our easements. Mr. Vella will prepare a letter to County Counsel expressing the Authority's concern.

Mr. Vella also reported that the plans for 44 Bayside Drive have been reviewed by T&M Engineering and the Authority's concerns have been relayed to the property owner's attorney. The Authority still needs to know the access point for the contractor. A release form was sent to the attorney to be executed.

Engineer

Mr. Dayback reported that there has been no activity since the last report for the Whirl Construction Project and no communication with The Army Corp. of Engineers regarding the Port Monmouth Flood Protection Project.

Mr. Dayback reported that the Authority received a response to our January 8, 2016 letter concerning the plans for the proposed 36" by pass from NJNG. T&M has reviewed the response letter and provided comments.

Mr. Dayback reported that although the Authority received revised plans from the Monmouth County Park System showing the location of the force main the plans did not address the remaining concerns that were discussed at the August 17, 2016 meeting. The Authority also received an e-mail from Mr. Adam Hubeny, Borough Administrator Atlantic Highlands, expressing his concern with not being part of the trail renovation plan discussion. Since Atlantic Highlands is partnered with the county on the project, Mr. Hubeny would like to be included in any future discussion concerning the renovation plan.

T&M has completed a review of the proposed development plan for 44 Bayside Drive and provided comments.

Resolutions

Resolution offered by Mr. Knox:

2017 AUTHORITY BUDGET RESOLUTION
Monmouth County Bayshore Outfall Authority

FISCAL YEAR: FROM: January 1, 2017 TO: December 31, 2017

WHEREAS, the Annual Budget and Capital Budget for the Monmouth County Bayshore Outfall Authority for the fiscal year beginning, January 1, 2017 and ending, December 31, 2017 has been presented before the governing body of the Monmouth County Bayshore Outfall Authority at its open public meeting of October 17, 2016; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 1,923,951 , Total Appropriations, including any Accumulated Deficit if any, of \$1,923,951 and Total Unrestricted Net Position utilized of 0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$50,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$30,000; 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 17, 2016 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, 2017 and ending, December 31, 2017 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 12, 2016.

Seconded by Mr. Scarano, 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 Ms. Loud-Hayward:

Resolution Adopting Personnel Policies and Procedures

WHEREAS, it is the policy of Monmouth County Bayshore Outfall Authority to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employ-

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ment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Monmouth County Bayshore Outfall Authority that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all (local unit type) officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Monmouth County Bayshore Outfall Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Monmouth County Bayshore Outfall Authority.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Monmouth County Bayshore Outfall Authority shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that the Chairman and all managerial/supervisory personnel are responsible for these employment practices. The Office Manager, The Operations Manager and the Authority Attorney shall assist the Chairman in the implementation of the policies and procedures in this manual.

BE IT FURTHER RESOLVED that I hereby certify the foregoing to be a true copy of the Resolution adopted by Monmouth County Bayshore Outfall Authority, County of Monmouth, and State of New Jersey on the 17th Day of October 2016.

Seconded by Mr. Aumack, 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

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 – October 17, 2016

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Avaya, Inc	\$51.47	Monthly ACS maintenance agreement-Oct.
2	5732	Cablevision	\$140.54	Phone & internet Union Beach 10/1-10/31/16
3	5731	Comcast	230.46	Phone & Internet Belford 9/26-10/25/16
4		JCP&L	\$5,969.76	Union Beach 8/27-9/27/16
5		JCP&L	\$122.42	Sandy Hook 9/2-10/4/16
6		JCP&L	\$556.02	Belford 9/1-9/29/16
7		JCP&L	\$26.31	Belford Street Lighting 8/19-9/19/16
8		NJAWC	\$116.06	Belford 8/24-9/24/16
9		NJAWC	\$42.94	Union Beach 8/25-9/26/16
10		ADP	\$55.93	Payroll services 09/22/16
11		ADP	\$71.19	Payroll services 10/06/165
12		Andrew Kutschman Electric	\$275.00	New wiring for sump pump at Union Beach
13		Belford Auto Service	\$425.00	Replace wiper motor & switch in Escape
14		Collins, Vella & Casello	\$330.00	General services for September
15		Collins, Vella & Casello	\$1,140.00	General services for October
16		Dick's Auto Electric	\$195.00	Rebuild diesel engine starter
17		Fisher Scientific	\$90.62	Solutions for Lab
18		Grainger	\$155.00	Charts
19		Jaspan Brothers South	\$5.45	Wasp spray
20		LRM	\$960.90	Quarterly meter calibrations- 3 rd quarter
21		Norwood Auto Parts	\$86.06	Brake pads, oils, bulbs & filter for Durango
22		One Call Concepts	\$196.25	September one call notices
23		Pumping Services	\$760.00	Service call for sewer ejector- Belford
24		Schaibles	\$1,000.00	3 rd quarter back flow certification
25		Staples	\$9.45	Scanning revised trail plans
26		Staples	\$121.46	Paper tape for veeder root, copy paper & ink
27		Ted Hall Locksmith	\$90.00	Open File cabinet
28		The Sign Maker	\$30.00	Waste Oil signs
29		TOMSA	\$75.00	4 th Quarter Sewer
30		W. H. Potter & Son	\$124.00	2- 2 ½ gallons containers of weed killer
31		Xerox	111.65	Monthly copier rental 8/29-9/21/16
		TOTAL	<u>\$13,563.94</u>	

Fringe benefits and payroll processed after the September Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 9/19/16

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
09/21/16	ADP	Employee's Payroll & Payroll Taxes	\$15,723.58	Payroll of 09/21/16
10/05/16	ADP	Employee's Payroll & Payroll Taxes	\$19,255.13	Payroll of 10/05/16
10/03/16	5730	Sun Life Financial	\$ 760.49	Oct. long-term disability benefits ins
10/14/16	TEPS	NJSHBP	\$17,400.00	Oct. Health & Dental Benefits

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

AYES: Aumack, Foley, Loud-Hayward, Knox, Sachs, Scarano, Schoeffling & Sodon
 NAYS: None
 ABSENT: Smith
 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. Aumack, 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 7:40 p.m.

Respectfully submitted by:

Barbara Vilanova,
Recording Secretary

The following actions were taken at the meeting:

The Bills were paid –see attached voucher list.

The Resolution Authorizing the 2017 Preliminary Budget was approved.

The Resolution Adopting Personnel Policies and Procedures was approved.