

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, October 28, 2013, 6:00 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, Smith and Sodon

Commissioners Absent: None

Also Present: Gregory W. Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C.
John McKelvey, P.E. Authority Engineer, T&M Associates
Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A
Edward Tuberion, Foreman
Barbara Vilanova, Recording Secretary
Mike Gannelli, G&M

Approval of Minutes – Authority Regular Meeting Held on 9/16/13

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Scarano, the Minutes of Regular meeting held on 9/16/13 were approved as presented by all Members present, no nays, none absent, none abstain

REPORT OF ADVISORS

Foreman's Monthly Report

Prior to Mr. Tuberion presenting his report he introduced Mike Gannelli from G&M to the Board. Mr. Gannelli was here to question why his bid for the heat coil was turned down and awarded to someone with a higher bid. Mr. Tuberion and Mr. Vella both explained that it wasn't a bid it was a Request For Proposal that Mr. Gannelli responded too. It was explained that the reason the RFP was awarded to I. B. Miller was a time constraint issue. At last month's meeting Mr. Tuberion reported that he had only been able to obtain two quotes for the RFP, I.B. Miller and Coastal Air. The board requested Mr. Tuberion try to obtain a 3rd quote. Mr. Gannelli came to the site and said he would submit a proposal. At least a week passed and there was no proposal. The weather started getting colder and with no heat for the building time was of the essence. After conferring with the Chairman it was agreed to proceed with I.B. Miller because the part has a 2-3 week lead time. Several days later the proposal from G&M arrived but it was too late to cancel I.B. Miller as they had already started fabrication.

Edward Tuberion, MCBOA Foreman, presented his monthly report.

❖ **Monthly Highlights**

- SREC's & SREC Pricing
- FEMA Project Updates
- UST system at Union Beach
- Air handler heat coil repair
- Lab contract RFP advertised – bid opening November 14th

- Employee Roger Dandorph retiring January 10, 2014.
- Backflow preventers tested 9/26
- Meter calibration
- September 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 2014 Budget Resolution
- BRSA & Keansburg billed for 4th Quarter
- 3rd quarter Pensions Report of Contributions completed.
- 3rd quarter flow of funds completed by Trustee.
- TOMSA 2nd Quarter payment received
- Check received from USPS for damage to vehicle.

❖ Administrative Highlights

- AEA Convention Nov. 19th & 20th.
- Open Enrollment for Health Benefits in progress.
- NJMEL Elected Officials Training at Convention

Attorney

Mr. Vella reported that a property owner on Bayside Dr. is in the process of having a retaining wall installed on his property to protect his property. The property owner has permission from Monmouth County and Atlantic Highlands to utilize the Henry Hudson Trail to access their property. The property owner would like us to grant permission as well, however there are concerns. The contractor will need to traverse the pipe to get from the trail to the property. There will be a John Deere excavator utilized and they will bring equipment to and from the base of the slope where the equipment will be staged for drilling of the piles and construction. This is the slump block area so there are many concerns. After discussion it was decided that more information is required and that the Authority Engineer needs to review as well. This will probably be the first of several property owners who will be installing retaining walls and the Authority needs to decide what protection we need for ourselves and what is best for the pipe in the slump block area.

Mr. Vella also reported that he has a new name of an independent 3rd party to inspect the solar system and he will get that information to Mr. McKelvey

Engineer

▪ Photovoltaic System

Mr. McKelvey reported that the Authority Attorney is in the process of obtaining a third party independent investigator to identify the problems and causes of below expected efficiency.

▪ Retention Pond Repairs

Mr. McKelvey reported that JRI commenced construction at the Union Beach site on September 20th, 2013.

Work performed to date includes surveys of sludge and earth cover levels, removal of eroded sand and stone from side slopes and separation, removal of sludge from bottom of basin and, after drying, disposal of same, removal of earth cover from bottom of basin, removal of existing liner and disposal, new liner delivered to the site.

Payment Certificate #1 in the amount of \$268,048.75 is presented tonight for payment. T&M has reviewed it and recommends payment.

Additionally on October 18, 2013, the sub-base below the liner was observed to have numerous rocks, stones and debris which pose a potential threat to the integrity of the new liner. Options to address this unforeseen condition and a potential change order to the contract were reviewed along with requesting FEMA determination on eligibility of the work for funding. One option is to put a material down that is recommended by the liner manufacturer. The other option would be far more costly and would involve excavating and sorting inches of the basin.

Lastly, Mr. McKelvey reported there was an onsite discussion about sloping the basin bottom 1% to potentially reduce bubbles in the liner. In discussions with the liner supplier it has been determined that a 4% slope would be required to assure there would be no bubbles. Re-grading the basin bottom to this slope is not feasible as it would have major impacts on the basin design and the underdrain system.

On **Motion** by Mr. Scarano, **Seconded** by Ms. Loud-Hayward, the board authorized Change Order #1 for the filter fabric for under the liner in the retention pond not to exceed \$51,000.00. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, none absent.

- **Super storm Sandy Hazard Mitigation**

Mr. McKelvey reported that the Authority prepared a Letter of Intent describing proposed outfall mitigation and anticipated costs and submitted same to the County office of Emergency Management. MCBOA is awaiting response on its application.

Resolutions

Resolution offered by Mr. Scarano:

2014 Authority Budget Resolution Monmouth County Bayshore Outfall Authority

FISCAL YEAR: FROM January 1, 2014 TO December 31, 2014

WHEREAS, the Annual Budget and Capital Budget for the Authority for the fiscal year beginning, January 1, 2014 and ending, December 31, 2014 has been presented before the governing body of the Monmouth County Bayshore Outfall Authority at its open public meeting of October 28, 2013; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 1,756,928 , Total Appropriations, including any Accumulated Deficit if any, of \$1,756,928 and Total Unrestricted Net Assets utilized of \$ 0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$167,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$77,000; 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

MCBOA Regular Meeting of October 28, 2013

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 28, 2013 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Monmouth County Bayshore Outfall Authority for the fiscal year beginning, January 1, 2014 and ending, December 31, 2014 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 16, 2013.

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

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

New Business

On **Motion** by Mr. Knox, **Seconded** by Mr. Scarano, the board authorized the payment of James R. Ientile, Inc., Payment Certificate #1 for the retention pond repair project. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, none absent.

Approval of Vouchers

Resolution offered by Mr. Scarano:

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 28, 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-Oct
2	4499	Cablevision	\$13.07	Optimum voice and online, 10/1-10/31/13
3		JCP&L	\$39.05	Belford Street Lighting 8/21-9/19/13
4		JCP&L	\$5,734.69	Union Beach 8/28-9/26/13
5		JCP&L	\$3,122.73	Belford 9/4-10/2/13
6		JCP&L	\$178.24	Sandy Hook 9/6-10/3/13
7		JCP&L	\$39.07	Belford Street Lighting 9/20-10/21/13
8		NJAWC	\$123.19	Union Beach 8/20-9/20/13
9		NJAWC	\$88.10	Belford 10/20-11/20/13
10	4496	Verizon	\$49.99	Broadband service 9/16-10/15/13

MCBOA Regular Meeting of October 28, 2013

11	4497	Verizon	\$145.79	Belford 9/14-10/13/13
12	4498	Verizon	\$15.64	Belford long distance 9/23-10/22/13
13		Verizon	\$140.43	Belford 10/14-11/13/13
14		Verizon	\$49.99	Broadband service 10/16-11/15/13
15		AEA	\$2,000.00	Ocean dischargers group fund
16		ADP	\$63.97	Payroll services 9/12/13
17		ADP	\$52.43	Payroll services 9/26/13
18		ADP	\$64.89	Payroll services 10/10/13
19	4469	ATS Environmental	\$3,100.00	Biocide treatment, tank cleaning, waste removal
20		AT&T Mobility	\$94.03	Foreman's cell phone, 9/5-10/4/13
21		AT&T Mobility	\$97.12	Foreman's cell phone, 10/5-11/4/13
22		Andrew Kutschman	\$395.00	Infrared Scan repairs
23		Apollo	\$275.00	Snake drain/disconnect hot water heater UB
24		Belford Auto Repair	\$945.00	R&R oil pan, gasket, labor
25		Collins Vella & Casello	\$1,035.00	September general services
26		DeZURIK	\$642.00	Cover gasket cell cork, ringret, float
27		Gannett NJ Newspaper	\$68.00	Change of Meeting Publication
28		Garden State Labs, Inc.	\$5,286.00	Outside lab fees - August
29		Garden State Labs, Inc.	\$5,170.00	Outside lab fees - September
30		Home Depot	\$189.00	Office refrigerator
31	4500	Jaspan Brothers South	\$190.22	Hardware
32		Kepwel	\$27.00	Spring water
33		Municipal Maintenance Co.	\$925.00	Labor & material for sparking battery terminals
34		Neopost	\$108.99	Ink cartridge
35		NJWEA	\$63.00	Tech Transfer Seminar –Eddie 9/16
36		Norwood Auto Parts	\$137.76	Oil, filter, brakes, rotors- Durango & wire
37		One Call Concepts	\$181.26	One call notices for September
38		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up - November
39		Sakoutis Brothers Disposal	\$70.00	Monthly trash pick-up – October
40		Schaibles Plumbing	\$1,000.00	Quarterly Backflow Preventer Certification
41		Schaibles Plumbing	\$355.50	Service call for Union Beach backflow
42		Staples	\$82.98	Black ink for foreman's printer, pens
43		Staples	\$41.79	Ink for office printers
44		Staples	\$111.46	Fax ink/ Ink for Union Beach
45		Staples	\$42.95	Report covers and Colored Ink for Eddie
46		T&M Engineering	\$463.75	General services April 2012
47		T&M Engineering	\$502.04	General services September 2012
48		T&M Engineering	\$236.25	May/June 2012 Solicit Quotes Joint Inves.
49		T&M Engineering	\$606.00	September General Services
50		T&M Engineering	\$9,032.27	Retention Pond Repairs
51		W.B. Mason	\$58.97	Report covers, ink
52		W.B. Mason	\$115.28	Wet mop, bleach, towel, paper, markers
53		Xerox	\$105.00	Monthly copier rental
		TOTAL	<u>\$43,796.59</u>	

Fringe benefits and payroll processed after the September Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 9/16/13

Date	Check No.	To	Amount	Description
09/27/13	Ceridian	Employee's Payroll & Payroll Taxes	\$15,103.99	Payroll of 09/27/13

MCBOA Regular Meeting of October 28, 2013

10/11/13	Ceridian	Employee's Payroll & Payroll Taxes	\$22,875.35	Payroll of 10/11/13
10/25/13	Ceridian	Employee's Payroll & Payroll Taxes	\$19,219.86	Payroll of 10/25/13
09/27/13	4495	Sun Life Financial	\$ 752.71	Oct. long-term disability benefits ins.
09/20/13	4468	Delta Dental	\$ 1,170.98	Dental premium October
10/10/13	TEPS	NJSHBP	\$13,761.85	October Health Benefits

Seconded by Mr. Sodon and on 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

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. Schoeffling**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the meeting adjourned at 6:36 p.m.

Respectfully submitted by:

Barbara Vilanova,
Recording Secretary