

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, December 12, 2011, 7:33 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

Members Present: Aumack, Bateman, Foley, Knox, Loud-Hayward, Sachs, Schoeffling, Smith & Sodon
Members Absent: None

Also Present: Gregory W. Vella, Esq., Attorney, Collins, Vella and Casello, L.L.C.
John McKelvey, P.E., Authority Engineer, T&M Associates
Theodore Panis, CPA, Authority Auditor, Panis & Attner, P.A.
Barbara Vilanova, MCBOA Office Manager
Edward Tuberion, MCBOA Foreman

IV. Approval of Minutes – Regular Meeting Held on 11/21/11

On **Motion** by Ms. Loud-Hayward, **Seconded** by Mr. Knox, the Minutes of the Regular Meeting of 11/21/11 were approved and on a roll call the following vote was recorded:

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

Executive Director's Monthly Report

Edward Tuberion, MCBOA Foreman, presented his monthly report.

❖ **Operational Highlights**

- Lab contract bids
- SREC's
- Permit modification received from NJDEP
- Backup power study
- Slump Block Inspection RFP
- Inverter service contract
- Keansburg project
- Computers backed up 12/5/11
- 2nd shift employee returned to work 12/1/11

Ms. Vilanova reported on the following administrative issues:

❖ **Administrative Highlights**

- Preliminary Budget received from DCA

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- Annual Consulting Engineers requested for T&M
- Preliminary Budget sent to Trustee as per Bond Resolution.
- RICE notices delivered to employees.
- TOMSA billed for 1st Quarter.
- 2012 Holiday schedule provided to employees.
- Refund check received from NJSEM- dues down to \$150
- Reimbursement check received from Keansburg
- Reimbursement check received from NJNG

Attorney's Report

Mr. Vella provided the following information:

Mr. Vella reported that he has reviewed the notice of award contract for the Coe Place repair and found it to be in order. There still has been no confirmation from the NJDEP as to when they will allow the repair if a shutdown is needed. Once T&M files the wetlands permit application Mr. Vella will reach out to the NJDEP.

Mr. Vella also reported that he is drafting a letter to the NJDEP in reference to the recent permit modification that the Authority has received. Mr. Vella is working with the Foreman, Edward Tuberton to prepare the comments.

Requests for proposals for the administrative professionals need to be done. The Authority will still use the Fair & Open process which it began using in 2007. The RFP's will be on the website by the 4th of January and will be due in the MCBOA office on January 18th. The professionals will be appointed at the February 6th meeting.

Engineer

▪ New Jersey Natural Gas Cleanup at Many Mind Creek

Mr. McKelvey reported the Authority is still waiting for the soil boring report from ERM. ERM anticipates the report will be completed by the end of the year.

• Force Main Thrust Restraint Repair

Mr. McKelvey reported that the project was awarded to J. Fletcher Creamer & Son, Inc. at the Authority's November 21, 2011 meeting. Notice of Award contracts were reviewed with the Authority Attorney and have been forwarded to the contractor. A preconstruction meeting will be scheduled in the coming weeks. The wetlands permit application package is being finalized and will be forwarded to the NJDEP shortly.

• Emergency Back-up Power Evaluation

A draft report has been provided to the Authority for review and discussion. The Authority members will review it and discuss at the January meeting.

▪ Annual Report of the Consulting Engineer

The Annual Report of the Consulting Engineer, as required by the Authority's bond resolution, was submitted.

New Business

None

Resolutions

Resolution offered by Mr. Knox:

Salary Guide Resolution for the Year 2012

BE IT RESOLVED by the Monmouth County Bayshore Outfall Authority that:

- I. The base salaries for the Authority’s employees and commissioners for the year 2012, as shown below, be and are hereby approved:

<u>Name & Title</u>	<u>Base Annual</u>	<u>Longevity</u>	<u>License Bonus</u>
Robert Chrzan, Pump Station Operator	44,262	2,340	---
Roger Dandorph, Pump Station Operator	42,725	2,340	---
Michael Dickie, Mechanic	49,971	2,340	---
John R. Roche, Pump Station Operator	41,292	1,560	780
Edward M. Tuberion, Jr., Foreman	63,494	3,120	5,200
Edward M. Tuberion, Sr. Pump Station Operator	48,713	1,560	5,200
Part-Time Executive Director	25,000	---	---
Barbara J. Vilanova, Office Manager	46,228	780	---
Summer Employee (10 weeks maximum)	11.00/hr.	---	---
Part-Time Office Clerk	15.00/hr.	---	---
Harry Aumack, Commissioner	4,236	---	---
Alan Bateman, Commissioner	4,236	---	---
Mary Foley, Commissioner	4,236	---	---
Laurie Harnett, Lab Manager	1,600	---	---
Thomas J. Knox, Commissioner	4,236	---	---
Elizabeth Loud-Hayward, Commissioner	4,236	---	---
Michael C. Sachs, Chairman	4,776	---	---
Robert A. Schoeffling, Commissioner	4,236	---	---
Paul J. Smith, Jr., Vice-Chairman	4,332	---	---
J. Timothy Sodon, Commissioner	4,236	---	---
New Employee	38,000		

- II. The above salaries shall be paid in such installments and at such times, as the Authority shall direct:

III. Each full-time employee shall be entitled to and received, in addition to his/her base salary stated above, a longevity bonus of \$780 annually for each completed five-year increment of continuous full-time employment.

- a. For the purpose of computation, an employee who is employed for more than six (6) months during the first calendar year of employment shall have that year included in the computation of years of service in determining longevity bonus. An employee with six months or less service during the first calendar year of employment shall not have that period included in the computation of years of service in determining longevity bonus; and

b. Said longevity bonus shall be included in, and considered part of, the employee's base salary for purposes of computing taxes and payments into the retirement system, and shall be made in the same manner as prescribed for regular salaries.

IV. Each full-time employee shall be entitled to and receive, in addition to his/her base salary stated above, a license bonus according to New Jersey Department of Environmental Protection classifications, as follows:

C-1	\$364
C-2	\$780
C-3	\$2,600
C-4	\$5,200

a. The license bonus shall be prorated for the year in which it is attained or upgraded, from the date of issue through December 31.

b. Said license bonus shall be included in, and considered part of, the employee's base salary for purposes of computing taxes and payments into the retirement system, and shall be made in the same manner as prescribed for regular salaries.

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

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

Resolution No. 121211-1

Resolution offered by Mr. Schoeffling:

**RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS
UNDER THE FAIR OPEN PROCESS PURSUANT
TO N.J.S.A. 19:44A-20.4 *et seq.***

WHEREAS, the State of New Jersey recently passed "Pay-To-Play" laws wherein all counties, municipalities and local authorities, who award contract in excess of \$17,500.00 for goods and services, may either retain professionals under the Fair and Open Process or the Non-Fair Open Process; and

WHEREAS, Monmouth County Bayshore Outfall Authority awarded contracts by the Fair and Open Process for legal services, engineering services and auditing services for 2006, 2007, 2008, 2009, 2010 and 2011; and

WHEREAS, the Commissioners of the Monmouth County Bayshore Outfall Authority believe that it is the best interest of the Authority and their clients to continue to retain professionals pursuant to the Fair and Open Process; and

WHEREAS, the Commissioners of the Monmouth County Bayshore Outfall Authority desire to request proposals pursuant to the Fair and Open Process for the position of attorney, engineer and auditor for the 2012 year; and

NOW, THEREFORE, BE IT RESOLVED that Monmouth County Bayshore Outfall Authority hereby authorizes the attorney for the Monmouth County Bayshore Outfall Authority to prepare bid specifications for the position of attorney, engineer, and auditor for Monmouth County Bayshore Outfall Authority for 2012; and

BE IT FURTHER RESOLVED that the Authority's Secretary is hereby authorized to publish Notice of the Bid Proposals on Monmouth County Bayshore Outfall Authority's website by January 4, 2012 and receive proposals by January 18, 2012 and submit copies of each proposal to all Commissioners for their consideration prior to the meeting, so the Commissioners can award contracts for these positions at the February 6, 2012 meeting.

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

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

Resolution offered by Ms. Loud-Hayward:

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 – December 12, 2011**

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Avaya, Inc	\$42.98	Monthly ACS maintenance agreement
2		Hess	\$5,276.19	Union Beach 10/15-11/16/11
3		JCP&L	\$2,642.42	Union Beach 10/15-11/16/11
4		NJAWC	\$104.94	Union Beach 10/24-11/22/11
5	3608	Verizon	\$108.57	Union Beach 11/17-12/16/11
6	3607	Verizon	\$14.12	Belford long distance- November
7	3639	Verizon	\$93.69	Belford all in one/fax – 11/14-12/13/11
8	3638	Verizon Online	\$50.74	Broadband Service- 11/16-12/15/11
9		ADP	\$45.45	Payroll services 11/24/11
10		Bayshore Fire & Safety	\$48.00	Fire extinguisher inspection
11		Collins, Vella & Casello	\$971.50	General services - November
12		Fisher Scientific	\$154.12	Lab supplies
13		Grainger	\$165.92	Solenoid, Airhose & attachments
14		Hach	\$266.93	Lab supplies

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15	Home Depot	\$70.45	Compressor
16	Jaspan Hardware	\$74.99	Supplies for November
17	Middletown Plumbing & Heating	\$107.97	Flushometer & washer
18	One Call Concepts	\$152.32	One call notices for October
19	Schaibles	\$1,000.00	Quarterly Backflow testing-November 2011
20	Sissco.	\$714.80	3 ton hoist inspections
21	Staples	\$133.51	Report covers, stamp pads, calendar, fax ink
22	T&M Engineering	\$571.89	November general services
23	The Bank of New York	\$1,500.00	Annual Administration Fee 2005 A Series
24	The Bank of New York	\$1,500.00	Annual Administration Fee 2005 B Series
25	Township Hardware	\$3.79	Krazy glue
26	TOMSA	\$1,300.94	409.10 gallons of unleaded fuel
27	TOMSA	\$70.00	4 th Quarter sewer fee
28	Water Environment Federation	\$79.00	Annual membership E. Tuberion, Jr.
29	XEROX Corporation	\$105.00	Copier rental 10/25-11/23/11
	TOTAL	<u>\$17,370.23</u>	

Fringe benefits and payroll processed after the November Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 11/21/11

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
11/25/11	Ceridian	Employee's Payroll & Payroll Taxes	\$15,409.69	Payroll of 11/25/11
12/09/11	Ceridian	Employee's Payroll & Payroll Taxes	\$19,007.77	Payroll of 12/09/11
12/08/11	3640	Sun Life Financial	\$ 754.81	Dec. long-term disability ins.
12/08/11	3641	SBP Educational Fund	\$ 946.86	Dental premium December 2011

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

AYES: Aumack, Bateman, Foley, Loud-Hayward, Knox, Sachs, 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. Schoeffling**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the Meeting adjourned at 7:54 p.m.

Respectfully submitted by: _____
 Barbara Vilanova, Recording Secretary