

**Minutes of the Annual Reorganization Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, February 12, 2024, 4:00 p.m. via Zoom**

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, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon

Members Absent: None

Also present: Gregory W. Vella, Esq., Authority Attorney, Collins, Vella & Casello
David, Kysniak, Authority Engineer, T&M Associate
Edward Tuberton, Operations Manager
Barbara Vilanova, Recording Secretary.

The Chairman, Michael C. Sachs, turned the chair over to Mr. Vella, Authority Attorney, for election of officers.

Mr. Vella, Authority Attorney, noted that the first order of business was the election of a chairman and called for nominations.

Mr. Sodon **Moved, Seconded** by Mr. Impreveduto, that Michael Sachs, be nominated for Chairman.

There being no further nominations, Mr. Sodon **Moved, Seconded** by Mr. Impreveduto that the nominations for the election of the chairman be closed. Mr. Vella, as Authority Attorney, declared the nominations closed.

Roll Call:

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs &, Sodon
NAYS: None
ABSENT: None
ABSTAIN: Sachs

Mr. Vella relinquished the chair to the re-elected Chairman, Michael Sachs.

Chairman Sachs noted that the next order of business was the election of a Vice-Chairman and called for nominations.

Mr. Sachs **Moved, Seconded** by Mr. Lewandowski that Mr. Sodon, be nominated for Vice-Chairman.

MCBOA 2/12/24 Annual Reorganization Meeting

There being no further nominations, Mr. Sachs **Moved, Seconded** by Mr. Lewandowski, that the nominations for the election of the vice-chairman be closed. Mr. Vella, as Authority Attorney, declared the nominations closed.

Roll Call:

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandoski, Sachs & Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Sachs noted that the next order of business was the appointment of the Authority Professional Advisors for the year.

Mr. Sachs **Moved, Seconded** by Mr. Kalaka, to appoint Gregory W. Vella, Esq., of Collins, Vella and Casello, L.L.C., to continue in his capacity as Authority Attorney.

There being no other nominations, Mr. Sachs **Moved, Seconded** by Mr. Kalaka, that the nominations for the election of the Authority Attorney be closed.

Roll Call:

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Mr. Sachs noted that the appointment of an Authority Engineer was next on the agenda.

Mr. Aumack **Moved, Seconded** by Mr. Buccellato, that T&M Associates, be appointed as Authority Engineer.

There being no other nominations, Mr. Aumack **Moved, Seconded** by Mr. Buccellato, that the nominations for the election of the Authority Engineer be closed. The chairman declared the nominations closed.

Roll Call:

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Next on the Agenda was the appointment of the Auditor.

Mr. Sachs **Moved, Seconded** by Mr. Sodon, that Suplee, Clooney & Company, be appointed to the position of Authority Auditor.

There being no other nominations, Mr. Sachs **Moved, Seconded** by Mr. Sodon, that the nominations for the election of the Authority Auditor be closed. The chairman declared the nominations closed.

Roll Call:

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon

MCBOA 2/12/24 Annual Reorganization Meeting

NAYS: None
ABSENT: None
ABSTAIN: None

Next on the Agenda was the appointment of Bond Counsel.

Mr. Sachs **Moved, Seconded** by Mr. Lewandowski that John Draikiwicz, Esquire of the firm Gibbons, P.C., be retained for Authority Bond Counsel.

There being no other nominations, Mr. Sachs **Moved, Seconded** by Mr. Lewandowski, that the nominations for the election of the Authority Bond Counsel be closed. The chairman declared the nominations closed.

Roll Call:

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Resolutions

Resolution Offered by Mr. Sachs:

RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY ATTORNEY

WHEREAS, the Monmouth County Bayshore Outfall Authority has a need to acquire Legal Goods and Services by the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, the term of the contract is for One (1) year from February 12, 2024 to February 3, 2025 and may be extended as approved by this governing body; and

WHEREAS, Gregory W. Vella, Esquire of the firm Collins, Vella & Casello, L.L.C. in Manasquan, New Jersey has submitted a proposal indicating they will provide the legal goods and services for \$5,750.00 as retainer per year and an hourly rate of \$175.00 per hour; and

WHEREAS, Gregory W. Vella, Esquire of the firm Collins, Vella & Casello, L.L.C. has submitted a proposal pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, Monmouth County Bayshore Outfall Authority has complied with certification of the availability of funds requirements – N.J.S.A. 50:30-5.4; and

NOW THEREFORE, BE IT RESOLVED that the Monmouth County Bayshore Outfall Authority authorizes entering into a contract for legal services with Gregory, W. Vella, Esquire of the firm Collins, Vella & Casello, L.L.C. as described herein; and

Resolution was Seconded by Commissioner Kalaka and approved by roll call vote.

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Resolution Offered by Mr. Aumack:

**RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND
OPEN CONTRACT FOR ENGINEERING FOR MONMOUTH COUNTY
BAYSHORE OUTFALL AUTHORITY**

WHEREAS, the Monmouth County Bayshore Outfall Authority has a need to acquire Engineering Services by the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, T&M Associates in Middletown, New Jersey has submitted a proposal indicating they will provide Engineering Services consistent with the request for proposal at a fee structure identified in their proposal and their contract; and

WHEREAS, T&M Associates also represented that an Engineer from T&M Associates will be attending MCBOA's monthly meetings and MCBOA will not be charged for his attendance at the MCBOA's monthly meetings; and

WHEREAS, the term of the contract is for One (1) year from February 12, 2024 to February 3, 2025 and may be extended as approved by this governing body; and

WHEREAS, T&M Associates has submitted a proposal pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, Monmouth County Bayshore Outfall Authority has complied with certification of the availability of funds requirements – N.J.S.A. 50:30-5.4; and

NOW THEREFORE, BE IT RESOLVED that the Monmouth County Bayshore Outfall Authority authorizes entering into a contract for Engineering Services with T&M Associates as described herein; and

BE IT FUTHER RESOLVED. MCBOA hereby require that David A. Ksyniak, P.E. of T&M attend MCBOA's monthly meetings; and

Resolution was Seconded by Commissioner Buccellato and approved by roll call vote.

MCBOA 2/12/24 Annual Reorganization Meeting

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None
ABSTAIN: None

Resolution offered by Mr. Sachs:

RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR BOND COUNSEL FOR THE MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY

WHEREAS, the Monmouth County Bayshore Outfall Authority has a need to acquire Legal Goods and Services by the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, the Monmouth County Bayshore Outfall Authority has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, Monmouth County Bayshore Authority plans to apply for financing in 2024 and the financing regulations requires the Authority to retain Bond Counsel; and

WHEREAS, the term of the contract is from February 12, 2024 to February 3, 2025 and may be extended as approved by this governing body; and

WHEREAS, John D. Draikiwicz, Esquire of the firm Gibbons, P.C. in Newark, New Jersey has submitted a proposal indicating they will provide the legal services for a fee structure identified in their proposal; and

WHEREAS, John D. Draikiwicz, Esquire of the firm Gibbons, P.C. has submitted a proposal pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq*; and

WHEREAS, Monmouth County Bayshore Outfall Authority has complied with certification of the availability of funds requirements – N.J.S.A. 50:30-5.4; and

NOW THEREFORE, BE IT RESOLVED that the Monmouth County Bayshore Outfall Authority is authorized to enter into a contract for legal services with John D. Draikiwicz, Esquire of the firm Gibbons, P.C. as described herein; and

Resolution was Seconded by Commissioner Lewandowski and approved by roll call vote.

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None

Resolution offered by Mr. Lewandowski:

**Resolution of the
Monmouth County Bayshore Outfall Authority**

Appointing Official Newspaper

BE IT RESOLVED that the official newspaper of the Monmouth County Bayshore Outfall Authority for publication of all notices as required by law will be the Asbury Park Press.

Resolution seconded by Commissioner Sodon and approved by roll call vote.

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None

Resolution offered by Commissioner Lewandowski:

**Resolution of the
Monmouth County Bayshore Outfall Authority
Providing For “Annual Notice” Of Meetings
Pursuant To Section 13 of The Open Public Meetings Act**

WHEREAS, the Open Public Meetings Act requires that all public bodies at the time of their annual organization meeting, or within 7 days thereof, shall post, mail to newspapers, and give notice to certain other persons the schedule of meetings for the succeeding year.

NOW, THEREFORE, BE IT RESOLVED, that the meeting dates of the Monmouth County Bayshore Outfall Authority be hereby fixed:

- March 18, 2024
- April 15, 2024
- May 20, 2024
- June 17, 2024
- July 15, 2024
- August 19, 2024
- September 16, 2024
- October 21, 2024
- November 18, 2024
- December 9, 2024 —Public Budget Hearing, 7:00 PM
9, 2024 —Regular Meeting, Immediately after the Public Budget Hearing
- January 13, 2025
- February 3, 2025—Reorganization Meeting, 7:00 PM
3, 2025—Regular Meeting, Immediately after the Reorganization Meeting

All Meetings will be held on the third Monday of each month **with the exception of the December 2024 and January 2025 meeting which are the second Monday, and the February 2025 Meeting, which is the first Monday.** The meetings will take place at the Authority’s offices, 200 Harbor Way, Belford, New Jersey, at 7:00 PM

BE IT FURTHER RESOLVED, that the Secretary is hereby authorized to transmit the notice of these meetings to the Authority’s official newspaper, the County Clerk, the Board of Freeholders, the Customer Authorities, the Clerks of the municipalities served or to be served by the Monmouth County

MCBOA 2/12/24 Annual Reorganization Meeting

Bayshore Outfall Authority and to post said notice on the south door of the Authority’s offices in Belford, New Jersey.

BE IT FURTHER RESOLVED, that this resolution and the schedule contained herein may be amended from time to time provided the terms of the Act are followed.

Resolution seconded by Mr. Aumack and approved by roll call vote.

AYES: Aumack, Buccellato, Foley, Impreveduto, Kalaka, Lewandowski, Sachs & Sodon
NAYS: None
ABSENT: None

Resolution offered by Mr. Lewandowski:

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 –February 12, 2024**

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Cablevision	\$241.68	Phone & Internet – Union Beach 1/1-1/31/24
2		Comcast	\$226.20	Phone & Internet- Belford 1/26-2/25/24
3		Direct Energy	\$90.32	Sandy Hook 12/6-23-1/5/24
4		JCP&L	\$3,814.40	Belford 12/1-2/2/24
5		JCP&L	\$3,918.88	Union Beach 12/28/23-1/26/24
6		JCP&L	\$6,605.57	Union Beach 11/29-12/27/23
7		JCP&L	\$77.22	Sandy Hook 12/6/23-1/5/24
8		JCP&L	\$41.49	Belford Street Lighting 12/19/23-1/18/24
9		NJAWC	\$594.60	Union Beach 11/29-12/21/23
10		NJNG	\$917.36	Gas Belford 11/22-12/27/23
11		ADP	\$157.25	Payroll services 1/4/24 & 1/18/24
12		Apollo Sewer	\$825.00	Jet drains at Union Beach & Belford
13	8500	AT&T Mobility	\$78.86	Foreman’s cellular phone 1/5-2/4/24
14		Automatics Unlimited	\$175.00	Service call for gate
15		Automatics Unlimited	\$2,066.74	Repairs to gate-boards, transformer,connections
16		Central Jersey Health Ins. Fund	\$11,368.52	Health Insurance for February
17		Collins, Vella & Casello	\$262.50	December legal services
18		County of Monmouth	\$209.35	85.3 gallons of unleaded fuel - November
19		Gannett	\$276.00	Help wanted ad- newspaper publication
20		Gannett	\$49.08	Publication of RFP’s notice
21		Gannett	\$294.88	Publication of 2022 Audit synopsis
22		Jaspan Brothers South	\$213.43	Jan.supplies- ice melt,moth balls, markout paint, hardware
23		Miller Energy Inc.	\$6,500.00	Meter rental for Union Beach 10/9/23-1/9/24
24		Mission Communications	\$1,198.80	Annual SCADA service – 2/1/24-1/31/25

MCBOA 2/12/24 Annual Reorganization Meeting

25	One Call Concepts	\$213.07	January one call notices
26	PSI Process	\$16,812.00	Meter Installation – Union Beach
27	Republic Services	\$118.91	January garbage pickup
28	The Bank of NY Mellon	\$1,815.00	Annual administration fee – 2011 series
29	WEF	\$117.00	Annual membership – T. Nelson
30	WEF	\$117.00	Annual membership – E. Tuberion
31	Noveda	\$1,615.00	Annual solar monitoring
	TOTAL	\$61,011.11	

Fringe benefits and payroll processed after the January Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 1/08/24

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
01/19/24	ADP	Employee’s Payroll & Payroll Taxes	\$17,097.86	Payroll of 01/19/24
02/02/24	ADP	Employee’s Payroll & Payroll Taxes	\$20,264.28	Payroll of 02/02/24
01/25/24	8507	Sun Life Financial	\$ 654.91	February long term disability ins.
01/25/24	8508	Chase	\$ 529.18	Procurement card purchases
01/24/24	EFT	Deluxe Business Checks	\$ 658.69	1000 checks

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. Sodon**, seconded by **Mr. Buccellato**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, none absent, the Meeting adjourned at 4:29 p.m.

Respectfully submitted by:

 Barbara Vilanova
 Recording Secretary