

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, September September 21, 2020, 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, Knox, Lewandowski, Sachs, Sodon & Toomey

Commissioners Absent: Foley

Also Present: Gregory W. Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C
Dennis Dayback, Authority Engineer, T&M Associates
Edward Tuberton, Foreman
Barbara Vilanova, Recording Secretary at MCBOA
Brian Waldron, Authority Auditor, Holman Frenia Allison, PC

IV. Approval of Minutes – Authority Regular Meeting Held on 8/17/20

On **Motion** by Mr. Sodon, **Seconded** by Mr. Lewandowski, the Minutes of the Regular meeting held on 8/17/20 were approved as presented by all Members present, no nays, one absent.

REPORT OF ADVISORS

Operations Manager's Monthly Report

Edward Tuberton, MCBOA Operations Manager, presented his monthly report.

❖ Monthly Highlights

- SREC current pricing \$223- 58 SREC's from June 2020 sold at \$225 = \$13,050
77 SREC's from July 2020 sold at \$225= \$17,325
68 SREC's earned for August 2020
- Inverter repairs- DC connector has a burn on it, part backordered until 9/28
parts under warranty
- Emergency VFD repairs Belford pump #1 complete
- Emergency VFD/motor pump #2 Union Beach complete
- Belford A/C repairs needed.
- Belford liner integrity test proposals- 6 month extension granted due by April 1.
- Belford UST still not in compliance
 - Independence Constructors quote \$11,050 (state contract)
 - Fuel delivered - 4,000 gallons
- NJNG – gas line installed at Belford
- Backflow testing completed 9/9.
- NJDEP Enforcement inspection 9/1.
- Boiler Inspection.

Office Manager's Monthly Report

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

❖ Financial Report

- BRSA 1st & 2nd Quarter payment received.
- Keansburg 3rd quarter payment received.
- All account balances were presented.

❖ Administrative Highlights

- Workman's Compensation Insurance audit will be done remotely-gathering information.
- PERS Chapter 52 Annual Membership certification completed.
- Renewal Agreement for the NJUA JIF 01/01/21-01/01/24
- 2021 Preliminary Budget preparation.
- State Unemployment Rate sent to payroll company.
- Exit conference held with Auditor.
- Invoices submitted to Insurance Company for emergency repairs to pumps.
- New hire enrolled in PERS, NJSHBP & LTD.

Auditor

Brian Waldron of Holman Frenia Allison, PC, presented the preliminary audit to the Authority board members. Holman Frenia Allison, PC. was chosen by the board in February to complete this year's audit. After discussing some changes that need to be made going forward and discussing the current audit, Mr. Waldron reported that there are no formal recommendations to be made. There are a couple items that need to be changed in the preliminary draft and Mr. Waldron anticipates having the final audit delivered for the October meeting.

Attorney

Mr. Vella reported that Mr. Vella, Mr. Dayback, Mr. Tuberton & Ms. Vilanova participated in a zoom meeting for the BRSA Resiliency Project. The Union Beach pump station will require flood proofing as part of the project. The original plan of the electrical conduit running under the retention pond has been revised and it will no longer go under the pond. The project falls under the 90% FEMA funded instead of the 75%.

Engineer

Mr. Dayback reported that he, Mr. Vella, Mr. Tuberton and Ms. Vilanova participated in a Zoom meeting for the BRSA Emergency Power to review the 25% complete draft plans and estimate. BRSA reviewed the design plans to date and provided an overview of the anticipated schedule. BRSA was able to provide the Authority with preliminary cost estimates for the portion of work that will be the Authorities responsibility. Although this is a FEMA Hazard Mitigation project the Authority may initially have to fund their portion of the project.

Mr. Dayback report that the installation of the new boiler is being delayed due to the removal of asbestos lined piping associated with the existing boiler. The Authority advertised for informal bids for the removal of same and received bids on August 26, 2020. The project was awarded to the low bidder, B&G Restoration in the amount of \$17,450.00. The contractor anticipates starting the asbestos removal on September 23, 2020. The removal of the asbestos material will take 4 to 5 days to complete. During that period the upper portion of the

building and the foyer cannot be occupied. Also, as per the administrative code for New Jersey Asbestos Hazard Abatement Sub code, N.J.A.C. 5:23-8 the asbestos removal will require an authorized Asbestos Safety Control Monitor (ASCM) on site all of the time the contractor is engaged in abatement activities. T&M provided a proposal to provide these services.

Mr. Dayback reported that the board members have all received a copy of the pipeline assessment desk top analysis. The report outlines certain repairs and makes recommendations to the reduce risks. Mr. Tuberton had some question regarding the report and Mr. Dayback recommended that Mr. Tuberton and the hydraulic expert discuss the questions to see if there is an impact of the report. If necessary the expert will be available for the next Authority meeting to answer any questions.

Resolutions

Resolution offered by Mr. Aumack:

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**

WHEREAS, the Monmouth County Bayshore Outfall Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2020 unless earlier renewed by agreement between the Authority and the Fund; and

WHEREAS, the Authority desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Monmouth County Bayshore Outfall Authority agrees to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority's intention to renew its membership.

This Resolution agreed to this 21st day of September, 2020 by a vote of:

6 Affirmative

0 Negative

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

AYES: Aumack, Knox, Lewandowski, Sachs, Sodon & Toomey
 NAYS: None
 ABSENT: Foley
 ABSTAIN: None

Resolution offered by Mr. Sachs:

**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 DIESEL PUMP AT UNION BEACH PUMP STATION**

WHEREAS, on August 18, 2020, employees at MCBOA identified cracking in the grouting around the Diesel Pump, while the employees were conducting their weekly testing of the diesel pump. An investigation revealed that mounting bolts in the concrete floor had been sheared causing the drive shaft to move and shift. New bolts and related items were ordered and scheduled to be installed. However, further investigation is being done to determine the cause of this emergency; and

WHEREAS, the breakdown of the backup diesel pump left the Union Beach Pump Station without a backup pump. Given the necessity of having a backup pump, MCBOA personnel determined that corrective action to repair the Pump immediately necessary and ordered same to limit the amount of time Union Beach would be without a backup pump to limit the risk of non-permitted discharges. The damage to the diesel pump constitutes an emergency; and

WHEREAS, as a result of the emergency, MCBOA immediately contracted for all necessary goods and services to respond to the emergency; and

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; and

WHEREAS, MCBOA desires to ratify the purchases and authorized the payment of invoices for services and products ordered and delivered due to this emergency.

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, upon receipt of final invoices is hereby authorized pursuant to N.J.S.A. 40A:11-6(b).

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

AYES: Aumack, Knox, Lewandowski, Sachs, Sodon & Toomey
NAYS: None
ABSENT: Foley
ABSTAIN: None

Resolution offered by Mr. Lewandowski:

**RESOLUTION
OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
EXTENDING COMPLETION DATE FOR SRJ MECHANICAL, LLC.**

WHEREAS, Monmouth County Bayshore Outfall Authority (“MCBOA”) awards a contract to SRJ Mechanical LLC for MCBOA’s Office Building Boiler Replacement Project, with an contract completion date of September 15, 2020; and

WHEREAS the removal of asbestos was not part of the contract and the removal of the asbestos is necessary before SRJ Mechanical LLC can complete their project; and

WHEREAS, MCBOA has hired a separate company to remove the asbestos and as a result, SRJ Mechanical had to stop work on August 5, 2020 and can only proceed when the asbestos is removed, which is anticipated to be completed by September 28, 2020; and

WHEREAS, due to the work stoppage, SRJ Mechanical LLC has requested the contract complete date be extended to November 6, 2020; and

WHEREAS, the work stoppage was not caused by SRJ Mechanical LLC and SRJ Mechanical LLC extension is reasonable due to the delay caused by the asbestos removal.

NOW THEREFORE, BE IT RESOLVED, that MCBOA hereby extends SRJ Mechanical’s contract completion date to November 6, 2020.

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

- AYES: Aumack, Knox, Lewandowski, Sachs, Sodon & Toomey
- NAYS: None
- ABSENT: Foley
- ABSTAIN: None

Resolution offered by Mr. Knox:

**RESOLUTION
OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
AUTHORIZING T AND M ASSOCIATES TO BE THE ASBESTOS SAFETY CONTROL MONITOR
FOR BOILER REPLACEMENT PROJECT**

WHEREAS, Monmouth County Bayshore Outfall Authority (“MCBOA”) has entered into a contract to replace the existing boiler. As a result of the removal of the existing boiler, asbestos must be removed from the facility; and

WHEREAS, pursuant to NJAC 5:23-8, MCBOA is required to retain an Asbestos Safety Control Monitor for the removal of the asbestos; and

WHEREAS, T & M Associates, MCBOA’s Engineers, provided a proposal to be the Asbestos Safety Control Monitor for the boiler replacement project for a flat rate of \$ 6,000.00. T & M Associates is an authorized Asbestos Safety Control Monitor, with a license number of 0145; and

WHEREAS, T & M also advised that if the project takes less days than projected, T & M would reduce their fee accordingly; and

WHEREAS, the Commissioners of MCBOA have determined it is in the best interest of MCBOA to retain T & M Associates as the Asbestos Safety Control Monitor for the boiler replacement project.

NOW THEREFORE, BE IT RESOLVED, that MCBOA hereby authorized T & M Associates to be the Asbestos Safety Control Monitor for the boiler replacement project for the lump sum of \$ 6,000.00 and if the project takes less days than projected, T & M would reduce their fee accordingly.

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

AYES: Aumack, Knox, Lewandowski, Sachs, Sodon & Toomey
NAYS: None
ABSENT: Foley
ABSTAIN: None

New Business

Payment Certification #1 for SRJ -boiler replacement project - \$65,365.43

On **Motion** by Mr. Knox, **Seconded** by Mr. Lewandowski, the board authorized Payment Certificate #1 for SRJ Mechanical. This matter was passed by the affirmative voice vote of all members present, no nays, no abstain, one absent.

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 – September 16, 2020

<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Cablevision	\$180.19	Phone & internet Union Beach 9/1-9/30/20
2		Comcast	\$322.13	Triple Play Belford 8/26-9/25/20
3		JCP&L	\$6,556.20	Union Beach 7/28-8/27/20
4		JCP&L	\$34.71	Belford street lighting 7/18-8/18/20
5		JCP&L	\$125.60	Sandy Hook 8/5-9/3/20
6		New Jersey Natural Gas	\$242.29	Gas charge 7/9-8/21/20
7		NJAWC	\$63.69	Union Beach 7/25-8/25/19
8		NJAWC	\$161.58	Belford 7/23-8/24/20
9		ADP	\$198.25	Payroll services 8/6/20, 8/20/20 & 9/30/20
10		Allied Oil	\$8,487.32	4004.40 gals of fuel- Belford
11		Applied Analytics	\$1,500.00	3 rd quarter meter calibrations
12	7163	AT&T Mobility	\$116.09	Foreman's cellular phone 8/5-9/4/20
13		Avaya, Inc.	\$344.28	Annual ACS partner agreement 8/20/20-9/19/20
14		Central Jersey Equipment	\$1,015.26	New mower deck for John Deere & belt
15		Cerlione's	\$53.98	Blades
16		Certified Truck Repair	\$11,369.23	Repairs to bolts on gear box- vacuum pump repairs
17		Collins, Vella & Casello	\$1,376.00	August General Services
18		Cooper Electric	\$57.00	Fuses
19		EMA Inc.	\$35,970.08	Emergency repairs- Belford Pump #1
20		EMA Inc.	\$17,930.10	Yaskawa VFD - Belford
21		EMA Inc.	\$43,227.84	Emergency repairs – Union Beach pump #2
22		Garden State Labs	\$3,935.00	Outside laboratory services- August 2020
23		Home Depot	\$49.98	Folding table
24	7169	Jaspan Brothers South	\$292.95	Aug. supplies-round up, mulch, spade, tarp, tape etc.
25		Longo Electrical-Mechanical	\$35,084.00	Repair Union Beach Motor #2
26		Longo Electrical-Mechanical	\$1,344.00	Trouble shoot VFD- Union Beach
27		Middletown Plumbing&Heating	\$116.45	Flushometer for 1 st floor bathroom
28		Norwood Auto Parts	\$60.20	File & belts for vacuum pump
29		One Call Concepts	\$137.28	August one call notices
30		People's Plumbing	\$800.00	Backflow Testing- 3 rd quarter
31		Quincy Compressor	\$835.60	Vac Pump
32		Rocket Construction	\$8,763.77	Repair Diesel Right angle drive
33		Sakoutis	\$95.12	September garbage pick-up
34		Staples	\$66.98	Copy paper, paper clips & packing tape
35		SRJ Mechanical	\$65,365.43	Payment Certificate #1 Boiler Project
36	7165	Treasurer, State of New Jersey	\$50.00	E. Tuberion, license renewal
37	7167	Treasurer, State of New Jersey	\$50.00	T. Nelson, license renewal
38	7166	Treasurer, State of New Jersey	\$50.00	J. Roche, license renewal
39		T&M Associates	\$893.00	August – General services
40		T&M Associates	\$1,739.01	August- Boiler replacement
41		TOMSA	\$628.68	430.6 gals. of gas 6/4-8/28/20
42		Vanguard Energy Partners	\$752.82	Troubleshoot Inverter
43		Xerox	\$108.00	Monthly copier rental 8/15-9/14/20
		TOTAL	<u>\$250,550.09</u>	

**Fringe benefits and payroll processed after the August Operating Vouchers
were submitted for review and approval at the Authority Regular Meeting of 8/17/20**

Date	Check No.	To	Amount	Description
08/21/20	ADP	Employee's Payroll & Payroll Taxes	\$16,398.15	Payroll of 08/21/20
09/04/20	ADP	Employee's Payroll & Payroll Taxes	\$22,049.60	Payroll of 09/04/20
09/18/20	ADP	Employee's Payroll & Payroll Taxes	\$20,590.01	Payroll of 09/18/20
08/31/20	7168	Sun Life Financial	\$ 670.23	Sept. long-term disability benefits ins
09/14/20	TEPS	NJSHBP	\$14,328.67	September Health & Dental Benefits
09/09/19	TEPS	PERS	\$ 3,377.71	August PERS
09/17/20	7199	Chase	\$ 821.11	Procurement card purchases
09/15/20	7197	State of New Jersey	\$ 12.00	Catastrophic Illness Fund

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

AYES: Aumack, Knox, Lewandowski, Sachs, Sodon & Toomey
NAYS: None
ABSENT: Foley
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. Lewandowski, 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 8:18 p.m.

Respectfully submitted by:

Barbara Vilanova,
Recording Secretary