

**Minutes of the Regular Meeting of the  
Monmouth County Bayshore Outfall Authority  
Monday, October 16, 2023, 7:00 p.m.  
MCBOA Conference Room  
200 Harbor Way, Belford, New Jersey**

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**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(7:09), Foley, Kalaka, Sachs, Sodon & Toomey

Commissioners Absent: Impreveduto & Lewandowski

Also Present: Gregory Vella, Esq., Authority Attorney, Collins, Vella and Casello, L.L.C.  
David Ksyniak, Authority Engineer, T&M Associates  
Edward Tuberon, Operations Manager  
Barbara Vilanova, Recording Secretary

**IV. Approval of Minutes – Authority Regular Meeting Held on 9/18/23**

On **Motion** by Mr. Sodon, **Seconded** by Mr. Aumack, the Minutes of the Regular meeting held on 9/18/23 were approved as presented by all Members present, no nays, two absent, two abstain(Kalaka & Toomey).

**REPORT OF ADVISORS**

**Operations Manager's Monthly Report**

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

❖ **Monthly Highlights**

- SREC current pricing \$207- 73 SREC's sold for August 2023 @ \$207 = \$15,111.  
55 SREC's earned for September 2023.
- Ocean Outfall pipe inspection- \$5,500 one day inspection.
- Belford water meter replacement on hold.
- Union Beach surge valve sent for diagnosis – credit applied.
- Union Beach flowmeter failure.
  - 24" meter in stock.
  - Portable strap-on temporary meter installed.
- BRSA Resiliency generation meeting 9/21.
- All Meters calibrated 10/4.
- Backflow preventers tested 9/28.
- Employee/Safety meeting 10/6.
- Hoist inspections completed 10/2.
- Many Mind Creek meeting.

## Office Manager's Monthly Report

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

### ❖ Administrative Highlights

- Keansburg 3<sup>rd</sup> Quarter payment received.
- 3rd Quarter Pension Report of Contribution completed.
- 3<sup>rd</sup> Quarter unencumbered funds sent to Trustee.
- 4th Quarter Flow of funds sent to Trustee.
- Open Enrollment for Health Benefits – October 1<sup>st</sup> – Nov. 10<sup>th</sup>.
- 2024 Preliminary Budget
- NJUA JIF 2024-2025 Employment Practices Liability Program checklist completed.
- Agreement to renew CJHIF for 2024.

## Resolutions

### Resolution offered by Mr. Buccellato:

#### **2024 AUTHORITY BUDGET RESOLUTION**

Monmouth County Bayshore Outfall Authority

**FISCAL YEAR: January 01, 2024 to December 31, 2024**

WHEREAS, the Annual Budget for Monmouth County Bayshore Outfall Authority for the fiscal year beginning January 01, 2024 and ending December 31, 2024 has been presented before the governing body of the Monmouth County Bayshore Outfall Authority at its open public meeting of October 16, 2024; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$2,155,838.00, Total Appropriations including any Accumulated Deficit, if any, of \$2,155,838.00, and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$30,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$30,000.00; and

WHEREAS, the schedule of rents, 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 author-

ization 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 16, 2024 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 01, 2024 and ending December 31, 2024, 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 11, 2023.

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

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

**Resolution offered by Mr. Toomey:**

**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 Employment 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.

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

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

**Resolution offered by Mr. Buccellato:**

**CENTRAL JERSEY HEALTH INSURANCE FUND  
RESOLUTION to RENEW**

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the CENTRAL JERSEY HEALTH INSURANCE FUND, hereafter referred to as "the FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint health insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such the FUND;

**WHEREAS**, the governing body of Monmouth County Bayshore Outfall Authority, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

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- i. Renew membership with the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental Insurance and/or Prescription Coverage as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

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

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

**New Business**

The board adopted the resolution and approved the agreement for the renewal of the CJHIF.

**Approval of Vouchers**

**Resolution offered by Mr. Aumack:**

**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, 2023**

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<u>No.</u>	<u>Check #</u>	<u>Provider</u>	<u>Amount</u>	<u>Description</u>
1		Cablevision	\$241.67	Phone & Internet UB 10/1-10/31/23
2		Comcast	\$222.14	Phone & Internet- Belford 9/26-10/25/23

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3	JCP&L	\$41.76	Belford Street Lighting 8/19-9/19/22
4	JCP&L	\$40.71	Sandy Hook 9/6 –10/5/23 – jcp&l portion only
5	NJAWC	\$132.03	Union Beach 8/24-9/22/23
6	NJAWC	\$170.39	Belford 8/22-9/22/23
7	ADP	\$165.05	Payroll services 9/14/23 & 9/28/23
8	Central Jersey Health Ins. Fund	\$14,200.06	Health Insurance for October
9	Garden State Laboratories	\$4,102.00	Outside Lab - September
10	<b>8376</b> Jaspan Brothers South	\$179.12	Sept.supplies-weed killer, GFI's, cable ties, plumbing
11	K & R Electric	\$1,430.00	Sump wiring UB, power to garage & sewerage ejector -B
12	Monotronics	\$564.00	Fire alarm Inspection - Belford
13	Monotronics	\$324.00	Fire alarm Inspection – Union Beach
14	NJ Natural Gas	\$136.99	Gas charge 8/24-9/25/23
15	Norwood Auto Parts	\$460.57	2 – 12V batteries, truck battery, oil
16	One Call Concepts	\$235.95	September one call notices
17	People's Plumbing	\$800.00	3 <sup>rd</sup> Quarter backflow testing
18	PSI Process	\$834.21	Sewerage Ejector troubleshooting
19	Quincy Compressor	\$3,800.00	325 L Pump
20	Republic Services	\$118.91	Garbage pick-up October
21	Treasurer-State of New Jersey	\$50.00	UST Tank registration Union Beach
22	Treasurer-State of New Jersey	\$50.00	UST Tank registration Belford
23	W.B. Mason	\$237.54	Ink & Office supplies
24	Xerox	\$108.00	Copier rental 9/15-10/14/23
	<b>TOTAL</b>	<b><u>\$28,645.10</u></b>	

**Fringe benefits and payroll processed after the September Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 09/18/23**

<u>Date</u>	<u>Check No.</u>	<u>To</u>	<u>Amount</u>	<u>Description</u>
09/29/23	ADP	Employee's Payroll & Payroll Taxes	\$23,704.11	Payroll of 09/29/23
10/13/23	ADP	Employee's Payroll & Payroll Taxes	\$23,836.17	Payroll of 10/13/23
09/26/23	8373	Sun Life Financial	\$ 874.11	October long term disability ins.
10/05/23	TEPS	Public Employees Retirement System	\$ 4,718.99	September PERS payment
09/22/23	8372	Chase	\$ 1,366.09	Procurement card purchases

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

AYES: Aumack, Buccellato, Foley, Kalaka, Sachs, Sodon & Toomey  
 NAYS: None  
 ABSENT: Imprevduto & Lewandowski  
 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. Kalaka, Seconded by Mr. Toomey**, and passed by the affirmative voice vote of all Members present, no nays, none abstain, two absent, the Meeting adjourned at 7:37 p.m.

Respectfully submitted by:

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Barbara Vilanova,  
Recording Secretary