

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, February 6, 2023, 7:13 p.m.
Immediately following the
Annual Reorganization Meeting**

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, Buccellato, Foley, Kalaka, Sachs & Sodon

Members Absent: Impreveduto, Lewandowski & Toomey

Also Present: Gregory Vella, Esq., Attorney, Collins, Vella and Casello, L.L.C.
Dennis Dayback, Authority Engineer, T&M Associates
Barbara Vilanova, MCBOA Administrative Assistant
Edward Tuberion, Jr. MCBOA Operations Manager

IV. Approval of Minutes – Authority Regular Meeting Held on 1/09/23

On **Motion** by Mr. Aumack, **Seconded** by Mr. Kalaka, the Minutes of the Regular Meeting of 01/09/23 were approved as presented by all Members present, no nays, none abstain, three absent.

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberion, MCBOA Operations Manager, presented his monthly report:

❖ **Monthly Highlights**

- SREC's current pricing \$219.
 - 29 SREC's for December 2022 sold @219 = \$6,351
 - 22 SREC's for January 2023
 - Inverter repairs
- Ocean outfall pipe- Risers – Parts.
- Groundwater meter repairs – UB.
- Diesel pump repairs – Belford.
- Valve seminar attended.
- UB drainage ditches.
- Employee retirement.
- Boiler Inspection – Belford – 1/11/23.
- Meter Calibrations completed 1/6/23.
- Many Mind Creek
 - Currently working on construction plans
 - Expected start August/September 2024

Office Manager's Monthly Report

Ms. Vilanova reported on the following items:

❖ Administrative Highlights

- 2022 Billing Adjustment completed.
- Keansburg & BRSA billed for 1st Quarter.
- TOMSA 1st Quarter payment received.
- BRSA 4th Quarter payment received.
- OSHA Form 300A completed and posted.
- 1094C & 1095C forms completed & distributed.
- Annual Risk Management Consultant's Agreement.
- Annual Public Agency Compliance Officer Resolution.
- CJHIF update.

Attorney's Report

Mr. Vella provided the following information:

The Energy Resiliency project with BRSA is moving forward and the project will be put out to bid in the near future. A Service Agreement for Power Resiliency Generation System has been drafted in accordance with the previously approved Memorandum of Understanding. The temporary note is due on July 1, 2022. The service agreement has been reviewed and a resolution is now needed.

Mr. Vella also discussed the property located in Leonardo, Township of Middletown, Lot 8.01, Block 367. The builder/prior owner installed a fence along the property line which violates MCBOA's 25 ft. easement. The Authority can agree to enter into a revocable license with the new owner that permits the fence to remain and in the event the Authority requires access to the property the owner will be responsible for all costs related to the removal and/or replacement.

Engineer

Mr. Dayback thanked the Chairman and the Commissioners for T&M's appointment. Mr. Dayback will contact Victoria who is in charge of the Mosquito Commission in regards to the drainage ditches in Union Beach. Mr. Tuberton provided Mr. Dayback with a new valve proposal and Mr. Dayback will pass the information on to Mr. Kysniak.

Resolutions

Resolution offered by Mr. Buccellato:

**RESOLUTION
OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
APPOINTING PUBLIC AGENCY COMPLIANCE OFFICER FOR 2023**

WHEREAS, Monmouth County Bayshore Outfall Authority is a public agency under the laws of the State of New Jersey; and

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WHEREAS, New Jersey Public Law 1975, Chapter 127, Section 1, et seq., requires that a public agency annually designate an officer or employee as the Public Agency Compliance Officer in accordance with the aforesaid statute to facilitate the implementation and compliance with the Affirmative Action requirements of the State of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED that Monmouth County Bayshore Outfall Authority hereby appoints Barbara Vilanova as the Public Agency Compliance Officer for the Monmouth County Bayshore Outfall Authority for calendar year 2023 and that a certified copy of the Resolution be filed with the New Jersey Department of the Treasury, Division of Purchase & Property, Contract Compliance Audit Unit, EEO Monitoring Program.

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

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

Resolution offered by Mr. Buccellato:

**Resolution of the
Monmouth County Bayshore Outfall Authority
Appointing Risk Management Consultant**

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

WHEREAS, the bylaws of said Fund require that each Authority appoints a Risk Management Consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the bylaws indicate a minimum fee equal to six percent (6%) of the Authority's assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Authority;

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, be it resolved that the Monmouth County Bayshore Outfall Authority does hereby appoint Charles L. Casagrande, CPCU, Vice President/Secretary of Danskin Agency, as its Risk Management Consultant, in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED that the Governing Body are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1) (a) (i).

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

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

Resolution offered by Mr. Buccellato:

**RESOLUTION OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
APPROVING SERVICE AGREEMENT WITH
BAYSHORE REGIONAL SEWAGE AUTHORITY FOR POWER RESILIENCY
FACILITY**

WHEREAS, Monmouth County Bayshore Outfall Authority (“MCBOA”) and Bayshore Regional Sewage Authority (“BRSA”) have been developing a Power Resiliency Project, which involves the installation of gas generators at BRSA and associated facilities and MCBOA’s Union Beach site to provide continued power to both facility in case of power failure; and

WHEREAS, the project included additional generator or generators and appropriate connections to allow MCBOA’s Union Beach Pump Station access to these gas generators and provide continued power to MCBOA’s Union Beach Pump Station in case of power failure; and

WHEREAS, the project is being funded under FEMA’s 406 Mitigation Grant Program; and

WHEREAS, the entities have previously approved a Memorandum of Understanding for the inclusion of MCBOA in the project. This Memorandum of Understanding set a framework for the reimbursement of the construction costs for the project and the maintenance of the system; and

WHEREAS, MCBOA previously determined that the financial and prudent course of action would be to included in BRSA’s Power Resiliency Project to provide MCBOA Union Beach Pump Station continued power in case of power failure; and

WHEREAS, a Service Agreement for Power Resiliency Generation System has been drafted and is consistent with the previously approved Memorandum of Understanding. The Agreement was approved by the

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Commissioners of Monmouth County Bayshore Outfall Authority at their regular meeting of January 9, 2023;
and

WHEREAS, the Commissioners of MCBOA determined that it is in the best interest of MCBOA to enter into Service Agreement for Power Resiliency Generation System.

NOW, THEREFORE, BE IT RESOLVED that Monmouth County Bayshore Outfall Authority hereby authorized Michael C. Sachs, Chairman to execute the Service Agreement for Power Resiliency Generation System.

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

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

Resolution offered by Mr. Sodon:

**RESOLUTION
OF THE
MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY
AUTHORIZING ENTERING INTO REVOCABLE LICENSE
AGREEMENT WITH OWNER OF LOT 8.01, BLOCK 367 IN
THE TOWNSHIP OF MIDDLETOWN**

WHEREAS, Monmouth County Bayshore Outfall Authority (“MCBOA”) has an easement over Lot 8.01, Block 367 in the Township of Middletown. The 25-foot Easement is located on the South side of the subject property; and

WHEREAS, the owners of the property, Dina Messere and Brian Miskinis, recently purchased the property and the prior owner installed a fence along the property line, which violates MCBOA’s easement; and

WHEREAS, based on this investigation, encroachment into the Easement is minor and does not affect MCBOA’s pipe, which is in the easement area. Instead of requiring the owners to remove the fence from the easement, MCBOA agrees to enter into a revocable license with the owner that permits the fence to remain and in the event the Authority requires access to the drainage easement and/or removal of the fence, the owner, their

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successors and/or assigns shall be responsible for all costs related to the removal and/or replacement of the fence for any reason relating to the drainage easement.

NOW, THEREFORE, BE IT RESOLVED that Monmouth County Bayshore Outfall Authority hereby authorized Michael C. Sachs, Chairman to enter into the License Agreement with the Owner of Lot 8.01, Block 367 in the Township of Middletown.

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

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

New Business

None

Resolution offered by Mr. Aumack:

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 6, 2023**

No.	Check #	Provider	Amount	Description
1		Cablevision	\$211.43	Union Beach phone & internet 1/1-1/31/23
2		Comcast	\$165.97	Internet & Phones 1/26-2/25/22
3		JCP&L	\$40.69	Belford Street Lighting 12/17/23-1/18/23
4		JCP&L	\$162.21	Sandy Hook 12/6/22-1/05/23
5		JCP&L	\$295.67	Belford 12/1-12/30/22
6		JCP&L	\$8,999.31	Union Beach 12/28/22-1/27/23
7		NJAWC	\$115.53	Water service Union Beach 12/28/22-1/26/23
8		NJAWC	\$159.00	Water service Belford 12/23/22-1/24/23
9		ABB	\$1,690.00	1 st Quarter meter calibrations
10		ADP, Inc.	\$153.30	Payroll services 1/5/23-1/19/23
11		AEA	\$3,497.00	Annual dues for 2023
12	8101	AT&T Mobility	\$78.91	Foreman's cellular phone 1/5- 2/4/23
13	8104	Automatics Unlimited	\$175.00	Gate repairs
14		Collins Vella & Casello	\$735.00	January 2023 General Services
15		County Of Monmouth	\$324.97	123.35 gallons of unleaded fuel- December
16		Gannett Publications	\$75.48	RFP advertisement
17		Garden State Laboratories	\$4,235.00	Outside Lab-December
18		Grainger	\$231.69	Flush valve & repair kit
19		HFA	\$1,000.00	Final billing 2021 Audit

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20	Jaspan Brothers Hardware	\$203.74	January supplies – gloves, cement, hardware,hose
21	Metrovalve	\$3,768.99	Air release valves
22	Miller Energy Inc.	\$538.00	Sensor board-groundwater meter UB
23	Mission Communications	\$1,126.80	Annual SCADA alarm service
24	Norwood Auto Parts	\$313.29	Anit-freeze, oil & socket
25	One Call Concepts	\$251.68	One call notices for January
26	People’s Plumbing	\$550.00	Snaked Urinal Union Beach
27	Quality Electrical	\$688.00	Diesel engine control system repair- Belford
28	Republic Services	\$95.12	Garbage pick-up- January
29	Staples	\$121.76	O&M Manuals
30	Staples	\$49.99	Ink for Union Beach printer
31	The Bank of NY Mellon	\$1,650.00	Annual admin. Fee- 2011 series
32	TOMSA	\$80.00	1st quarter sewer fee
33	W.B. Mason	\$52.99	5 inch binder
34	W.B. Mason	\$711.72	Office Supplies & Janitorial supplies
35	Water Environment Federation	\$117.00	Annual membership-Tuberion
36	Water Environment Federation	\$117.00	Annual membership-Nelson
37	Xerox	\$108.00	Copier rental 12/15/22-1/14/23
	TOTAL	<u>\$32,890.24</u>	

Fringe benefits and payroll processed after the January Operating Vouchers were submitted for review and approval at the Authority Regular Meeting of 1/9/23

Date	Check No.	To	Amount	Description
01/19/23	ADP	Employee’s Payroll & Payroll Taxes	\$18,737.89	Payroll of 01/19/23
02/03/23	ADP	Employee’s Payroll & Payroll Taxes	\$22,235.89	Payroll of 02/03/23
01/13/23	TEPS	NJSHBP	\$15,523.26	January Health benefits
01/19/23	8102	Chase	\$ 669.62	Procurement card purchases
01/23/23	8103	Sun Life Financial	\$ 774.35	January disability insurance
02/03/23	8105	Sun Life Financial	\$ 774.35	February disability insurance

Public Portion

None

Adjournment

There being no further business to come before the Meeting, on **Motion** by **Mr. Aumack**, Seconded by **Ms. Foley**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, three absent, the Meeting adjourned at 7:48p.m.

Respectfully submitted by: _____

Barbara Vilanova, Recording Secretary

Actions Taken at this meeting:

Payment of Bills
Approval of Risk Management Consultants Agreement
Appointment of PACO
BRSA Service Agreement
Fence/easement license