

**Minutes of the Regular Meeting of the
Monmouth County Bayshore Outfall Authority
Monday, June 17, 6:30 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, Foley, Loud-Hayward, Sachs, Scarano, Schoeffling & Sodon

Members Absent: Knox (6:36 p.m.) & Smith

Also Present: Gregory Vella, Esq., Attorney, Collins, Vella and Casello, L.L.C.
John McKelvey, P.E., Authority Engineer, T&M Associates
Theodore Panis, CPA, Authority Accountant, Panis & Attner, P.A.
Nicole Sachs, MCBOA Administrative Assistant
Edward Tuberton, Jr. MCBOA Foreman

IV. Approval of Minutes – Authority Regular Meeting Held on 4/15/13

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Aumack, the Minutes of the Regular meeting held on 5/20/13 were approved as presented by all Members present, no nays, two absent, Loud-Hayward & Sachs abstain.

REPORT OF ADVISORS

Foreman's Monthly Report

Edward Tuberton, MCBOA Foreman, presented his monthly report:

❖ **Monthly Highlights**

- SREC's current pricing \$135-145 – 83 available for auction June 1.
- FEMA projects update
- Solar PV system damage update
- Land Use Application received for property located in slump block area.
- MC Health Department inspection of emergency generators 4/17- in compliance
- NJDEP Compliance audit 4/23
- Long Branch HS tour of Solar panels & Inverters 5/23
- April 2013 DMR
- Final PCB wet testing completed.

Office Manager's Monthly Report

Ms. Vilanova reported on the following items:

❖ **Administrative Highlights**

- TOMSA billed for Third Quarter.
- BRSA Second Quarter payment received.
- 2012 Audit completed by Mr. Panis.
- Sick leave payout processed for retired employee.
- Dental & Disability plans notified of retired employee.
- Commissioners need to complete your Financial Disclosure Forms online by 5/31.
- Online NJUJIF elected/appointed officials training must be completed by 5/31.
- June, July & August meetings @ 6:30.

Attorney's Report

Mr. Vella provided the following information:

Mr. Vella informed the board that by the end of next week he will have an agreement with Vanguard authorizing the independent inspection of the system. The Authority continues to track loss of SREC's and additional electrical charges each month.

Mr. Vellas discussed the Land Use Application the Authority received from the NJDEP for the property located in the slump block area. The property owner would like to construct a tiered retaining wall. Mr. Vella will send a letter to the NJDEP with the Authority's concerns that construction near our pipe in such a fragile area could cause movement. Also, Mr. Vella will confirm if there is an easement on the property and exactly where it is.

Engineer's Report

▪ **Photovoltaic System Combiner Boxes**

Mr. McKelvey reported that the Authority Attorney is in the process of coordinating the independent party investigation of the system with Vanguard.

▪ **Retention Pond Repairs - Super Storm Sandy**

Mr. McKelvey reported that the project was advertised for bids on May 6, 2013. Bids are scheduled to be received on June 4, 2013. FEMA representatives have indicated that all the sludge removal in the Belford basin may be eligible for funding. The Authority and T&M are working with Gary Wagner from FEMA on this issue.

At the Authority's request, Mr. Mc Kelvey reviewed the onsite inspection effort vs. the individual construction work items proposed at each facility Mr. McKelvey prepared a spreadsheet which lists proposed construction work tasks taken from a section of the specifications. Based on further review of these work items, Mr. McKelvey reduced anticipated inspection effort particularly on some of the less critical tasks with result being overall inspection effort reduced to approximately half time. It is important, however, the Authority keep in mind that it is difficult to predict how long the overall construction work will take as well as how long the individual construction phases will take. It is also unknown whether the construction will go smoothly or not. The Authority may get a good contractor that does not require a lot of attention or it may get a poor contractor that requires mor inspection. Overall Mr. McKelvey feels a reduction from \$67K to \$55K is feasible and will prepare documentation.

▪ **Super Storm Sandy Mitigation**

As previously reported the Authority prepared a Letter of Intent describing proposed outfall mitigation and anticipated costs and submitted same to the County Office of Emergency Management. This group is reviewing applications for mitigation funds and MCBOA is awaiting response on its application. A discussion was held describing the potential repairs for the outfall pipe and possible mitigation funding. As far as sand removal goes for that section of pipe the board feels that if we aren't removing the sand from the entire pipe that it is not a very effective plan. The board members were in agreement that removing the sand from the 11 diffuser ports in question and putting risers on them would be the most cost effective. In the future if the Authority finds the risers to be a successful solution then the Authority could budget for several to be put on each year.

On **Motion** by Mr. Schoeffling, **Seconded** by Mr. Knox, the board authorized sand removal and risers to be put on the 11 diffusers that were affected by Super Storm Sandy, approved by all Members present, no nays, two absent, none abstain .

• **Belford Retention Basin Liner Permit**

Under the DEP's authorization to operate a lined surface impoundment facility, the Authority is required to do an integrity test on the Belford retention basin within 18 months of the authorization (which was August 1, 2012). The DEP has recently requested that MCBOA follow through with this testing to confirm that the basin meets the requirement of 10⁻⁷ centimeters per second. Mr. McKelvey has reviewed this with a geotechnical firm and they have advised that the testing would generally consist of on-site density testing, acquiring samples from the bottom of the basin, and lab testing of the samples to determine the permeability of the soils.

On **Motion** by Mr. Knox, **Seconded** by Mr. Scarano, the board authorized Mr. McKelvey from T&M Engineering to obtain quotes for integrity test, approved by all Members present, no nays, two absent, none abstain .

Accountant

NONE

New Business

NONE

Old Business

NONE

Resolution offered by Mr. Knox:

**Resolution
Of the Monmouth County Bayshore Outfall Authority
Certifying Review of the Annual Audit Report for the Fiscal Year Ended 2012**

WHEREAS, N.J.S.A., 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2012 has been completed and filed with the Monmouth County Bayshore Outfall Authority (MCBOA), pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by Resolution to the local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed it, and have specifically reviewed the sections of the annual audit report entitled “General Comments” and “Recommendations”, in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Monmouth County Bayshore Outfall Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2012, and specifically has reviewed the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this Resolution.

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

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

Resolution offered by Mr. Schoeffling:

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 – June 17, 2013

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

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

Public Portion

Vice-Chairman Smith 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. Scarano**, and passed by the affirmative voice vote of all Members present, no nays, no abstain, two absent, the Meeting adjourned at 8:37 p.m.

Respectfully submitted by: _____
Barbara Vilanova, Recording Secretary

Actions Taken at this meeting:

Payment of Bills

Resolution Accepting the 2012 Audit.

Authorization of the public auction of 83 SREC's.

Authorization for T&M Engineering to obtain quotes for clay liner integrity test.

Authorization to remove sand and put risers on the 11 diffuser ports affected by Super Storm Sandy.