

LONG BRANCH SEWERAGE AUTHORITY

Minutes of the Regular Meeting

August 21, 2013

I. and II. Opening and Attendance at Meeting.

A Regular Meeting of the Long Branch Sewerage Authority was called to order at 3:10 p.m., prevailing time, on Wednesday, August 21, 2013, by the Vice - Chairman, Mr. George in the Meeting Room at the Authority Administration Building, 150 Joline Avenue, Long Branch, New Jersey, attended by Mr. Booth and Mr. Mazza. Mr. Brown and Mr. Blaisdell were absent.

In addition to the Members of the Authority hereinabove-stated, there were present at said Regular Meeting the following professional attaches: Executive Director, Joseph A. Martone; John L. Bonello, Esq., Authority Counsel; John Van Dorpe, of the firm Maser Consulting, Authority Engineer; David Kaplan, Authority Auditor; Laurie Hartnett, PCC Officer; and Nicole Woods, Secretary.

III. Announcement Pursuant to New Jersey Open Public Meeting Act.

Adequate Notice of this Regular Meeting and of all Regular Meetings for the Year 2013, has been provided by publication thereof in the *Link* on February, 28, 2013, as a "legal" advertisement and in the *Asbury Park Press* on March 16, 2013, as a "legal" advertisement and by forwarding duplicates thereof on February 21, 2013, to the Clerks of the City of Long Branch, Borough of West Long Branch and Borough of Monmouth Beach for filing in their respective offices and for posting in a public place in each such Municipality.

IV. Public Participation.

Marc Caldwell, an Authority employee, addressed the Board to request a Leave of Absence from September 1, 2013 to December 23, 2013. This would allow him to attend the Monmouth County Police Academy. Mr. Martone expressed his concern that Mr. Caldwell is scheduled to work several holidays during the period he has requested leave, and that finding coverage for those shifts may be unfair to the other workers. The Board agreed to Mr. Caldwell's request.

On Motion by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain; the Public Participation portion of the Meeting was closed.

V. As to the Minutes of the Regular Meeting of July 24, 2013

On Motion by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the reading of the Minutes of the Regular Meeting of the Long Branch Sewerage Authority held on July 24, 2013 to be dispensed with and that such Minutes be, and they are hereby, approved as recorded and circulated.

VI. As to the Minutes of the Executive Session held on July 24, 2013, if any

None.

VII. Correspondence

The attached list of correspondence was reviewed by the Authority. Individual items were dealt with as follows:

Item # 18 is a request for a unit change. Mr. Martone recommended the following resolution.

RESOLUTION

Mr. George offered the following Resolution and moved its adoption; seconded by Mr. Booth

WHEREAS, Smart Guys, LLC. has requested a decrease in the number of units from 4 to 3 for service billing in an application to the Executive Director received August 14, 2013, which is attached hereto to this Resolution and made a part hereof, for said property being serviced by the Long Branch Sewerage Authority under account #229-025-000, and

WHEREAS, the Authority inspector has made a physical inspection of said property and is of the opinion that the property presently constitutes 3 units for service billing, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that the number of units for service billing on said property, which is known as 153 Morris Ave., is hereby decreased from 4 to 3 as of the third quarter 2013 and that in the event of a change of use on said property, the Authority reserves its right to assess a connection or reconnection fee.

BE IT FURTHER RESOLVED that the Executive Director be authorized to execute any further documents or instruments necessary to effectuate this Resolution.

ROLL CALL:

Mr. Blaisdell	- ABSENT
Mr. Booth	- AYE
Mr. Brown	- ABSENT
Mr. George	- AYE
Mr. Mazza	- AYE

Date: August 21, 2013
R1.8-13
Exhibit A

Item #29 Mr. Martone explained that this item will be addressed in the engineer's report.

Mr. Martone explained that there is nothing further under correspondence to discuss.

**LIST OF CORRESPONDENCE FOR REGULAR MEETING
LONG BRANCH SEWERAGE AUTHORITY**

August 21, 2013

1. Letter received 7/26/13 from The Monmouth County Improvement Authority, re: Pooled Loan Financing.
2. Letter dated 7/24/13 received 7/29/13 from Maser Consulting, re: Wastewater Treatment Plant Modifications Change Order No. 5.
3. Copy of a Letter dated 7/26/13 received 7/29/13 from Maser Consulting to Svetozar Savreski, President APS Contracting, Inc, re: Wastewater Treatment Plant Modifications Change Order No. 5.
4. Affidavit of Publication dated 7/11/13 received 7/29/13 from the Link News, re: Re-Scheduled Regular Board Meeting.
5. Letter of Transmittal dated 8/5/13 received 8/5/13 re: Access Gates & Parking Lot Construction Plans/Specifications.
6. Save the Date received 8/5/13 from NJUA JIF, re: Safety Expo 2013.
7. Notice received 8/5/13 from United Steelworkers, re: Change of Address.
8. Invitation received 8/5/13 from Monmouth County Improvement Authority, re: 2013 Hurricane Sandy Bond Anticipation Note Pool.
9. Certified Notice of Public Hearing received 8/6/13 from John A. Giunco, Esq., re: Minor site plan approval and Variance relief for 366 Cedar Ave., 2 Van Court and 370 Cedar Ave.
10. Certified Notice of Public Hearing received 8/7/13 from Louis Garippo Jr. Esq., re: Preliminary and final approval of a minor subdivision of 147 West End Ave./530 Sairs Ave. / Block 132 Lots 1 & 2.
11. Letter dated 8/5/13 received 8/7/13 from Freehold Soil Conservation District, re: 134 Joline Ave. / Block 401 Lot 5.
12. Affidavit of Publication dated 8/5/13 received 8/7/13 from The Asbury Park Press, re: Notice to Bidders for Access Gates & Parking Lot Construction.
13. Notice of Public Hearing dated 5/17/13 received 8/9/13 from Martin A. McGann, Jr., Esq., re: Height Variance for 971 Elberon Ave. / Block 30 Lot 5.01.
14. Copy of a Letter dated 8/8/13 received 8/9/13 from Maser Consulting to Svetozar Savreski, President APS Contracting, Inc., re: LBSA WWTP Modifications / Updated Punchlist.

15. Certified Copy of a Letter dated 8/7/13 received 8/8/13 from Frank J Vitolo to Mr. Dean Highcove, Managing Counsel, Fidelity and Deposit Company of Maryland, re: LBSA WWTP Modification Project, APS Contracting, Claimant: Spectraserve, Inc.
16. Certified Letter dated 8/6/13 received 8/8/13 from City of Long Branch Office of Planning and Zoning, re: 10 Plaza Ct. Block 59 Lot 4.01.
17. Faxed Copy of a Letter dated 8/13/13 received 8/14/13 from John Bonello to City Of Long Branch Planning Board, re: Major Subdivision Application of 147 West End Ave./ Block 132 Lots 1 & 2.
- ACTION** 18. Application for Unit Change received 8/14/13 from Smart Guys LLC., re: 505 Broadway / Block 229 Lot 25.

ADDITIONAL CORRESPONDENCE

19. Letter dated 8/8/13 received 8/16/13 from APS Contracting, Inc., re: Certified & Manning / Monthly Payroll Report.
20. Affidavit of Publication dated 8/8/13 received 8/19/13 from The Star Ledger, re: Notice to Bidders for Access Gates and Parking Lot Construction.
21. Letter dated 8/15/13 received 8/19/13 from Maser Consulting, re: Monthly Workforce Reports & Certified Payroll.
22. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: Notice of Violations and Order to Correct.
23. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: NJ Uniform Fire Code Certificate of Inspection, Head Works Building (Bldg. G)
24. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: NJ Uniform Fire Code Certificate of Inspection, Garage Building (Bldg. F)
25. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: NJ Uniform Fire Code Certificate of Inspection, Pump/Blower Building (Bldg. E)
26. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: NJ Uniform Fire Code Certificate of Inspection, Grit Inlet Building #3&4 (Bldg. D)
27. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: NJ Uniform Fire Code Certificate of Inspection, Grit Inlet Building #1&2 (Bldg. C)

ACTION

28. Letter dated 8/14/13 received 8/19/13 from City of Long Branch Fire Marshal, re: NJ Uniform Fire Code Certificate of Inspection, Sludge Handling Building (Bldg. B)
29. Letter dated 8/21/13 received 8/21/13 from Maser Consulting, re: Recommending the Contract for Access Gates and Parking Lot Construction to be awarded to Fiore Paving Co.
30. Letter dated 8/21/13 received 8/21/13 from Maser Consulting, re: WWTP Modifications / Approval of Partial Payment Request No. 39.

On Motion by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the attached List of Correspondence was ordered, received, and filed.

XIII. Report of Executive Director for July 2012

Mr. Martone reported that the Technology Transfer Seminar is being held at the Eatontown Sheraton in September. He would request permission for himself and several employees to attend. He suggested the following resolution.

RESOLUTION

Mr. Booth offered the following resolution and moved its adoption; seconded by Mr. George

WHEREAS, a number of employees have requested permission to attend a Technology Transfer Seminar sponsored by NJWEA at the Sheraton in Eatontown, and

WHEREAS, it is to the benefit of the Long Branch Sewerage Authority to have its employees continue their education and obtain licenses, and

NOW, THEREFORE, BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY, that this request to attend NJWEA Technology Transfer Seminars is hereby approved subject to the Executive Director's scheduling and approval of employees, and

BE IT FURTHER RESOLVED that the participants will follow the rules for "Schooling" covered in the appropriate Article in their Contract.

ROLL CALL:

Mr. Blaisdell	- ABSENT
Mr. George	- AYE
Mr. Brown	- ABSENT
Mr. Booth	- AYE
Mr. Mazza	- AYE

Date: August 21, 2013
R2.8-13

Mr. Martone suggested the Leave of Absence for Marc Caldwell be approved and recommended the following resolution:

RESOLUTION

Mr. Booth offered the following Resolution and moved its adoption; seconded by Mr. George

WHEREAS, Mr. Martone has received a request for a Leave of Absence from Mr. Marc Caldwell, as per his letter dated August 6, 2013, attached hereto and made part hereof, and

WHEREAS, Mr. Caldwell's aforementioned request will be for a period of three months and sixteen days from September 1, 2013 to December 23, 2013, and

WHEREAS, the Long Branch Sewerage Authority's Board will act favorably towards Mr. Caldwell's request, given that Mr. Caldwell understands and agrees to all of the conditions regarding the approved leave as outlined in his labor contract, and

NOW, THEREFORE, BE IT RESOLVED that, Mr. Marc Caldwell shall be granted a Leave of Absence from September 1, 2013 to December 23, 2013

BE IT FURTHER RESOLVED, that if Mr. Caldwell does not return to work on December 24, 2013 it would be considered a voluntary resignation.

ROLL CALL:

Mr. Blaisdell	- ABSENT
Mr. Booth	- AYE
Mr. Brown	- ABSENT
Mr. George	- AYE
Mr. Mazza	- AYE

Date: August 21, 2013
R3.8-13
Exhibit B

Mr. Martone explained that in March the Board authorized the Authority to obtain internet bids for Electrical and Natural Gas services. Mr. Martone explained that the internet bid for Natural Gas was this morning and the lowest bidder was Constellation Energy with the rate of \$0.492 per Therm. for a period of twenty four months. Mr. Martone recommended the following resolution.

RESOLUTION

Mr. Booth offered the following Resolution and moved its adoption; seconded by Mr. George,

WHEREAS, the Long Branch Sewerage Authority (the "Authority") has heretofore advertised with Emex LLC for receipt of bids for natural gas generation services, and

WHEREAS, in response thereto the Authority has received bid results from Emex LLC., bid amounts as specified on the email attached hereto and made a part hereof, and

WHEREAS, in accordance with law, the Authority is required to award the contract for natural gas generation services for a period of two years to the lowest responsible bidder, and

NOW, THEREFORE, BE IT RESOLVED, that

1. The Long Branch Sewerage Authority hereby awards its contract for natural gas generation services to Constellation Energy in the amount of \$ 0.492 per Therm.,

2. The Authority is authorized to enter into a contract with Constellation Energy for the purposes expressed hereinabove.

3. The Authority Chairman and Executive Director are authorized to sign any documents needed to effectuate this resolution.

ROLL CALL:

Mr. Blaisdell	- ABSENT
Mr. George	- AYE
Mr. Booth	- AYE
Mr. Brown	- ABSENT
Mr. Mazza	- AYE

Date: August 21, 2013
R4.8-13
Exhibit C

Mr. Martone had nothing further to report.

On Motion by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the report of the Executive Director, as prepared and submitted, is hereby approved and ordered received and filed and made part of the Minutes of this Meeting.

IX. As to Bills submitted for payment by Long Branch Sewerage Authority for the Month of July 2012

The following Resolution was moved by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain.

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 21st DAY OF AUGUST 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT, the List of Bills for the month of July 2013 are found regular and payment of each and all, thereof is authorized to be paid out of the Revolving Fund, General Funds, Revenue Fund or Collection Account as indicated on the said List of Bills attached to the Executive Director's Report.

X. Report by Authority Counsel of the Activities of that Office and of Actions taken since July 24, 2013

Mr. Bonello stated the he sent a letter to the City of Long Branch Planning Board regarding the subdivision of 147 West End Avenue.

Mr. Bonello reported that he discussed with Mr. Martone a payment bond claim by Spectraserv, a subcontractor for APS.

On Motion by Mr. Booth, seconded by Mr. George, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, all actions taken, dispositions made by the Authority Counsel of and with regard to each and all of the foregoing items be, and they are in all respects approved, confirmed, and ratified.

XI. Report by Authority Auditor of the Activities of that Office and of Actions taken since July 24, 2013

Mr. Kaplan reported that a budget amendment will be necessary to provide for the interest on the bond anticipation notes through December 2013. The amendment will add approximately \$14,000.00 to the budget and will be funded with additional miscellaneous revenues.

Mr. Kaplan reported that he and Mr. Martone attended a 2013 Hurricane Sandy Bond Anticipation Note Pool Seminar presented by Monmouth County Improvement Authority.

On Motion by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, all actions taken, and dispositions made by Authority Auditor of and with regard to each and all of the foregoing items to be, and they are in all respects, approved, confirmed and ratified.

XII. As to Insurance Committee.

Status Quo.

XIII. Report, if any, by Investment Committee.

The investments are as listed.

On Motion by Mr. Booth, seconded by Mr. George, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the Authority Investments were approved and made.

XIV. Transfers, if any.

The following Resolution was moved by Mr. Booth, seconded by Mr. George, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, approving the Authority Transfers for the month of July 2013 as listed.

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 21st DAY OF AUGUST 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT that the Authority hereby approves the Transfers made for the month of July 2013 as submitted by the Executive Director and orders said report received and filed.

XV. Old Business.

A. Engineer's Report on Redevelopment Projects

Mr. Van Dorpe reported that the subdivision on West End and Sairs Avenues has a 30 inch interceptor pipe, owned by the Authority, going through the property. Mr. Van Dorpe reported that he is conducting an investigation and has not yet submitted the applications needed.

B. Future Capital Improvement Program

Mr. Van Dorpe reported that the SCADA system is operational. Mr. Van Dorpe states that APS has indicated verbally that they were not in acceptance to the terms of the change order number five and would like to schedule a meeting to discuss these terms. Mr. Martone requested Mr. Bonello attend the meeting with APS.

C. Storm Damage and Claims

Mr. Van Dorpe reported the Mr. Martone and Mrs. Hartnett have been working with Ms. Brasfield on the FEMA Claims. Mrs. Hartnett reported that she met with the state representative from FEMA and he explained a new program that will enable us to view everything outstanding and where the payments are coming from. FEMA has agreed to accept the \$888,000.00 that was originally denied, which brings the project total to \$1,032,000.00. The reimbursement rate is being increased from 75% to 90%.

D. WWTP Blower Building Modifications

Mr. Van Dorpe reported that the permits have been obtained and the work will begin after Labor Day.

E. Access Gates & Parking Lot Construction

Mr. Van Dorpe reported that the bids came in significantly higher than engineer's estimate. Mr. Martone recommends that the two bids that were received should be rejected and re-bid at a later date. Mr. Martone recommends the following resolution.

RESOLUTION

Mr. George offered the following Resolution and moved its adoption; seconded by Mr. Booth.

WHEREAS, the Long Branch Sewerage Authority (hereinafter "the Authority") has received bids for the Access Gates and Parking Lot Construction, and

WHEREAS, the Authority received two bids for this contract and has determined that both bids received were considerably higher than the Authority Engineer's estimate of \$120,000.00, and

WHEREAS, it is in the Authority's best interest to re-bid these contracts after the specifications are modified to separate the Parking Lot element and the Access Gates element, and

WHEREAS, the Executive Director, after consulting the Authority's Engineer, has recommended that all bids be rejected and re-bid at a later date, and

NOW, THEREFORE BE IT RESOLVED by the Long Branch Sewerage Authority that:

1. The Authority rejects all bids for the Access Gates and Parking Lot Construction contract.

2. The Authority Chairman and/or Executive Director are authorized to sign any documents necessary to effectuate this Resolution.

ROLL CALL:

Mr. Blaisdell	- ABSENT
Mr. Booth	- AYE
Mr. Brown	- ABSENT
Mr. George	- AYE
Mr. Mazza	- AYE

Date: August 21, 2013
R5.8-13

F. Outfall Pipe Repairs

Mr. Van Dorpe reported that the specifications for the Outfall Pipe Repairs are completed and have been advertised. The bid opening is scheduled for September 4, 2013.

XVI. New Business

None

XVII. Miscellaneous Suggestions for the Good of the Authority

None

XIII. Adjournment at 3:45 p.m.

There being no further business, on Motion by Mr. George, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the meeting was adjourned at 3:45 p.m.

Respectfully submitted,

David G. Brown, Secretary

Joseph A. Martone, Executive Director