

LONG BRANCH SEWERAGE AUTHORITY

Minutes of the Regular Meeting

February 20, 2013

I. and II. Opening and Attendance at Meeting.

A Regular Meeting of the Long Branch Sewerage Authority was called to order at 3:00 p.m., prevailing time, on Wednesday, February 20, 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 arrived at 3:05 and Mr. Blaisdell was 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 Liz Vieira, 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 2012, has been provided by publication thereof in the *Link* on February 23, 2012, as a “legal” advertisement and in the *Asbury Park Press* on February 18, 2012, as a “legal” advertisement and by forwarding duplicates thereof on February 16, 2012, 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. Appointment of Board Member

The Authority Counsel advised the Board he had received the Resolution of the Council from the City of Long Branch reappointing Mr. George to the Authority for a period of five years, which is being filed with the Secretary of State. Mr. George was welcomed to the Authority and seated.

Let the record reflect that Mr. Brown arrived.

V. Organization for Year Commencing February 1, 2013

A. Organization for Year Commencing February 1, 2013

On Motion by Mr. Booth, seconded by Mr. Mazza, and passed by the affirmative vote of all members present, no nays, one absent, no abstain, that the Long Branch Sewerage Authority organize itself for the year commencing February 1, 2013 pursuant to Laws and Statutes of the State of New Jersey in such case made and provided.

B. Call for Nominations and Elections of Officers for Statutory Term

On Motion by Mr. Booth, seconded by Mr. Mazza, and passed by the affirmative vote of all members present, no nays, one absent, no abstain, that the formalities of election be waived and the nominee(s) declared elected to the Office(s) of the Long Branch Sewerage Authority to which he (they) has (have) been nominated for the statutory term commencing in February 1, 2013.

For the record, the positions are:

Chairman	Mr. Blaisdell
Vice-Chairman	Mr. George
Treasurer	Mr. Booth
Secretary	Mr. Brown
Asst. Secretary/Treasure	Mr. Mazza

C. Elections

Waived

D. Authority Committees

Mr. Bonello stated the committees are as listed:

COMMITTEES FOR YEAR 2013

1. BUDGET & FINANCE
Chairman – Michael Booth
L. Frank Blaisdell
2. LEGAL & ADMINISTRATIVE
Chairman – James Mazza
Thomas George
3. ENGINEERING
Chairman – David Brown
James Mazza
4. INSURANCE
Chairman – L. Frank Blaisdell
Michael Booth
5. HUMAN RESOURCES
Chairman – Thomas George
David Brown

I. Designation of Official Newspapers

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority, hereinafter "the Authority", is required to publish legal notices in accordance with law, and

WHEREAS, the Authority desires to name a newspaper as the official newspaper for the purpose of legal publication; and

NOW, THEREFORE, BE IT RESOLVED, that the Long Branch Sewerage Authority hereby designates the *Asbury Park Press*, *the Link News*, and the *Star Ledger* as its official newspapers, for the purpose of legal publications to be published on behalf of the Long Branch Sewerage Authority.

ROLL CALL:

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

Date: February 20, 2013
R1.2-13

J. Professional Appointments

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire the services of an Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, John L. Bonello, Esq., for the firm Manna & Bonello, has submitted a proposal dated January 3, 2013, indicating he will provide Legal Services as per his letter, attached hereto and made a part hereof, and

WHEREAS, John L. Bonello, Esq. for the firm Mann & Bonello has completed and submitted a Business Entity Disclosure Certification which certifies that John L. Bonello, Esq. for the firm Manna & Bonello has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit John L. Bonello, Esq. for the firm Manna & Bonello from making any reportable contributions through the term of the contract, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with John L. Bonello, Esq. for the firm Manna & Bonello as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R2.2-13
Exhibits A & B

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire the services of a Certified Public Accountant or a Registered Municipal Accountant as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, David A. Kaplan has submitted a proposal dated January 9, 2013, indicating they will provide Auditing Services as per the attached Professional Services Contract, attached hereto and made a part hereof, and

WHEREAS, David A. Kaplan has completed and submitted a Business Entity Disclosure Certification which certifies that David A. Kaplan has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit David A. Kaplan from making any reportable contributions through the term of the contract, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with David A. Kaplan, CPA, RMA, as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R3.2-13
Exhibits C & D

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire the services of a Bond Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, John L. Kraft, Esq. has submitted a proposal dated January 8, 2013 indicating he will provide Bond Counseling Services as per his letter, attached hereto and made a part hereof, and

WHEREAS, John L. Kraft, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that John L. Kraft, Esq. has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit John L. Kraft, Esq. from making any reportable contributions through the term of the contract, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with John L. Kraft, Esq. as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R4.2-13
Exhibits E & F

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire the services of a Licensed Professional Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, John Van Dorpe of the firm Maser Consulting has submitted a proposal dated January 4, 2013, indicating they will provide Engineering Services as per the attached Agreement for Professional Engineering Services, attached hereto and made a part hereof, and

WHEREAS, John Van Dorpe of the firm Maser Consulting has completed and submitted a Business Entity Disclosure Certification which certifies that John Van Dorpe of the firm Maser Consulting has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit John Van Dorpe of the firm Maser Consulting from making any reportable contributions through the term of the contract, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with John Van Dorpe of the firm Maser Consulting as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R5.2-13
Exhibits G & H

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire the services of an Environmental Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, the firm Hall & Associates has submitted a proposal dated December 19, 2012, indicating they will provide Environmental Attorney Services as per their Agreement, attached hereto and made a part hereof, and

WHEREAS, the firm Hall & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Hall & Associates has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit Hall & Associates from making any reportable contributions through the term of the contract, and

WHEREAS, the Executive Director has certified that there are funds available for this purchase as per the certification attached hereto and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with Hall & Associates as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R6.2-13
Exhibits I & J

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire an Insurance Agent as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, the firm Brown & Brown Insurance has submitted a proposal dated January 14, 2013, indicating they will provide Insurance Services as per their Agreement, attached hereto and made a part hereof, and

WHEREAS, the firm Brown & Brown Insurance has completed and submitted a Business Entity Disclosure Certification which certifies that Brown & Brown Insurance has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit the firm Brown & Brown Insurance from making any reportable contributions through the term of the contract, and

WHEREAS, the Executive Director has certified that there are funds available for this purchase as per the certification attached hereto and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with the firm Brown & Brown Insurance as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R7.2-13
Exhibits K & L

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority has a need to acquire the services of a Labor Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the anticipated term of this contract is one (1) year, and

WHEREAS, Arthur R. Thibault, Jr., Esq. for the firm Apruzzese, McDermott, Mastro & Murphy has submitted a proposal dated January 9, 2013, indicating they will provide Labor Counsel Services as per their Agreement, attached hereto and made a part hereof, and

WHEREAS, Arthur R. Thibault, Jr., Esq. for the firm Apruzzese, McDermott, Mastro & Murphy has completed and submitted a Business Entity Disclosure Certification which certifies that Arthur R. Thibault, Jr., Esq. for the firm Apruzzese, McDermott, Mastro & Murphy has not made any reportable contributions to a political or candidate committee in the City of Long Branch in the previous one year, and that the contract will prohibit Arthur R. Thibault, Jr., Esq. for the firm Apruzzese, McDermott, Mastro & Murphy from making any reportable contributions through the term of the contract, and

WHEREAS, the Executive Director has certified that there are funds available for this purchase as per the certification attached hereto and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED that Long Branch Sewerage authorizes the Executive Director and/or Chairman to enter into a contract with Arthur R. Thibault, Jr., Esq. for the firm Apruzzese, McDermott, Mastro & Murphy as described herein, and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Authority shall publish notice of this professional services appointment pursuant to N.J.S.A. 40A:11-5.

ROLL CALL:

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

Date: February 20, 2013
R8.2-13
Exhibits M & N

K. Scheduling of Regular Meetings for the Year 2013

RESOLUTION

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

WHEREAS, N.J.S.A. 10:4-18 requires public bodies at least once annually to post and distribute a schedule of the regular meetings of the public body for the succeeding year; and

WHEREAS, the schedule of regular meetings of the Long Branch Sewerage Authority, including dates, times and locations of meetings, up to and including the Authority 2014 annual reorganization meeting, is attached to the Resolution hereto and made a part hereof; and

NOW, THEREFORE, BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY, that the said schedule of meetings is approved by the Long Branch Sewerage Authority and said schedule of meetings shall be posted and distributed pursuant to N.J.S.A. 10:4-18.

ROLL CALL:

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

Date: February 20, 2013
R9.2-13
Exhibit O

L. Bank Account Resolution

RESOLUTION

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

BE IT RESOLVED that the following are hereby designated as depositories of the Long Branch Sewerage Authority and that accounts be opened and maintained in the name of the Long Branch Sewerage Authority as follows:

CENTRAL JERSEY BANK

LBSA Revolving Fund Payroll Checking Account #030-002466-0

LBSA Revolving Fund Checking Account #030-002465-2

LBSA Revolving Fund Checking Account #034-078587-2

LBSA Treasurer's Fund Developer's Escrow Account #030-003204-4

LBSA Trust Account Revenue Fund Collection Account #030-002464-5

ROLL CALL:

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

Date: February 20, 2013
R10.2-13

M. Cash Management Plan

RESOLUTION

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

WHEREAS, the Authority desires to adopt a Cash Management Plan pursuant to N.J.S.A. 40A:5-14, attached hereto and made apart hereof, and

NOW, THEREFORE BE IT RESOLVED by the Long Branch Sewerage Authority that the Authority hereby adopts the attached Cash Management Plan and that the Authority Executive Director is authorized to execute any documents to effectuate the purpose of this Resolution.

ROLL CALL:

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

Date: February 20, 2013
R11.2-13
Exhibit P

VI. Public Participation.

There were no members of the public present.

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

VII. As to the Minutes of the Regular Meeting of January 16, 2013

On Motion by Mr. Booth, seconded by Mr. Mazza, and passed by the affirmative vote of all members present, no nays, one absent, no abstain, the reading of the Minutes of the Regular Meeting of the Long Branch Sewerage Authority held on January 16, 2013, to be dispensed with and that such Minutes be, and they are hereby, approved as recorded and circulated.

VIII. As to the Minutes of the Executive Session held on January 16, 2013, if any

On Motion by Mr. Brown, seconded by Mr. Booth and passed by the affirmative vote of all members present, no nays, one absent, no abstain, the reading of the Minutes of the Executive Session of the Long Branch Sewerage Authority held on January 16, 2013, to be dispensed with and that such Minutes be, and they are hereby, approved as recorded and circulated.

IX. Correspondence

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

Mr. Martone reported that item # 11 is a Tort Claim that Mr. Bonello will discuss under his report.

Items# 16, 17, 31, 32 are Applications for Disconnection. Mr. Martone recommended the following Resolutions:

RESOLUTION

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

WHEREAS, Long Branch Board of Education has requested a termination of sewer service in an Application for Disconnection to the Executive Director dated January 28, 2013, attached hereto to this Resolution and made a part hereof, for said property at Indiana Ave. being serviced by the Long Branch Sewerage Authority under account #113-005-000, and

WHEREAS, the Authority has verified that there are no buildings or structures currently on the property that are occupied, and

WHEREAS, this disconnection is conditional upon all service charges being paid to date, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that it terminates service on said property as of the second quarter 2013 and that an application for resumption of sewer service for said property shall be considered an application for sewer service, de novo, and subject to the procedures and costs set forth in the Rules and Regulations of the Long Branch Sewerage Authority, and

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

ROLL CALL:

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

Date: February 20, 2013
R12.2-13
Exhibit Q

RESOLUTION

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

WHEREAS, Long Branch Board of Education has requested a termination of sewer service in an Application for Disconnection to the Executive Director dated January 28, 2013, attached hereto to this Resolution and made a part hereof, for said property at 114 Conover Place being serviced by the Long Branch Sewerage Authority under account #339-003-000, and

WHEREAS, the Authority has verified that there are no buildings or structures currently on the property that are occupied, and

WHEREAS, this disconnection is conditional upon all service charges being paid to date, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that it terminates service on said property as of the second quarter 2013 and that an application for resumption of sewer service for said property shall be considered an application for sewer service, de novo, and subject to the procedures and costs set forth in the Rules and Regulations of the Long Branch Sewerage Authority, and

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

ROLL CALL:

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

Date: February 20, 2013
R13.2-13
Exhibit R

RESOLUTION

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

WHEREAS, Jack Monteiro has requested a termination of sewer service in an Application for Disconnection to the Executive Director dated December 24, 2012, attached hereto to this Resolution and made a part hereof, for said property at 22-24 Long Branch Ave. being serviced by the Long Branch Sewerage Authority under account #310-*02-010, and

WHEREAS, the Authority has verified that there are no buildings or structures currently on the property that are occupied, and

WHEREAS, this disconnection is conditional upon all service charges being paid to date, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that it terminates service on said property as of the first quarter 2013 and that an application for resumption of sewer service for said property shall be considered an application for sewer service, de novo, and subject to the procedures and costs set forth in the Rules and Regulations of the Long Branch Sewerage Authority, and

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

ROLL CALL:

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

Date: February 20, 2013
R14.2-13
Exhibit S

RESOLUTION

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

WHEREAS, Jack Monteiro has requested a termination of sewer service in an Application for Disconnection to the Executive Director dated December 24, 2012, attached hereto to this Resolution and made a part hereof, for said property at 30 Long Branch Ave. being serviced by the Long Branch Sewerage Authority under account #310-*02-011 and

WHEREAS, the Authority has verified that there are no buildings or structures currently on the property that are occupied, and

WHEREAS, this disconnection is conditional upon all service charges being paid to date, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that it terminates service on said property as of the first quarter 2013 and that an application for resumption of sewer service for said property shall be considered an application for sewer service, de novo, and subject to the procedures and costs set forth in the Rules and Regulations of the Long Branch Sewerage Authority, and

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

ROLL CALL:

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

Date: February 20, 2013
R15.2-13
Exhibit T

Item#37 Mr. Martone explained that Energy Curtailment Specialties (ECS) wrote a letter to the Authority asking the Authority if they would be interested in curtailing electrical power during the summer months. In case of an emerging power shortage, they would pay the Authority to go on emergency power. Mr. Martone and Mrs. Hartnett calculated the dollar amount would be around \$14,000.00 per year. Mr. Martone continued to state that he does not think it's a good idea at this time since the Authority is using the new microturbance and if power gets turned off the microturbance will shut down. The Authority will keep this letter on file and will address it again next year.

Mr. Martone had nothing further to report.

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

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

February 20, 2013

- 1) Letter dated 01/11/13 received 01/16/13 from Warren Lighting Rod Company, re: past due invoices for work performed for Raymond Electrical Contractors under APS Contracting
- 2) Letter dated 01/16/13 received 01/16/13 from Maser Engineers, re: Approval of partial payment Request No. 32 in the amount of \$38,808.00
- 3) Letter dated 01/15/13 received 01/17/13 from Manna & Bonello, re: Professional Appointment for 2013 / Billing rate increase from \$135.00 to \$150.00
- 4) Letter dated 01/18/13 received 01/18/13 from Maser Consulting, re: Consulting Engineer's Report for the Year Ending December 31, 2012
- 5) Letter dated 01/11/13 received 01/18/13 from NJDEP, re: 5G2- Basic Industrial Stormwater GP renewal
- 6) Certified letter dated 01/17/13 received 01/22/13 from Spectraserv, re: 2012 Residual Management Program Report
- 7) Schedule received 01/23/13 from NJUAIJIF, re: Meeting JANUARY 23, 2013 at 10:30AM location Toms River MUA
- 8) Affidavit of Publication dated 01/19/13 received 01/23/13 from *Asbury Park Press*, re: Notice to bidders for Electrical Maintenance Services
- 9) Copy of Letter dated 01/23/13 received 01/24/13 from Maser Consulting to APS Contracting President, re: Wastewater Treatment Plant Modifications Project
- 10) Letter dated 01/21/13 received 01/24/13 from Insurance Restoration Specialists, Inc., re: LBSA Flood Damage and Mold Clean Up
- 11) Letter dated 01/23/13 received 01/24/13 from Giordano, Halleran & Ciesla Attorneys At Law, re: Baymen's Protective Association, Certified Clam Company, and a class of Claimants about a TORT CLAIM
- 12) Letter dated 01/23/13 received 01/26/13 from Federal Communications Commission, re: Construction/ Coverage Deadline Reminder Notice / License for Radio Service

- 13) Certified letter dated 01/23/13 received 01/28/13 from Selective Flood Operations, re: Policy # FLD1300998 / Date of Loss 10/29/12 / Property LBSA Pipe Gallery not Covered
- 14) Certified letter dated 01/23/13 received 01/28/13 from Selective Flood Operations, re: Policy # FLD1300999 / Date of Loss 10/29/12 / Property LBSA Primary Pump Room not Covered
- 15) Letter dated 01/28/13 received 01/29/13 from Hedinger & Lawless Attorneys at Law, re: WWTP Project / APS Contracting, Inc. / Raymond Electrical Contractors, Inc. / Two Mechanic Lien Claims / \$21,650 & \$103,665
- ACTION** 16) Application for Disconnection dated 01/28/13 received 01/29/13 from Long Branch Board of Education, re: Indiana Ave. / B 113 L5
- ACTION** 17) Application for Disconnection dated 01/28/13 received 01/29/13 from Long Branch Board of Education, re: 114 Conover Place. / B339 L3
- 18) Invitation received 01/30/13 from the Chamber of Commerce, re: Honoring the Villapiano Family of Seashore Day Camp and Monmouth Medical Center / March 15, 2013
- 19) Public Notice dated 01/10/13 received 01/31/13 from US Dept of Homeland, re: Notice # 5-1283 request for proposed replacement bridge across navigable waterway of the United States
- 20) Letter dated 01/31/13 received 01/31/13 from the City of Long Branch, re: OPRA request Authority Policies (Personnel Directives, Etc.)
- 21) Letter dated 01/31/13 received 01/31/13 from Maser, re: Renewal and Replacement Fund – 2013 (Maintenance and Reserve Account)
- 22) Letter dated 01/30/13 received 02/01/13 from Maser to APS Contracting Inc. re: Wastewater Treatment Plant Modifications Project #S340336-03
- 23) Letter received 02/01/13 from Monmouth County Improvement Authority, re: Soliciting interest for planned financing programs due to the Sandy Storm
- 24) Letter dated 01/29/13 received 02/01/13 from M & B Attorneys, re: Notice of Claim on Bond / Claimant: Robinson Group, LLC. / Debtor: APS Contracting/ Amount \$ 83,243.40 plus Interest / Bond # PRF76125630C
- 25) Certified letter dated 01/28/13 received 02/01/13 from Selective Flood Operations, re: Policy # FLD1300997 / Date of Loss 10/29/12 / Property LBSA Pumping Station not covered

- 26) Certified letter dated 01/28/13 received 02/01/13 from Selective Flood Operations, re: Policy # FLD1301006 / Date of Loss 10/29/12 / Property LBSA Primary Utility Building not covered
- 27) Letter dated 02/01/13 received 02/02/13 from Giordano, Halleran & Ciesla Attorneys At Law, re: Baymen's Protective Association, Certified Clam Company, and a class of Claimants about a TORT CLAIM w/ three additional Tort Claimants
- 28) Letter dated 01/23/13 received 02/01/13 from John Kraft, Esq., re: LBSA Local Finance Board Application
- 29) Certified letter dated 01/28/13 received 02/05/13 from Selective Flood Operations, re: Policy # FLD1300996 / Date of Loss 10/29/12 / Property LBSA Primary Digester #2 not Covered
- 30) Letter dated 02/01/13 received 02/06/13 from NJDEP, re: Treatment Works Approval No. 12-0322 / Pier Village Phase 3
- ACTION** 31) Application for Disconnection dated 12/24/12 received 12/24/12 from Jack Monteiro / 22-24 Long Branch Ave / B 310 * L 2.10
- ACTION** 32) Application for Disconnection dated 12/24/12 received 12/24/12 from Jack Monteiro / 30 Long Branch Ave / B 310 * L 2.11
- 33) Letter dated 01/24/13 received 02/07/13 from NJDEP, re: June 20, 2012 Sample Results for the DSN 001
- 34) Letter dated 01/24/13 received 02/07/13 from NJDEP, re: Compliance Evaluation Inspection to the LBSA facility
- 35) Certified letter dated 02/06/13 received 02/08/13 from Selective Insurance, re: Flood Policy / Boiler/ Admin Bldg not covered
- 36) Letter dated 02/05/13 received 02/11/13 from NJDEP, re: Physical Connection Permit No#1583-WPC130001
- 37) Letter dated 01/30/13 received 02/11/13 from ECS (Energy Curtailment Specialties), re: Introduction of company / Energy savings info
- 38) Letter dated 02/11/13 received 02/12/13 from Manna & Bonello, re: APS Contracting / MC Project No. LBS-195A/ Liens
- 39) Letter dated 02/11/13 received 02/12/13 from Giordano, Halleran & Ciesla Attorneys At Law, re: Baymen's Protective Association, Certified Clam Company, and a class of Claimants about a TORT CLAIM w/ one additional Tort Claimant's name

- 40) Notice received 02/14/13 from The Monmouth County Improvement Authority, re: Financing Seminars on Tuesday, February 26, 2013
- 41) Letter dated 02/14/13 received 02/15/13 from Arcades, re: Significant Indirect User Discharge Monitoring Report Submittal form- January 2013

ADDITIONAL CORRESPONDENCE

- 42) Public notice dated 01/28/13 received 02/15/13 from US Dept of Homeland Security, re: request to replace Route 559 Bridge over Miry Run in Hamilton and Egg Harbor Townships
- 43) Letter dated 02/14/13 received 02/19/13 from Warren Lighting Rod Company, re: Waste Water Treatment Plant / Acceptance contracted through Raymond Electrical Contractors / Certified Payroll W/E 02/09/13
- 44) Letter dated 02/20/13 received 02/20/13 from Maser Consulting, re: Request Payment approval No. 33 to APS Contracting for \$77,910.00
- 45) Letter dated 02/19/13 received 02/20/13 from the City of Long Branch, re: Mr. George reappointment as a Board Member / Res. Copy and oath of office

X. Report of Executive Director for January, 2013

Mr. Martone reported that the Authority is still continuing to replace damaged equipment with in the treatment facility due to hurricane Sandy. Approximately 93% of the equipment is now operational. All insurance applications have been submitted to FEMA, our insurance co. through JIF and the Authority's flood insurance carrier.

Mr. Martone stated that three bids were received for the Electrical Maintenance Services. The lowest bidder was Electrical Design & Construction Corporation in the amount of \$79,695.00. The following resolution was presented:

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (the "Authority") has heretofore advertised for receipt of bids for Electrical Maintenance Services to an approved site, and

WHEREAS, by bidding this service under a Fair and Open procedure, the Authority has complied with P.L. 2004, Chapter 19, (as amended by P.L. 2005, c51), N.J.S.A. 19:44-20.4 et seq., and

WHEREAS, in response thereto the Authority has received bids from the parties and bid amounts as specified on the list attached hereto and made a part hereof, and

WHEREAS, in accordance with law, the Authority is required to award the contract for Electrical Maintenance Services to the lowest responsible bidder, and

WHEREAS, the Authority Executive Director has certified that there are funds available for this purchase as per the certification attached to this resolution and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that

1. The Long Branch Sewerage Authority hereby awards its contract for Electrical Maintenance Services to EDC Corp. in the amount of \$79,695.00 subject to the bidder complying with all of the requirements of the terms and conditions of the Bid Specifications prepared in connection with this contract and included in the Notice to Bidders.

2. The Authority is authorized to enter into a contract with EDC Corp. 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	- AYE
Mr. Mazza	- AYE

Date: February 20, 2013
R16.2-13
Exhibit: U, V

Mr. Martone next reported that the NJWEA 2013 Winter Technology Transfer Seminar will be held March 4th through March 7th at the Sheraton. He requested permission to send some employees to this seminar. The following resolution was presented:

RESOLUTION

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

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. Booth	- AYE
Mr. Brown	- AYE
Mr. Mazza	- AYE

Date: February 20, 2013
R17.2-13

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, one 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.

XI. As to Bills submitted for payment by Long Branch Sewerage Authority for the Month of January 2013

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

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 20th DAY OF February 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT, the List of Bills for the month of January 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.

XII. Report by Authority Counsel of the Activities of that Office and of Actions taken since January 16, 2013

Mr. Bonello reported that there are three Tort Claim notices that were filed by the Giordano, Halleran & Ciesla firm. The claimants stating that their business was interrupted and destroyed because of sewerage coming into the Raritan Bay as a result of Hurricane Sandy. Mr. Martone reported that there was no water coming out of the tanks at the Authority but instead going in. Mr. Bonello stated that the Tort notices were forward to our insurance carrier to be evaluated.

Mr. Bonello next reported that he met with Mr. Van Dorpe and Mr. Martone with regards to a few open liens against APS Contracting. It was concluded that the Authority will not release any money to APS Contracting until there is a release in writing from the lien holders showing that the liens have been paid.

Mr. Bonello had nothing further to report.

On Motion by Mr. Brown, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, one 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.

XIII. Report by Authority Auditor of the Activities of that Office and of Actions taken
Since January 16, 2013

Mr. Kaplan reported that he attended a hearing in Trenton last week with the Local Finance Board regarding the \$2,000,000 the Authority was requesting to undertake for the repair/damage incurred by the Authority as a result of Hurricane Sandy and to construct a new parking lot. The Local Finance Board approved \$1,880,000. Mr. Kaplan explained that the Authority will close on this note on March 4th, 2013 for an amount of \$1,850,000 at a rate of 1.36% for a one year period. The following resolutions were presented:

BOND RESOLUTION OF THE LONG BRANCH SEWERAGE AUTHORITY DETERMINING TO PROVIDE FUNDS FOR THE REPAIR/DAMAGES INCURRED BY THE AUTHORITY'S WASTEWATER TREATMENT PLANT CAUSED BY HURRICANE SANDY AND THE CONSTRUCTION OF A NEW PARKING LOT, DETERMINING THE ESTIMATED COST THEREOF AND DETERMINING TO ISSUE BONDS OR NOTES TO FINANCE THE COST THEREOF

WHEREAS, the Long Branch Sewerage Authority (the "Authority") has determined to provide funds for the repair/damage incurred by the Authority's Wastewater Treatment Plant caused by Hurricane Sandy and to construct a new parking lot (the "2013 Project"); now therefore,

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY as follows:

Section 1. The Authority hereby determines to undertake the 2013 Project as described above. The estimated cost of the 2013 Project is not exceeding \$1,880,000. The Authority hereby determines to issue bonds or notes in an amount not exceeding \$1,880,000 to finance the 2013 Project in accordance with the Sewerage Authorities Law, in particular N.J.S.A. 40:14A-10.

Section 2. In anticipation of the issuance of bonds, the Authority may issue its project notes from time to time to provide funds for the costs of the Project.

Section 3. A copy of this Bond Resolution shall be filed and published in accordance with the provisions of N.J.S.A. 40:14A-14.

Section 4. All matters with respect to the bonds authorized by this bond resolution shall be determined by subsequent resolutions of the Authority.

Section 5. This resolution shall take effect immediately.

RECORDED VOTE

AYES: Mr. George, Mr. Booth, Mr. Brown and Mr. Mazza

NAYES:

ABSENT: Mr. Blaisdell

Certification

I hereby certify that this is a true copy of a resolution passed at the meeting held on February 20, 2013.

Joseph Martone, Executive Director

R18.2-13

RESOLUTION

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

WHEREAS The Long Branch Sewerage Authority concerning review of findings and recommendations of the local finance Board made at a meeting of said Board on February 13, 2013 in accordance within N.J.S.A. 40A:5A-7

WHEREAS, the findings and recommendations issued by the Local Finance Board (the "Board") in connection with a proposed financing of the Long Branch Sewerage Authority (the "Authority") have been filed with the Secretary of the Authority, and a copy has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, shall certify by resolution to the Board that the members thereof have personally reviewed the findings and recommendations; and

WHEREAS, the members of the governing body of the Authority have personally reviewed the Board's findings and recommendations on the proposed project financing as evidenced by group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of R.S. 52:27BB-52; now, therefore,

BE IT RESOLVED that the governing body of the Authority hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Board to show evidence of said compliance.

RECORDED VOTE

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

Date: February 20, 2013

R19.2-13

Exhibit: X

Secretary's Certification

I hereby certify that this is a true copy of a resolution passed at the meeting held on February 20, 2013.

David G. Brown, Secretary

Mr. Kaplan reported that the audit should start soon. The deadline is April 30th. He had nothing further to report.

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

XIV. As to Insurance Committee.

Mr. Martone reported that some insurance claims have been denied because the Authority didn't meet the \$50,000.00 deductible. The Authority will appeal these claims. Mr. George and Mr. Mazza suggested getting a private consultant to review all the policies and process all the claims. Mr. Bonello asked Mr. Martone to set up a meeting with JIF, the flood insurance company, Mr. Van Dorpe and Mr. Bonello to go over all the insurance policies and decide if a private agent is necessary.

XV. Report, if any, by Investment Committee.

The investments are as listed.

On Motion by Mr. Booth, seconded by Mr. Brown, and passed by the affirmative vote of three members present, no nays, one absent, one abstain (Mr. Brown); the Authority Investments were approved and made.

XVI. Transfers, if any.

The following Resolution was moved by Mr. Booth seconded by Mr. Mazza, and passed by the affirmative vote of three members present, no nays, one absent, one abstain (Mr. Brown), approving the Authority Transfers for the month of February 2013 as listed.

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 20th DAY OF February 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT that the Authority hereby approves the Transfers made for the month of January 2013 as submitted by the Executive Director and orders said report received and filed.

XVII. Old Business.

A. Engineer's Report on Redevelopment Projects

1. Mr. Van Dorpe had nothing new to report.

B. Future Capital Improvement Program

1. Mr. Van Dorpe reported there was a meeting on Thursday with the president of APS and the insurance company. The job is moving slowly but with some progress. It is about a month behind because of Hurricane Sandy. There have been issues getting some equipment up and running. The deadline is April 30th.

C. Storm Damages and Claims

Covered under Insurance Committee

XVIII. New Business

None

XIX. Miscellaneous Suggestions for the Good of the Authority

Mr. Martone reported that letters from the Monmouth County Planning Board have been received for Authority approval for the proposed Wastewater Plan map for Monmouth County. Mr. Martone asked Mr. Van Dorpe to explain. Mr. Van Dorpe stated that the Authority formally objected to the proposed map since it showed 125 accounts being serviced by Two Rivers Water

Reclamation Authority, which in fact, have been serviced by the Authority for over 50 years. Most of those accounts are Monmouth University. The following resolution was presented:

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (hereinafter the Authority) is in receipt of two letters from the Monmouth County Planning Board, one dated April 29, 2011 and another dated January 9, 2013, requesting consent of the NJDEP's proposed Wastewater Management Plan for Monmouth County, and

WHEREAS, the proposed Wastewater Management Plan for Monmouth County shows 125 accounts being serviced by Two Rivers Water Reclamation Authority, which in fact, have been serviced by the Long Branch Sewerage Authority for over 50 years, and

WHEREAS, the Authority submitted a response letter dated May 10, 2011 to the NJDEP objecting to it's proposed Wastewater Management Plan for Monmouth County, and

NOW, THEREFORE, BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY, that

1. The Long Branch Sewerage Authority formally objects to the NJDEP's proposed Wastewater Management Plan for Monmouth County.
2. The Long Branch Sewerage Authority formally requests that the map be revised to indicate the 125 accounts being serviced by the Long Branch Sewerage Authority.
3. The Authority Chairman and/or Executive Director are authorized to sign any documents needed to effectuate this resolution.

ROLL CALL:

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

Mr. George - AYE
Mr. Mazza - AYE

Date: February 20, 2013
R20.2-13

Certification

I, David G. Brown, of the Long Branch Sewerage Authority in the County of Monmouth, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Board of Commissioners at its meeting of February 20, 2013.

David G. Brown, Secretary

XX. Adjournment at 3:55 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, one absent, no abstain, the meeting was adjourned at 3:55 p.m.

Respectfully submitted,

David G. Brown, Secretary

Joseph A. Martone, Executive Director