

LONG BRANCH SEWERAGE AUTHORITY

Minutes of the Regular Meeting

January 16, 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, January 16, 2013, by the Chairman, Mr. Blaisdell in the Meeting Room at the Authority Administration Building, 150 Joline Avenue, Long Branch, New Jersey, attended by all members of the Authority. Mr. Brown arrived at 3:03.

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 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.

Let the record show that Mr. Brown arrived.

IV. Public Participation.

There were no members of the public present.

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

V. As to the Minutes of the Regular Meeting of December 19, 2012

On Motion by Mr. Blaisdell, seconded by Mr. Booth, and passed by the affirmative vote of all members present, no nays, no absent, no abstain, the reading of the Minutes of the Regular Meeting of the Long Branch Sewerage Authority held on December 19, 2012 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 December 19, 2012, if any

None.

VII. Correspondence

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

Item #18 Mr. Martone discussed a letter from Monmouth County Planning Board that includes amendments to Monmouth County Water Quality Management Plan and requesting a Statement of Consent. Mr. Martone has requested Sue Brasfield review the plan and discuss with him before next months meeting.

Item # 19 Mr. Martone discussed a letter received from State of New Jersey, DEP, regarding change order number three in the amount of \$512,985.00.

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

January 16, 2013

1. Certification received 12/20/12 from State of New Jersey, Department of Community Affairs, re: Certification of Approved Budget.
2. Letter dated 12/21/12 received 12/24/12 from Capacity Coverage Company of New Jersey, Inc., re: 1/1/13 – 1/1/14 Insurance Program.

3. Certified letter dated 12/18/12 received 12/24/12 from State of New Jersey, DEP, re: Laboratory Certification #13270, On-Site Audit Conducted December 13, 2012, On-Site Audit Report
4. Letter dated 12/19/12 received 12/24/12 from Hall & Associates, re: Professional Appointment of Hall & Associates Special Counsel for NJPDES Matters.
5. Application for disconnection dated 12/19/12 received 12/26/12, re: 142 Joline Ave. Block 401 Lot 1
6. Letter dated 12/26/12 received 12/31/12 from NJUA JIF, re: 2013 Election of Officers, Executive Committee and Alternates.
7. Letter dated 12/26/12 received 12/31/12 from NJUA JIF, re: Annual Reorganization Meeting.
8. Letter received 12/31/12 from Covered Loss Services, LLC, re: Notification of services.
9. Letter dated 12/31/12 received 1/2/13 from State of New Jersey DEP, re: Revised Proposed Amendment to the Monmouth County and Ocean County Water Quality Management Plan Public Notice dated 12/21/12.
10. Letter dated 1/2/13 received 1/3/13 from Maser Consulting, re: LBSA Wastewater Treatment Plant Modifications, Monthly Workforce Reports and Certified Weekly Payroll
11. Letter of Transmittal dated 12/28/12 received 1/3/13 from APS Contracting, Inc. re: Certified & Manning
12. Letter dated 01/03/13 received 01/04/13 from Manna & Bonello, re: Professional Appointment for 2013
13. Certified Letter dated 1/3/13 received 1/7/13 from Selective, re: Policy FLD1300996, claim denial.
14. Certified Letter dated 1/3/13 received 1/7/13 from Selective, re: Policy FLD1301001, claim denial.
15. Letter of Transmittal dated 1/4/13 received 1/7/13 from Maser Consulting, re: Draft Cover Letter.
16. Copy of a Letter dated 1/5/13 received 1/8/13 from David A. Kaplan, CPA to John Bonello, Esq., re: request for Pending or Threatened Litigation, Claims, and Assessments.
17. Letter dated 1/4/13 received 1/9/13 from Maser Consulting, re: 2013 Agreement for Professional Engineering Services.

18. Certified Letter dated 1/4/13 received 1/9/13 from Monmouth County Planning Board, re: Proposed Amendment to the Monmouth County Water Quality Management Plan (WQMP), Monmouth County Future Wastewater Service Area Map.
19. Letter dated 1/7/13 received 1/9/13 from State of New Jersey, DEP, re: New Jersey Environmental Infrastructure Financing Program (NJEIFP) Long Branch Sewerage Authority Clean Water Project No. S340336-03 ARRA, Wastewater Treatment Plant Modifications, Change Order No. 3.
20. Letter dated 1/8/13 received 1/10/13 from Manna & Bonello, P.C., re: Long Branch Sewerage Authority from Terry, 142 Joline Ave.
21. Certified Letter dated 1/4/13 received 1/10/13 from Selective, re: Policy FLD1301004, claim denial.
22. Letter of Transmittal dated 1/10/13 received 1/10/13 from Maser Consulting, re: Non-Fair and Open Process Documents.
23. Letter dated 1/9/13 received 1/11/13 from TNJ Marine, Inc., re: LBSA Ocean Outfall Inspection.
24. Letter dated 1/9/13 received 1/11/13 from DAK CPA, re: Proposal for auditing services for the fiscal year ending 12/31/13.
25. Copy of a Letter dated 1/10/13 received 1/11/13 from John Bonello to David A. Kaplan, re: LBSA Fiscal Year ending 12/31/12.
26. Certified Public Notice received 1/14/13 from Michael D. Mirne, Esq., re: 295 Joline Avenue.
27. Letter dated 1/8/13 received 1/14/13 from John L. Kraft, Esq. LLC, re: Proposal for Bond Counsel Services to the Long Branch Sewerage Authority for 2013.
28. Copy of a Letter dated 1/10/13 received 1/14/13 from Arcadis to Division of Water Quality, Office of Permit Management, re: Significant Indirect User (SIU) Discharge Monitoring Report Submittal Form – December 2012
29. Letter dated 1/9/13 received 1/14/13 from Apruzzese, McDermott, Mastro & Murphy, re: Long Branch Sewerage Authority Proposal for Labor Counsel – 2013.
30. Letter dated 1/14/13 received 1/16/13 from Brown & Brown Insurance, re: Solicitation of Qualifications for Professional Services – Insurance Agent.

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

XIII. Report of Executive Director for December, 2012

Mr. Martone reported that he has been soliciting proposals for the demolition of 142 Joline Avenue. Three proposals were received and AVH Demolition, LLC was the lowest proposal received. Mr. Martone recommended the following resolution.

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (herein after "the Authority") has solicited proposals for demolition and removal of existing structure at 142 Joline Avenue, said proposals attached hereto and made a part hereof, and

WHEREAS, AVH Demolition, LLC was the lowest quotation in the amount of \$10,000.00, and

WHEREAS, the Authority Executive Director has certified that there are funds available for this purpose, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that it is authorized to enter into an agreement for demolition and removal of the existing structure at 142 Joline Avenue with AVH Demolition, LLC in the amount of \$10,000.00.

ROLL CALL:

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

Date: January 16, 2013
R1.1-13
Exhibits A & B

Mr. Martone reported that since Hurricane Sandy he has been working with Roland Hagon on requests for proposals for electrical services on individual items, which has become overwhelming. Mr. Martone suggested going out to bid for Electrical Services and recommended the following resolution.

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (herein after “the Authority”) desires to contract electrical maintenance services, and

WHEREAS, the Authority has determined that said services should be made by public bid in accordance with law, and

WHEREAS, it is required by law that the Authority advertise for said bids, and

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

1. The Authority is authorized to advertise for bids for the above-described contracts.
2. The Authority Chairman and/or Executive Director are authorized to sign any documents to effectuate this resolution.

ROLL CALL:

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

Date: January 16, 2013

R2.1-13

Mr. Martone discussed the results of the inspection of the outfall pipe, from TNJ Marine. The inspection revealed a failure of one anchor bracket and the loosening of two others. Mr. Martone has requested an estimate for repairs from TNJ Marine.

Mr. Martone reported the remediation has begun in the administration building and will be done in three phases. Mr. Martone has contacted three companies for sheetrock, only one has responded, but cannot give an estimate until the tear down has been completed.

Mr. Martone had nothing further to report.

On Motion by Mr. Brown, seconded by Mr. George, and passed by the affirmative vote of all members present, no nays, no 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 December, 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, no absent, no abstain.

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 16th DAY OF JANUARY 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT, the List of Bills for the month of December 2012 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 December 19, 2012

Mr. Bonello stated that he had met with Mr. Martone and discussed the electrical services contract and the demolition contract. Mr. Bonello had nothing further to report.

On Motion by Mr. Blaisdell, seconded by Mr. Brown, and passed by the affirmative vote of all members present, no nays, no 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 December 19, 2012

Mr. Kaplan reported that he has been working with the bond counsel to prepare an application to the local finance board and recommends the following resolution.

**RESOLUTION OF THE LONG BRANCH SEWERAGE
AUTHORITY
AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE
BOARD
PURSUANT TO N.J.S.A. 40A:5A-6**

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

WHEREAS, the Long Branch Sewerage Authority desires to make application to the Local Finance Board for its review pursuant to N.J.S.A. 40A:5A-6 of a proposed financing authorizing the issuance of not exceeding \$2,000,0000 bonds or notes to provide funds to provide for, respond to, and repair damages caused by Superstorm Sandy that the Long Branch Sewerage Authority incurred and to provide for the construction of a new parking lot to be constructed on a newly purchase lot contiguous to the Waste Water Treatment Plant (collectively, the "2013 Project"); now therefore,

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

Section 1. The application to the Local Finance Board is hereby approved, and the Authority's Bond Counsel, Auditor, Engineer, Counsel and other representatives, are hereby authorized to prepare such application and to represent the Authority in matters pertaining thereto.

Section 2. A certified copy of this resolution shall be filed with the Local Finance Board as part of such application.

Section 3. A copy of the proposed bond resolution shall be filed with the Local Finance Board as part of such application.

Section 4. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings and recommendations as provided by N.J.S.A. 40A:5A-6.

ROLL CALL:

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

Date: January 16, 2013
R3.1-13

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 January 16, 2013.

David G. Brown, Secretary

Date

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

XII. As to Insurance Committee.

Status Quo.

XIII. Report, if any, by Investment Committee.

The investments are as listed.

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

XIV. Transfers, if any.

The following Resolution was moved by Mr. Blaisdell, seconded by Mr. Booth, and passed by the affirmative vote of four members present, no nays, no absent, one abstain (Mr. Brown), approving the Authority Transfers for the month of December 2012 as listed.

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 16th DAY OF JANUARY 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT that the Authority hereby approves the Transfers made for the month of December 2012 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 had nothing to report.

B. Future Capital Improvement Program

Mr. Van Dorpe reported that digesters 3 and 4 will go on line in February.

The last panel for the SCADA system will be delivered within the next two weeks. There is much work to be done on the SCADA system. Mr. Van Dorpe was given a completion date, by the contractor, of April 30, 2013.

C. Storm Damages and Claims

Mr. Van Dorpe reported the spreadsheets are being prepared for the FEMA deadline of February 4, 2013. Mr. Van Dorpe also discussed the need for a list of mitigation for future damages. Mr. Van Dorpe also reported that JIF has requested the latitude and longitude for each of the buildings and pump stations.

Mr. Bonello requested the Board go into Executive Session at this time

RESOLUTION

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in various circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The Public shall be excluded from discussion and action upon the hereinafter subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Labor – Union Contract

3. It is anticipated at this time that the above-stated subject matters will be made public when the matters are resolved.

4. This Resolution shall take effect immediately.

ROLL CALL:

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

Date: January 16, 2013
Res4.1-13

XVI. New Business

None

XVII. Miscellaneous Suggestions for the Good of the Authority

None

XIII. Adjournment at 3:52 p.m.

There being no further business, on Motion by Mr. Blaisdell, seconded by Mr. Brown, and passed by the affirmative vote of all members present, no nays, no absent, no abstain, the meeting was adjourned at 3:52 p.m.

Respectfully submitted,

David G. Brown, Secretary

Joseph A. Martone, Executive Director