

LONG BRANCH SEWERAGE AUTHORITY

Minutes of the Regular Meeting

July 16, 2014

I. and II. Opening and Attendance at Meeting.

A Regular Meeting of the Long Branch Sewerage Authority was called to order at 3:04 p.m., prevailing time, on Wednesday, July 16, 2014 by the Chairman, Mr. Blaisdell, in the Meeting Room at the Authority Administration Building, 150 Joline Avenue, Long Branch, New Jersey, attended by Mr. George, Mr. Brown, Mr. Booth and Mr. Mazza.

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 2014, has been provided by publication thereof in the *Link* on February, 27, 2014, as a “legal” advertisement and in the *Asbury Park Press* on February 22, 2014, as a “legal” advertisement and by forwarding duplicates thereof on February 20, 2014, 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.

No members of the public present.

On Motion by Mr. George, seconded by Mr. Blaisdell, 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 June 2014

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 June 18, 2014 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 June 18, 2014, if any

None.

VII. Correspondence

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

Mr. Martone reported that items # 9, 10 and 11 are the bids received on July 2.

Item #9 Mr. Van Dorpe explained that this is the bid for the Access Gates and Fence Replacement and recommended the following resolution.

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (the "Authority") has heretofore advertised for receipt of bids for Access Gates and Fence Replacement, 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 Access Gates and Fence Replacement 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 Access Gates and Fence Replacement to Absolute Fence Services, Inc. in the amount of \$68,520.00, 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 Notice to Bidders.

2. The Authority is authorized to enter into a contract with Absolute Fence Services, Inc. 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	- AYE
Mr. George	- AYE
Mr. Booth	- AYE
Mr. Brown	- AYE
Mr. Mazza	- AYE

Date: 7/16/14
R1.7-14
Exhibits A & B

Item #10 Mr. Van Dorpe reported that this is the bid for the Ocean Outfall Anchor Replacement and Repair Project. Mr. Van Dorpe explained that there are two options for this bid, the first for the base bid to repair only the three anchors damaged during Hurricane Sandy and the second to replace all the anchors to avoid any future repairs. Mr. Van Dorpe suggested going with option two and recommended the following resolution.

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (the "Authority") has heretofore advertised for receipt of bids for Outfall Anchor Replacement and Repair Project, 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 Outfall Anchor Replacement and Repair Project 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 Outfall Anchor Replacement and Repair Project to Hydro-Marine Construction Co. Inc. in the amount of \$261,640.00, 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 Notice to Bidders.

2. The Authority is authorized to enter into a contract with Hydro-Marine Construction Co. Inc. 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	- AYE
Mr. George	- AYE
Mr. Booth	- AYE
Mr. Brown	- AYE
Mr. Mazza	- AYE

Date: 7/16/14
R2.7-14
Exhibits C & D

Item # 11 Mr. Van Dorpe explained that this is the bid for the parking lot construction. Mr. Van Dorpe explained that several bids were received. The lowest bid was from Diamond Construction. However the bid contained a fatal flaw and could not be remedied. Mr. Van Dorpe and Mr. Bonello recommended the following resolution.

RESOLUTION

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

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

WHEREAS, the Authority received a bid for this contract from Diamond Construction which contains a fatal flaw, and

WHEREAS, it is in the Authority's best interest to reject this bid due to the omission of the mandatory naming of the electrical sub-contractor at the time of the bid, and

WHEREAS, this can not subsequently be cured, and

WHEREAS, the Authority Attorney, John Bonello, has recommended that the bid from Diamond Construction be rejected and the contract be awarded the next lowest responsible bidder, and

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

1. The Authority rejects the bid from Diamond Construction for the 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	- AYE
Mr. George	- AYE
Mr. Booth	- AYE
Mr. Brown	- AYE
Mr. Mazza	- AYE

Date: 7/16/14
R3.7-14
Exhibits E

Mr. Van Dorpe suggested that the Parking Lot Construction bid be awarded to the second lowest responsible bidder. He recommended the following resolution.

RESOLUTION

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

WHEREAS, the Long Branch Sewerage Authority (the "Authority") has heretofore advertised for receipt of bids for Parking Lot Construction, 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 Parking Lot Construction 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 Parking Lot Construction to All Surface Asphalt Paving, Inc. in the amount of \$71,680.00, 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 Notice to Bidders.

2. The Authority is authorized to enter into a contract with All Surface Asphalt Paving, Inc. 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 - AYE
Mr. George - AYE
Mr. Booth - AYE
Mr. Brown - AYE
Mr. Mazza - AYE

Date: 7/16/14
R4.7-14
Exhibits F & G

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

July 16, 2014

1. Email dated 6/18/14 received 6/18/14 from Municipal Excess Liability Joint Insurance Fund, re: MEL Property Program and 2015 Renewal Process
2. Email dated 6/19/14 received 6/20/14 from PERMA Risk Management Services, re: New Jersey Utility Authorities JIF – June Agenda for Wednesday June 25, 2014
3. Email dated 6/20/14 received 6/20/14 from Maser Consulting, re: Addendum #1 – Access Gates and Fence Replacement
4. Letter dated 6/17/14 received 6/23/14 from Kraft & Capizzi, re: Bound copy & CD of the closing transcript in connection to the Authority’s issuance of \$9,150,000 Sewer Revenue Bonds, Series 2014
5. Letter dated 6/23/14 received 6/24/14 from Carla Tomas, Tax Collector City of Long Branch, re: Tax Sale Date, 9/23/14
6. Letter dated 6/25/14 received 6/26/14 from Maser Consulting, re: Primary Tank Influent System Reconstruction contract award.
7. Certified letter dated 6/20/14 received 6/27/14 from Foss, San Filippo & Milne, LLC, re: Notice of Hearing, Red Bank Ridge, LLC/West Long Branch Block 68 Lot 8.01
8. Certified letter received 7/7/14 from Anthony P. Manzo, Esq., re: Notice of Public Hearing Block 301 Lots 4 and 7/ 48 Marine Terrace and 144 Ocean Avenue
9. Letter dated 7/8/14 received 7/9/14 from Maser Consulting, re: Award of Access Gates and Fence Replacement contract to Absolute Fence Services, Inc.

ACTION

Additional Correspondence

ACTION

10. Letter dated 7/14/14 received 7/15/14 from Maser Consulting, re: Award of Outfall Anchor Replacement and Repair Project contract to Hydro-Marine Construction Co., Inc.

ACTION

11. Letter dated 7/14/14 received 7/15/14 from Maser Consulting, re: Award of Parking Lot Construction to All Surface Paving

12. Letter dated 7/15/14 received 7/15/14 from John Bonello, re: Bid for Parking Lot Construction

XIII. Report of Executive Director for June, 2014

Mr. Martone reported he had met with Mr. Arcadia from APS regarding the compressors servicing the micro turbines and the media in the Sulfatreat scrubber units. Mr. Arcadia has stated that he will replace both the compressors and the media.

Mr. Martone has discussed with the new comptroller the possibility of a change in the billing program from Harris to Edmunds & Associates. Mr. Martone would like to set a meeting with a representative from Edmunds & Associates to further examine if this change is beneficial to the Authority.

Mr. Martone had nothing further to report.

On Motion by Mr. Blaisdell, 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 June 2014

The following Resolution was moved by Mr. George, seconded by Mr. Brown, 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 JULY 2014 PURSUANT TO

NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT, the List of Bills for the month of June 2014 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 June 18, 2014

Mr. Bonello reported that he reviewed the bids that were received and addressed the issues regarding the Parking Lot Construction bid.

Mr. Bonello reported that he met with Mr. Arcadia from APS and Mr. Martone regarding settlement negotiations.

Mr. Bonello had nothing further to report.

On Motion by Mr. Booth, 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 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 June 18, 2014

Mr. Kaplan reported that he had discussed with Mrs. Uyeyama the SEC regulations regarding the New Jersey Municipal Bonds Issuers continuing disclosure pledge on E.M.M.A. (Electronic Municipal Market Access).

Mr. Kaplan reported that effective August 1, 2014, DAK will be acquired by Wiss and Company, LLC Mr. Kaplan will still stay on as the Director of the acquired firm.

Mr. Kaplan had nothing further to report.

On Motion by Mr. Booth, 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.

None

XIII. Report, if any, by Investment Committee.

The investments are as listed.

On Motion by Mr. George, seconded by Mr. Booth, 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. Booth, seconded by Mr. Mazza, and passed by the affirmative vote of four members present, no nays, one absent, one abstain (Mr. Brown), approving the Authority Transfers for the month of June 2014 as listed.

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 16th DAY OF JULY 2014 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT that the Authority hereby approves the Transfers made for the month of June 2014 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 he and Mr. Martone met with Long Branch Partners, LLC. regarding the Broadway Arts Center redevelopment project . The project will include 750 to 900 residential units and 60 to 100 commercial units.

B. Future Capital Improvement Program

Mr. Van Dorpe reported that Mr. Martone met with Mr. Roguski from Maser Consulting regarding finalizing the Collection System design.

C. **Storm Damages and Claims**

Mrs. Hartnett had nothing to report.

D. **Outfall Repairs**

Reported under the Correspondence Section

E. **Primary Tank Influent System Reconstruction Project**

Mr. Van Dorpe had nothing to report.

F. **Access Gates and Fence Replacement**

Reported under the Correspondence Section

G. **Parking Lot Construction**

Reported under the Correspondence Section

XVI. New Business

None

XVII. Miscellaneous Suggestions for the Good of the Authority

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

RESOLUTION

Mr. Blaisdell 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:

POTENTIAL LITIGATION

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

Date: July 16, 2014

ResExSess

Mr. Bonello resumed the regular session.

XIII. Adjournment at 3:42 p.m.

There being no further business, on Motion by Mr. Mazza, seconded by Mr. George, and passed by the affirmative vote of all members present, no nays, no absent, no abstain, the meeting was adjourned at 3:42 p.m.

Respectfully submitted,

David G. Brown, Secretary

Joseph A. Martone, Executive Director