

LONG BRANCH SEWERAGE AUTHORITY

Minutes of the Regular Meeting

June 26, 2013

I. and II. Opening and Attendance at Meeting.

A Regular Meeting of the Long Branch Sewerage Authority was called to order at 3:01 p.m., prevailing time, on Wednesday, June 26, 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 three Members of the Authority. Mr. Blaisdell and Mr. Mazza 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 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 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.

Adequate Notice of this ***Rescheduled Meeting***, has been provided by publication thereof in the *Link* on June 13, 2013 as a “legal” advertisement and in the *Asbury Park Press* on June 12, 2013, as a “legal” advertisement and by forwarding duplicates thereof on June 10, 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.

There were no members of the public present.

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 May 15, 2013

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 reading of the Minutes of the Regular Meeting of the Long Branch Sewerage Authority held on May 15, 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 May 15, 2013, if any

On Motion by Mr. Brown, seconded by Mr. George and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the reading of the Minutes of the Executive Session of the Long Branch Sewerage Authority held on May 15, 2013, to be dispensed with and that such Minutes be, and they are hereby approved as recorded and circulated.

VII. Correspondence

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

Item #22 Mr. Martone reported that this is an approval request for Monmouth University's New Learning Center Addition. Mr. Van Dorpe explained that there are no requirements for a TWA application due to the fact that the sewer will connect to an existing sewer line. The following resolution was presented:

RESOLUTION

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

WHEREAS, Monmouth University has applied for sewer connection for the Bey Hall Addition know as Block 39 Lot 8, and

WHEREAS, the application was accompanied by the necessary plans and specification, and

WHEREAS, the Long Branch Sewerage Authority Engineer, John Van Dorpe, has reviewed the plans and specifications and has recommended that the application be conditionally approved in his letter dated June 12, 2013, attached hereto and made a part hereof, and

WHEREAS, there is adequate capacity to service the request, and

NOW, THEREFORE, BE IT RESOLVED by the Long Branch Sewerage Authority that the application of Monmouth University for connection to the sewerage system be and the same is hereby approved subject to compliance with the conditions and requirements as stated in the letter of the Authority Engineer dated June 12, 2013 and, upon the payment of all requisite fees, including but not limited to 50% of the total connection fee due prior to issuance of the Building Permit and the remaining 50% due prior to issuance of any Certificate of Occupancy.

ROLL CALL:

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

Date: June 26, 2013
R1.6-13
Exhibit A

Mr. Martone 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, two absent, no abstain, the attached List of Correspondence was ordered, received, and filed.

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

June 26, 2013

1. Letter dated 05/13/13 received 05/15/13 from APS Contracting, Inc., re: Certified & Manning / Monthly Payroll Report
2. Letter dated 05/15/13 received 05/15/13 from Maser Consulting, re: Partial Payment approval request for No. 36 in the amount of \$29,400.00
3. Letter dated 05/15/13 received 05/16/13 from Maser Consulting, re: Certified Weekly Payroll reports for VMG Group Corporation and Raymond Electrical Contractor
4. Certified letter dated 05/16/13 received 05/20/13 from Warren Lightning Rod Company, re: Assistance with past due balance / APS Contractors owes Raymond Electrical a total of \$27,055.00 of which \$14,000.00 is 260 days past due
5. Letter dated 05/16/13 received 05/17/13 from Maser Consulting, re: APS Contracting, Inc. Monthly Project Workforce Reports for months March 2013 and April 2013
6. Notice dated 05/17/13 received 05/20/13 from NJM Insurance Group, re: Cancellation Notice of policy # C803026-4 / Policyholder: Longo Electrical
7. Notice received 05/20/13 from Toms Rives MUA, re: NJUAJIF Agenda and Reports Meeting on 05/22/13
8. Affidavit of Publication dated 03/28/13 received 05/20/13 from Star Ledger, re: Notice to bidders for WWTP Blower Building Modifications
9. Acknowledgment received 05/20/13 from the IRS, re: Receipt of Tax-Exempt Bond Form / 2013 Project Notes / Price \$1,8500,000.00
10. Copy of letter dated 05/20/13 received 05/21/13 from Arcadis, re: Significant Indirect User (SIU) Discharge Monitoring Report / Permit No. NJ0167878 / Former Long Branch Manufactured Gas Plant Site

11. Notice received dated 05/17/13 received 05/21/13 from NJM, re: Confirmation of reinstated policy for Longo Electrical/ Policy # C803026-4
12. Affidavit of Publication dated 05/18/13 received 05/22/13 from The Asbury Park Press, re: Notice of Public Hearing / Connection Fee Hearing
13. Copy of letter dated 05/17/13 received 05/22/13 from Arcadis, re: NJPDES / SIU PERMIT No. NJ0167878 / Temporary Cessation of Operations / N3 Operator Termination Notification
14. Email copy dated 05/23/13 received 05/23/13 from Tom Roguski to Mr. Bonello, re: Warren Lighting Rod Co. is requesting that APS's Bond be provided to them
15. Letter received 05/23/13 from Wilentz, Goldman & Spitzer P.A., re; CAFRA Permit Modification Application / File No: 1325-06-0011.1 / (CAF 060001)
16. Letter dated 05/21/13 received 05/24/13 from King and Petragga Esq., re: Baymen's Protective Association, et al v. Middlesex County Utilities Authority, et al / Notice of Tort Claim – January 24, 2013 / EJIF NON13-4
17. Letter dated 05/21/13 received 05/24/13 from King and Petragga Esq., re: United Seacoast Clam Corporation, et al v. The City of New York / EJIF NON 13-9
18. Affidavit of Publication dated 05/23/13 received 06/03/13 from The Link, re: Notice of Public Hearing / Connection Fee Hearing
19. Letter dated 05/13/13 received 06/04/13 from NJDEP, re: Assistance in helping to protect NJ lives and properties along the Jersey Shore
20. Letter dated 06/04/13 received 06/05/13 from Maser Consulting, re: Required Meeting to go over the Prioritization of Mitigation Items
21. Certified Legal Notice received 06/10/13, re: AFP 104 Corp., d/b/a Ocean Place Resort & SPA / One Ocean Blvd, City of Long Branch / B 293 L 1-9 and B294 L1-10, 16.01
22. Letter dated 6/12/13 received 6/12/13 from Maser Consulting, re: Approval for Monmouth University New Learning Center addition at Bey Hall / B39 L8
23. Affidavit of Publication dated 06/12/13 received 06/14/13 from The Asbury Park Press, re: Re-Scheduled Regular Board Meeting
24. Letter dated 06/14/13 received 06/14/13 from Maser Consulting, re: Partial Payment approval request for No. 37 in the amount of \$20,482.00

ACTION

25. Letter dated 06/14/13 received 06/17/13 from NJDEP, re: March 2013 Water Pollution Proficiency Test Study
26. Letter dated 05/28/13 received 06/17/13 from NJ Department of Labor and Workforce, re: Notice of Violation / # NJ130125-09U / Violation Date 05/22/13 / Comply By 06/21/13
27. Letter dated 05/28/13 received 06/17/13 from NJ Department of Labor and Workforce, re: Notice of Violation / # NJ130124-09U / Violation Date 05/22/13 / Comply By 08/30/13
28. Letter received 06/18/13 from NJDEP, re: Certificates and Annual Certified Parameter Lists received for LAB #13270
29. Letter dated 06/14/13 received 06/18/13 from APS Contracting, re: Certified Payroll and Monthly Manning Reports
30. Letter dated 06/18/13 received 06/19/13 from Maser Consulting, re: Long Branch Sewerage Authority Wastewater Treatment Plant Modifications, Monthly Workforce Reports and Certified Weekly Payroll Reports
31. Contract Copy emailed on 06/19/13 received 06/19/13, re: Braggs and Estate of Rosemarie Williams / 134 Joline Ave / B 401 L5
32. Affidavit of Publication dated 06/13/13 received 06/20/13 from The Link, re: Re-Scheduled Regular Board Meeting
33. Affidavit of Publication dated 06/13/13 received 06/20/13 from The Link, re: Re-Scheduled Connection Fee Hearing
34. Affidavit of Publication dated 06/18/13 received 06/20/13 from The Asbury Park Press, re: Re-Scheduled Connection Fee Hearing

ADDITIONAL CORRESPONDENCE

35. Letter dated 06/11/13 received 06/24/13 from First Energy, re: Expressing gratitude for choosing them as a supplier
36. Notice of Meeting received 06/26/13 from Toms River MUA, re: Agenda and Reports on June 26, 2013, 10:30am

XIII. Report of Executive Director for May 2013

Mr. Martone reported that the Authority's equipment is approximately 99% operational. The engineers are doing a few modifications to the blower building which will correct some of the other issues.

Mr. Martone explained that Anthony Newland has requested authorization to take a "Welding I" course at Monmouth County Vocation School. The following Resolution was presented:

RESOLUTION

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

WHEREAS, Anthony Newland has requested permission to attend Monmouth County Vocation School for the Welding I course, 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 the request of Anthony Newland to attend Monmouth County Vocational School for a course in Welding I in the amount of \$550.00 has been approved.

BE IT FURTHER RESOLVED that the participant 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	- ABSENT

Date: June 26, 2013
R2.6-13

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, 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 May 2013

The following Resolution was moved by Mr. Booth, seconded by Mr. Brown, 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 26th DAY OF JUNE 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT, the List of Bills for the month of May 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 May 15, 2013

Mr. Bonello stated that the Authority is in the process of purchasing the property at 134 Joline Ave. Closing will be in the next couple of weeks. Mr. Martone explained that once the closing is complete, the Authority will solicit proposals for demolition.

Mr. Bonello reported that there were some questions with regards to the Longo's contract specifications. He has requested that some items be identified and he prepared an identification agreement and circulated it.

Mr. Bonello had nothing further to report.

On Motion by Mr. George, seconded by Mr. Brown, 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 May 15, 2013

Mr. Kaplan stated that he had been working on the new connection fee, which has already been covered.

On Motion by Mr. George, seconded by Mr. Brown, 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 be, and they are in all respects, approved, confirmed and ratified.

XII. As to Insurance Committee.

Mr. Martone reported that the Authority received a total of \$56,962.00 for uninsurable structures of which \$38,732.00 is for the years 2011-2012 and another \$18,230.00 should be reimbursed for 2010.

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 two members present, no nays, two absent, one abstain (Mr. Brown); the Authority Investments were approved and made.

XIV. Transfers, if any.

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

RESOLUTION

BE IT RESOLVED BY THE LONG BRANCH SEWERAGE AUTHORITY IN SESSION AT A REGULAR MEETING THEREOF ON THIS 26th DAY OF JUNE 2013 PURSUANT TO NOTICE AT WHICH AT LEAST A QUORUM IS PRESENT that the Authority hereby approves the Transfers made for the month of May 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 Pier Village Phase III should break ground around October. He also stated there was a new application for Monmouth University which is addressed in correspondence.

B. Future Capital Improvement Program

Covered Under Executive Session

C. Storm Damage and Claims

Mr. Van Dorpe explained that a letter was received from FEMA denying the Authority's \$800,000 Sandy Storm Claim. He continued to explain that FEMA is under the impression that the Authority has received this reimbursement already from the flood insurance, which is incorrect. Maser Consulting will provide FEMA with documents

explaining the denial from the flood insurance and that the Authority has yet to receive any reimbursement for the Sandy Storm damage.

D. Repair of Ocean Outfall Pipe

Mr. Van Dorpe reported that he has been waiting for the finished details on the anchors and once that is completed they will proceed with the estimates.

Mr. Bonello requested the Board go into Executive Session.

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:

Potential Litigation/ Personnel

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

Date: June 26, 2013
R3.6-13

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 Board passed a motion to close the Executive Session and return to the regular meeting.

XVI. Miscellaneous Suggestions for the Good of the Authority

None

XII. Adjournment at 4:05 p.m.

There being no further business, on Motion by Mr. Brown, seconded by Mr. George, and passed by the affirmative vote of all members present, no nays, two absent, no abstain, the meeting was adjourned at 4:05 p.m.

Respectfully submitted,

David G. Brown, Secretary

Joseph A. Martone, Executive Director