

TOWNSHIP OF OCEAN SEWERAGE AUTHORITY
REGULAR MEETING
October 1, 2013

1. Meeting called to Order
2. Pledge of Allegiance
3. Roll Call - Bernhardt, Galvin, Kelly, Stubbs, Villapiano
4. Let the minutes show that this meeting is being held in accordance with the requirements of the Open Public Meetings Act of 1975 and that adequate notice has been duly posted where required and mailed to its service communities and the Asbury Park Press and The Coaster on February 7, 2013. The minutes of this meeting will be available after Board approval at a subsequent meeting.

INTRODUCTION OF 2014 BUDGET

- a. Auditor's comments
- b. Public Comment
- c. [Resolution 13-72](#): 2014 Authority Budget Introduction Resolution

WORK SESSION

5. Executive Director's Report
6. Attorney's Report
7. Engineer's Report
8. Plant Superintendent's Report
9. Review of resolutions on agenda

BUSINESS SESSION

10. Approval of minutes of September 3, 2013 regular meeting
11. Motion to receive and file Plant Superintendent's Report
12. Communications
13. Review of Bill List
 - a. Member comments
 - b. Public comment
14. [Resolution 13-73](#): Payment of bills
15. [Resolution 13-74](#): Authorizing granting of preliminary, tentative and final approval for Congregation Sons of Israel - application number 166
16. [Resolution 13-75](#): Ratifying execution of Shared Services Agreement with Township of Ocean for administrative services

17. [Resolution 13-76](#): Authorizing refund in the amount of \$117.86 to Scott and Maria Yosco
18. [Resolution 13-77](#): Authorizing release of sanitary sewer Phase I maintenance guarantee for application number 132 - Rolling Meadows
19. [Resolution 13-78](#): Authorizing release of sanitary sewer Phase II maintenance guarantee for application number 132 - Rolling Meadows
20. [Resolution 13-79](#): Authorizing release of sanitary sewer Phase III maintenance guarantee for application number 132 - Rolling Meadows
21. [Resolution 13-80](#): Authorizing release of sanitary sewer Pine Lane maintenance guarantee for application number 132 - Rolling Meadows
22. [Resolution 13-81](#): Authorizing execution of agreement with the County of Monmouth for Bridge O-11 reconstruction
23. [Resolution 13-82](#): Authorizing requests for proposals for professional services in a Fair and Open Process
24. [Resolution 13-83](#): Authorizing award of a contract for sewer line and facilities repairs to Mark Woszczak Mechanical Contractors, Inc.
25. [Resolution 13-84](#): Authoring grant of approval for MNC Properties, LLC (Acura of Ocean) - application number 169
26. Member Comments
27. Public Comment
28. Closed Session
29. Adjournment

**TOWNSHIP OF OCEAN SEWERAGE AUTHORITY
2014 AUTHORITY BUDGET RESOLUTION
FISCAL YEAR: JANUARY 1, 2014 TO DECEMBER 31, 2014**

WHEREAS, the Annual Budget and Capital Budget for the Township of Ocean Sewerage Authority for the fiscal year beginning January 1, 2014 and ending December 31, 2014 has been presented to the governing body of the Township of Ocean Sewerage Authority at its open public meeting of October 1, 2013; and

WHEREAS, the Annual Budget, as introduced, reflects Total Revenues of \$7,325,000, Total Appropriations, including any Accumulated Deficit, of \$7,325,000 and Total Unreserved Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget, as introduced, reflects Total Capital Appropriations of \$5,155,000 and Total Unreserved Net Assets planned to be utilized as funding thereof of \$0.00; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenue, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the Authority’s planning and management objectives; specific authorization to expend funds for the purposes described in this Section of the budget must be granted by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Ocean Sewerage Authority at an open public meeting held on October 1, 2013 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Township of Ocean Sewerage Authority for the fiscal year beginning January 1, 2014 and ending December 31, 2014 is hereby approved; and

BE IT FURTHER RESOLVED that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the Authority’s outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements; and

BE IT FURTHER RESOLVED that the Governing Body of the Township of Ocean Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 3, 2013.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Regular Meeting held on October 1, 2013.

CHRISTOPHER KELLY, Secretary

RESOLUTION 13 - 73

BILL LIST

BE IT RESOLVED by the Township of Ocean Sewerage Authority, in the County of Monmouth, New Jersey (not less than three (3) members affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Executive Director and as set forth in this Resolution are hereby approved for payment.

2. The authorized signers of checks are hereby authorized and directed to sign checks in the payment of bills and claims which are hereby approved.

The computer print-out of the list of bills will be on file in the Purchasing Agent's Office.

CURRENT FUND	\$ 137,613.10
REVIEW and INSPECTION	103.50
EIT and CONSTRUCTION	24,615.42
RENEW and REPLACEMENT	0.00
TOTAL BILLS PAYABLE	\$ 162,332.02

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

AUTHORIZING GRANT OF PRELIMINARY, TENTATIVE AND FINAL APPROVAL FOR CONGREGATION SONS OF ISRAEL - APPLICATION NUMBER 166

WHEREAS, Congregation Sons of Israel submitted applications for preliminary, tentative and final approval on or about December 23, 2010; and

WHEREAS, the Authority’s engineer has recommended the granting of preliminary, tentative and final approval for Congregation Sons of Israel in its Engineer’s Report dated September 9, 2013, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority that Preliminary, Tentative and Final Approvals are granted to Congregation Sons of Israel in accordance with the Applications submitted, subject to the following conditions:

1. Filing of appropriate plan revisions and satisfaction of conditions set forth in engineer’s report dated September 9, 2013;
2. Payment of outstanding review fees;
3. Posting of inspection review fees in the amount of \$2,000;
4. Payment of the tentative application fee in the amount of \$520;
5. Payment of the final application fee in the amount of \$520;
6. Payment of a connection fee then in place equal to 2 EDUs; and
7. Compliance with the Authority’s Rules and Regulations and such other requirements set forth by the Authority’s engineer.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

RATIFYING EXECUTION OF SHARED SERVICES AGREEMENT WITH TOWNSHIP OF OCEAN FOR ADMINISTRATIVE SERVICES

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:65-1 et seq. authorizes local units as defined in the Act to enter into joint agreements for the provisions of governmental services; and

WHEREAS, the Township of Ocean has a need for administrative assistance with purchasing, grant writing, personnel and project management, and other Township-related activities; and

WHEREAS, the Authority’s Executive Director has experience in personnel, financial and project management, and purchasing; and

WHEREAS, the parties are desirous to enter into a Shared Services Agreement for the Township’s use of the Authority’s Executive Director’s services; and

WHEREAS, the Authority discussed the Shared Services Agreement at its May 7th meeting and approved a draft of the Agreement; and

WHEREAS, the Chairman and Secretary have executed the Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority approve the Shared Services Agreement and hereby ratifies the actions of the Chairman and Secretary in executing the attached Shared Services Agreement for administrative services.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Regular Meeting held on October 1, 2013.

CHRISTOPHER KELLY, Secretary

**AUTHORIZING REFUND IN THE AMOUNT
OF \$117.86 TO SCOTT AND MARIA YOSCO**

WHEREAS, Scott and Maria Yosco sold 480 Staffa Street in the Township of Ocean, known as Block 9, Lot 75 on September 17, 2013; and

WHEREAS, the Yoscos paid the third quarter sewer charges in the amount of \$117.86 on or about September 17, 2013; and

WHEREAS, the Yoscos were charged \$117.86 for the third quarter charges on the closing statement.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby authorizes a refund of \$117.86 to Scott and Maria Yosco.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Regular Meeting held on October 1, 2013.

CHRISTOPHER KELLY, Secretary

**AUTHORIZING RELEASE OF SANITARY SEWER
PHASE I MAINTENANCE GUARANTEE FOR
APPLICATION NUMBER 132 - ROLLING MEADOWS**

WHEREAS, the Authority released performance bond #S05463 issued by First Indemnity of America Insurance Company for Phase I sanitary sewer in Rolling Meadows on June 9, 2011; and

WHEREAS, Rolling Meadows at Wayside posted maintenance bond #S05463M issued by First Indemnity of America Insurance Company for Phase I sanitary sewer in Rolling Meadows; and

WHEREAS, the Authority staff advises there have been no issues with the performance of the Rolling Meadows collection system for Phase I.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby releases maintenance bond #S05463M.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Regular Meeting held on October 1, 2013.

CHRISTOPHER KELLY, Secretary

**AUTHORIZING RELEASE OF SANITARY SEWER
PHASE II MAINTENANCE GUARANTEE FOR
APPLICATION NUMBER 132 - ROLLING MEADOWS**

WHEREAS, the Authority released performance bond #S05900 issued by First Indemnity of America Insurance Company for Phase II sanitary sewer in Rolling Meadows on June 9, 2011; and

WHEREAS, Rolling Meadows at Wayside posted maintenance bond #S05900M issued by First Indemnity of America Insurance Company for Phase II sanitary sewer in Rolling Meadows; and

WHEREAS, the Authority staff has indicated there are no issues with the performance of the collection system for Phase II in Rolling Meadows.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby releases maintenance bond #S05900M.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

**AUTHORIZING RELEASE OF SANITARY SEWER
PHASE III MAINTENANCE GUARANTEE FOR
APPLICATION NUMBER 132 - ROLLING MEADOWS**

WHEREAS, the Authority released performance bond #0350938 issued by International Fidelity Insurance Company for Phase III sanitary sewer in Rolling Meadows on June 9, 2013; and

WHEREAS, Rolling Meadows at Wayside posted maintenance bond #0350910 issued by International Fidelity Insurance Company for Phase III sanitary sewer in Rolling Meadows; and

WHEREAS, the Authority staff has indicated there are no issues with regard to the performance of the Phase III collection system at Rolling Meadows.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby releases maintenance bond #0350910.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

I hereby certify the above to be a true copy of a Resolution duly adopted by the Township of Ocean Sewerage Authority at its Regular Meeting held on October 1, 2013.

CHRISTOPHER KELLY, Secretary

**AUTHORIZING RELEASE OF PINE LANE SANITARY
SEWER MAINTENANCE GUARANTEE FOR
APPLICATION NUMBER 132 - ROLLING MEADOWS**

WHEREAS, the Authority released performance bond #S05392 issued by First Indemnity of America Insurance Company for Pine Lane sanitary sewer on June 9, 2011; and

WHEREAS, Rolling Meadows at Wayside posted maintenance bond #0553917 issued by First Indemnity of America Insurance Company for Pine Lane sanitary sewer; and

WHEREAS, the Authority staff has indicated there have been no issues with the performance of the Pine Lane collection system.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority hereby releases maintenance bond #0553917; and

BE IT FURTHER RESOLVED that any excess escrow amounts held by the Authority be released to Rolling Meadows at Wayside.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

**AUTHORIZING EXECUTION OF AGREEMENT WITH
THE COUNTY OF MONMOUTH FOR BRIDGE O-11
RECONSTRUCTION**

WHEREAS, the County of Monmouth intends to reconstruct Bridge O-11 connecting Asbury Park and Loch Arbour/Allenhurst; and

WHEREAS, the Township of Ocean Sewerage Authority maintains a force main on Bridge O-11 that would have to be relocated; and

WHEREAS, as the result of negotiations, the County has agreed to pay for the replacement of the existing force main hanging on Bridge O-11 with a directional drill of the force main; and

WHEREAS, the Authority has agreed to pay for the design costs of the directional drill, a second force main to be part of the directional drill and for construction inspection services with regard to the directional drill.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby approves an agreement with the County of Monmouth in substantially the same form as that attached hereto for the relocation of its force main on Bridge O-11; and

BE IT FURTHER RESOLVED that the Chairman and Secretary are authorized to sign the agreement on behalf of the Authority.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

AUTHORIZING REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES IN A FAIR AND OPEN PROCESS

WHEREAS, the Authority feels that it is in the best interest of the Authority and its ratepayers to seek competitive proposals for its professionals; and

WHEREAS, the Authority also seeks to qualify a pool of engineers for upcoming capital projects; and

WHEREAS, N.J.S.A. 40A:11-4.3 requires the Governing Body to pass a resolution authorizing the use of competitive contracting.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority that the Executive Director is authorized to seek competitive proposals for the Authority’s General Counsel, Consulting Engineer and Auditor; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to issue a Request for Expression of Interest in engineering services, which will include the Consulting Engineer request for proposal

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

AUTHORIZING AWARD OF A CONTRACT FOR SEWER LINE AND FACILITIES REPAIRS TO MARK WOSZCZAK MECHANICAL CONTRACTORS, INC.

WHEREAS, the Township of Ocean Sewerage Authority advertised for the receipt of bids for Sewer Line and Facilities Repairs in the Asbury Park Press on September 11, 2013 and posted the bid opportunity and bid documents on its website the same day; and

WHEREAS, the newspaper advertisement stated the return date was Wednesday, September 26, 2013, and the bid documents stated the return date was September 26, 2013; and

WHEREAS, there is no Wednesday, September 26, 2013; and

WHEREAS, the Authority received no inquiries as to the return date of the bid; and

WHEREAS, no bidders appeared at the Authority's office on Wednesday, September 25, 2013 to present a bid; and

WHEREAS, Mark Woszczak Mechanical Contractors, Inc. presented the only bid; and

WHEREAS, in accordance with law, the Authority intends to award a contract to the lowest responsible bidder meeting the bids specifications for the term that is most advantageous to the Authority; and

WHEREAS, the Authority's Executive Director has certified that funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby waives the identification of September 26, 2013 as a Wednesday as immaterial; and

BE IT FURTHER RESOLVED that the Township of Ocean Sewerage Authority hereby awards a contract for providing Sewer Line and Facilities Repairs to Mark Woszczak Mechanical Contractors, Inc. at the prices indicated in the proposal signed September 25, 2013; the total maximum bid price does not bind the Authority to the payment of any specific total, the amount to be paid under the contract shall be in accordance with the quantity of materials provided at prevailing per gallon charge; and

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized and directed to execute the contract for the award on behalf of the Authority.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary

AUTHORIZING GRANT APPROVAL FOR MNC PROPERTIES, LLC (ACURA OF OCEAN) - APPLICATION NUMBER 169

WHEREAS, MNC Properties, LLC filed a preliminary application on or about November 21, 2011; and

WHEREAS, the applicant sought to disconnect the sewer service at 909 Route 35, known as Lots 30 and 31 in Block 137 on the Township of Ocean Tax Map for purposes of expanding parking area for Acura of Ocean; and

WHEREAS, the sewer line has been disconnected and all review and inspection fees have been paid to the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority hereby grants approval to MNC Properties, LLC for application number 169; and

BE IT FURTHER RESOLVED that the Township of Ocean Sewerage Authority hereby waives the filing of Tentative and Final application forms.

	Motion	Second	Aye	Nay	Abstain	Absent
Bernhardt						
Galvin						
Kelly						
Stubbs						
Villapiano						

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CHRISTOPHER KELLY, Secretary